

UGANDA WORKERS' EDUCATION ASSOCIATION (UWEA)

'Developing Strategies for Change for Women
Workers in African horticulture'
The case of Uganda
UWEA in Collaboration with WWW

2011

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1 Executive Summary

UWEA in collaboration with Women Working Worldwide (WWW) and with funding from Comic Relief undertook to implement a project '**Developing Strategies for Change for Women Workers in African Horticulture**'. Other partners (TPAWU) of Tanzania and NFFPFATU of Ethiopia implemented this project in their respective countries.

This report presents findings on the progress recorded on the respective project components provided under the focus areas of monitoring farm records, social codes of conduct, purchasing practices, management influences and behavioural change which included:

- ❖ Promoting freedom of association more especially sensitizing and mobilizing workers to unionize;
- ❖ Establishment and or promotion of Savings and Credit Cooperative Organizations (SACCOs).
- ❖ Collaborating and strengthening relationships with Labour Unions, horticultural companies and other stakeholders;
- ❖ Promoting independent monitoring and conducting of social audits;
- ❖ Education, skills training and capacity building of the workforce; and
- ❖ Advocacy to promote respect of workers' rights

The project aimed at development and supporting initiatives and strategies designed to tackle the causes of labour rights problems on the commercial horticultural farms. Further it was intended to strengthen the capacity of the local organisations to support horticultural women workers. Key outcomes for the project were identified as mainly relating to improved working conditions and employment terms of workers in the flower industry.

In brief findings on the four focus areas of the project were as indicated here under:

Baseline survey (tracking of farm records):

Twelve (12) farms (11 flower farms +one (1) fruit and vegetable farm) were tracked on a six monthly basis and six monthly reports were made highlighting progress made on major areas of focus which included:

- ❖ Employment status
- ❖ Gender issues
- ❖ Freedom of association in regard to unionisation
- ❖ Occupational Health and Safety
- ❖ Maternity protection
- ❖ Working hours
- ❖ Corporate Social Responsibility

Due to the needs identified one other farm was included in the third year of the project activities

Farm records from 2007 – February 2011 are attached to this report as appendix II showing a gradual improvement on working conditions and unionisation where;

- ❖ Recognition agreements have been signed between the union NUPAWU with 3 farms and the union UHAWU with sixteen farms
- ❖ A joint sector CBA covering all the 19 farms under UFEA was negotiated and signed between the union and all flower farms.
- ❖ An increase of **40%** workers with written employment contracts was realised bringing a total workforce with written contracts to **61.20%** up from **21.60%** at the commencement of the project.
- ❖ Women managers and supervisors on the farms constitute 294 representing **31.58%** out of which only 24 women representing **8.16%** are in senior management positions while the rest are green house and grading supervisors. Even those in senior management positions were not empowered enough to make independent decisions.
- ❖ As reflected in table “C” of appendix II to this report women constitute the majority workforce representing **62.56%** of the total workforce in the twelve farms.
- ❖ There has been a decrease in the number of casual workers to **23.4%** recorded in 2010 down from **64.7%** recorded in the twelve farms in the year 2007.
- ❖ Union membership in the twelve farms increased to 3,569 representing 56.1% in 2010 as compared 1,128 that represented 23.1% in 2007. This reflects an increase of 33%.
- ❖ Majority of union members are women constituting 62.87% of the total union membership which right now stands at 3,569.
- ❖ According to the reports from the unions and as a result of training activities undertaken by UWEA, all the nineteen farms have now formed women’s committees with each committee composed of nine women, making a total of 171 women’s committee leaders from all the nineteen branches including all the twelve branches that are on farms covered by the project. The union reports also indicate that seven out of the nineteen branches have their female Branch Secretaries. These were elected on merit through an open democratic process. Branch Secretaries are the focal persons in the union at the Branch level. This is recorded as a very positive trend considering that most women out of fear and lack of knowledge were never actively involved in trade union leadership before.
- ❖ 4 farms out of the twelve farms studied provide PPEs to all the workers while the remaining 8 farms provide PPEs to sprayers, security workers, store keepers, fatigators and staff handling grading. Our study was, however, not able to ascertain the effectiveness or quality of the PPEs provided to the workers. This may be an area of further study at another appropriate time.
- ❖ 39.47% of the total workforce in the twelve farms enjoy access to medical services offered at the health centers and clinics particularly from farms that have such facilities as indicated in the attached tables. The health services also benefit the communities around the farms.
- ❖ 69.82% of the workforce in the twelve project farms has access to improved sanitary provisions. However, two farms with a total workforce of 1,920 (30.18%) still do not meet the standard of proper sanitation although they have tried to improve.
- ❖ Although sexual harassment is still common in all the farms, employers and the union recently signed a sector CBA which contains provisions that the employer and the union shall put in place a sector sexual harassment policy and to institute any other measures aimed at eliminating and preventing sexual harassment occurrence at the workplace.

- ❖ All farms now have basic provisions on Occupational health and safety policy at the work place and the sector CBA provides that all existing Occupational Health and Safety policies on the farms must be amended to conform with the provisions of the Occupational Safety and health act No. 9 of 2006 and other laws relating to it. According to the CBA all workers now have to be insured by the employer to ensure their health and safety while on duty is not compromised.
- ❖ The sector CBA also compels all the farms to provide sixty days maternity leave with full pay to pregnant mothers. However six farms by December 2010 were still giving pregnant mothers 60 working days with only one month's pay.
- ❖ A sector Savings and Credit Cooperative Organisation (SACCO) for union members was formed in August 2010 and some farms have started effecting savings for the workers.
- ❖ 57.23% of the total workforce in the twelve farms contributes to the social security fund where a worker contributes 5% of her salary and the employer contributes 10% of the worker's salary to the fund. This money is saved and kept by the fund to support the worker at old age when he or she would no longer be strong enough to engage into gainful employment for his or her well being.
- ❖ The sector CBA provides for a 48 hour working week and any time beyond this is considered overtime which must be paid for at the rate that is not less than one and half times the normal rate. At the time of writing this report, this was also a subject of negotiation between the union and the farms that were negotiating a supplementary CBA on salaries and allowances.

Research findings on Social Codes of practice:

All the twelve farms stated they were MPS- GAP certified of which four were MPS/SQ/ETI certified. Although there was need for further improvement, it was found that three of the four farms had registered improved conditions as a result of auditing. For example all workers (not just sprayers) were adequately supplied with PPEs. However, on one farm, the audit report did not reflect the reality about the workers, and it was observed that management “guided” workers on what to say prior to the audits. Workers were also not aware of the code being implemented by the farm although management explained that workers were involved. The farm also never responded to the auditor's recommendations to improve the working and environmental conditions. When the researchers addressed management on these issues they (management) accepted the short falls and promised to rectify.

Effective implementation of codes can lead to better working and environmental conditions. It is, therefore, recommended that all farms should commit to implement not only MPS – GAP which focuses mainly on quality of the products but also MPS/SQ and ETI codes as this will help them work towards improving conditions for both their workers and the environment.

It is fundamentally important that trade unions and NGOs especially those with a focus on labour be consulted and involved prior and during the audit as observers as a means of promoting compliance.

Proper implementation of codes is an area of advocacy and continued social dialogue is required to promote adherence to the set standards.

Research findings on purchasing practices:

Europe forms the major import market for Ugandan horticulture products. This is done through a direct link of export to Dutch markets (Dutch auction houses) and supermarkets in UK. **Approximately 80% of the Uganda flower exports go to the auctions and 20% to direct sales within Holland such as Fides Holland and to supermarkets in other countries in the UK, Germany, etc ,**

Specifically the key players in the market chain include Agents, Super markets and Auctions (VBA, BVH). In most cases the producers sign sales agreements with the buyers of their produce which offer guaranteed stability of relationships between the producers and buyers. The stability of relationship has a direct impact on producers' planning and management decisions which in a way affects workers' conditions on farms. For the farms with stable relationship (cuttings i.e mums and potted plants farms) with the buyers, there were observed better working conditions and environmental conditions as compared to other farms (rose flower farms) that periodically sourced markets for their produce.

It should be noted that majority buyers did not appear to have direct knowledge of the working conditions of the workers from which the produce is sourced, as the producers were reluctant to make known any poor working conditions to their customers for fear of negatively affecting their market on grounds of unethical production of flowers.

Research findings on Gender, Cultural, Behavioural and management influences:

The majority of workers in the study were Baganda from the central region and other tribes encountered in the study included; Bagwere, Bagisu, Basoga and iteso from the Eastern region and the Acholi, Langi, and Lugbara from the northern region among others. As in most regions and tribes of Uganda it was clear that all cultures were patriarchal and this explained why women were the majority in lower cadre jobs in the horticultural farms.

The majority of women in Uganda as is the case in other parts of Africa are largely brought up to believe and know that they are inferior to men and their work is to serve men while men are the decision makers. It was established that decision making at household level was mainly done by men as compared to a few cases that accounted for **14%** where household decision making was jointly taken. The same scenario was reflected at farm level where women in leadership positions accounted for **31.58%** and even with this small percentage representation, women still do not have the power to make major decisions. Most of the women in leadership do not have the authority to take decisions but have to consult their superiors before taking or implementing any decisions.

Acronyms

CSO	Civil Society Organisations
FGDs	Focus Group Discussions
GHOWERN	Global Horticultural Workers and Environmental Rights Network
KII	Key Informant Interviews
NFFPFATU	National Federation of Farm, Plantation, Fish and Agro-Industry Trade Union - Ethiopia.
NUPAWU	National Union of Plantation and Agricultural Workers – Uganda
PRA	Participatory Rapid Appraisal
SRS	Simple Random Sampling
TPAWU	Tanzania Plantation and Agricultural Workers’ Union.
TUs	Trade Unions
UFEA	Uganda Flowers Exporters Association
UHAWU	Uganda Horticultural and Allied Workers’ Union
UWEA	Uganda Workers’ Education Association
WWW	Women Working Worldwide

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CHAPTER ONE: BACKGROUND INFORMATION AND INTRODUCTION

1.0 Overview of the Study:

The Study on *'Developing Strategies for Change for Women Workers in African Horticulture'* was commissioned by Uganda Workers' Education Association (UWEA) in collaboration with Women Working World Wide (WWW) under the financial assistance from Comic Relief. The research was undertaken as part of the three year project for improving women workers lives in the horticulture farms through developing strategies that would enable them to claim their rights. The current action research is aimed at documenting the labour rights situation mainly on the focal farms and highlighting the progress registered since the inception of this project in May 2008 to December 2010. This project was simultaneously implemented by three organisations that include; Tanzania Plantation and Agriculture Workers' Union (TPAWU) from Tanzania; the National Federation of Farm, Plantation, Fish and Agro-Industry Trade Union (NAFFPFATU) and the Uganda Workers' Education Association (UWEA). The research report presents an interpretation of the findings and program and policy recommendations. Two of the organisations, TPAWU and NFFPFATU have documented their findings under separate reports describing the labour rights situations as they obtain in their respective countries.

1.1 Project Description:

Overall Goal:

The project aimed to support initiatives and strategies designed to tackle the causes of labour rights problems on the farms and strengthen the capacity of the local organisations to support horticultural women workers.

Implementation Strategies:

The project implementation strategies included workers' empowerment through training, unionisation of workers, workers' rights advocacy and action research, the outcomes of which could be reflected and monitored by the following indicators.

- Number of workers converted from casual/seasonal to permanent employment terms;
- Number of workers who receive salary increments;
- Number of workers who join and are organised into trade unions;

- Number of workers forming women committees and those elected in leadership positions such as Branch Secretaries;
- Number of workers who have access and wear protective clothing;
- Number of workers who access medical services/facilities;
- Number of workers with access to improved sanitation provisions;
- Number of workers protected by sexual harassment, harsh treatment, occupational health and safety hazards and gender insensitive policies;
- Number of workers experiencing improved reproductive rights e.g. maternity rights;
- Number of workers adequately paid for overtime and with freedom to choose overtime hours to perform; and
- Number of workers that are organised and can access savings and credit facilities.

1.2 Background of Uganda Workers' Education Association (UWEA)

Established in 2001 to promote education of the vulnerable and disadvantaged workers such as women, young people etc, UWEA is a CSO that works with other networks and organizations to promote and protect workers' rights. The organization also supports employers by using its labour knowledge and influence to educate workers about their obligations. In the horticultural field, UWEA has worked well with unions namely NUPAWU and UHAWU. The association is governed by a National Assembly as the supreme policy making body with an Executive Board of seven members. Its secretariat at the time of writing this report was located in Ntinda-Nakawa Division on Plot 1447 Ntinda-Kiwatule Road on BETA House. The Secretariat is headed by a Director who is supported by a programmes officer, Environment/Advocacy officer, Road Safety Coordinator, Education Officer, LEECAS Programme Manager, Research Coordinator, together with other staff assigned different duties.

Since inception UWEA has conducted research, offered education, mobilized and among others organized workers both on horticulture farms, in the informal economy and several work places to empower them in; creating awareness of their rights, leadership and governance, occupational health and safety, skills development, policy dialoguing etc. In 2004 UWEA entered into a partnership engagement with WWW in research, organizing, empowerment and advocating for women workers' rights on Horticultural farms in Uganda. This collaboration culminated among others into the project for which this report is made.

The major aim of this project was to improve the lives of women workers on horticultural farms by implementing strategies that will enable them to claim their rights and to enjoy their social security as workers. In addition, this project was intended to support research about workers and their social security rights to inform national and international policy agendas. The implementation strategies of this project as explained in the earlier paragraphs included;

- ❖ Promoting freedom of association more especially sensitizing and mobilizing workers to unionize;
- ❖ Promotion of Savings and Credit Cooperative Organizations among workers to empower them economically.

- ❖ Collaborating and strengthening relationships with Labour Unions, horticultural companies and other stakeholders;
- ❖ Promoting independent monitoring and conducting of social audits;
- ❖ Education, skills training and capacity building of the workforce; and
- ❖ Advocacy to promote respect of workers' rights

Consequently, UWEA together with the sector labour unions and other labour rights support organizations, supported the growth of Workers' and Environmental Rights Network (WERN), that is a local loose coalition of CSOs that agreed to support efforts to enhance effectiveness in advocacy by building a strong voice against labour and environmental rights abuses identified in the country. Together members monitor the situation of horticultural workers and advocate on behalf of workers. Through the advocacy work of this coalition a number of labour and environmental rights related issues have been addressed where many women workers' conditions have improved e.g. some women have been reinstated after unfair dismissal, maternity rights granted, perpetrators of sexual harassment against women disciplined, women committees formed, collective bargaining enhanced as a continuous and sustainable channel through which working conditions can be improved and monitored etc. The WERN has also engaged many flower farm owners to comply with the ILO conventions on freedom of association and collective bargaining by dialoguing with them and through advocacy at national level in order to promote women's rights. Unions are now more strengthened to continue efforts of collective bargaining to improve and promote workers' rights.

Still as explained earlier, UWEA from May 2008 joined the rest of the partners in Ethiopia and Tanzania to carry out action research under this project to document the factors affecting the labour conditions in the African horticulture as the basis for developing strategies for change specifically for women workers.

1.3 Horticulture Sector in Uganda:

The horticulture sector in Uganda consists of the growing of fruits, vegetables and flowers. Most of the floriculture sub-sector is organised under the umbrella of the Uganda Flower Exporters' Association (UFEA), with twenty members including two farms that also produce fruits and vegetables. UFEA is one of the key stakeholders in the horticulture industry, operating under international trade protocols and standards over the last 16 years have promoted international production and trading practices among its membership in the industry. It is an internationally recognised organisation responsible for; research, development, capacity building and policy advocacy, a combination of which have created a better environment for industrial growth and expansion of the flower sector in Uganda. In it's reports UFEA explains that it follows a Code of Practice that is in compliance with the MPS and EUREP-GAP standards.¹ The Code of Practice addresses issues pertaining to:

- Workers' Health and Safety;
- Fair remuneration and working conditions for employees;
- Control of environmental degradation; and
- Environmental Conservation.

¹ UFEA Bulletin website.

The floriculture sub-sector is a growing export sector with values increasing from approximately US\$14.61million in 2000, to US\$34.15million by 2008 as portrayed in the figure below.²

Table 1: Total Export values 2000-2008 in US \$

Fig. 1 Total Export Values 2000-2008 in US\$									
Year	2000	2001	2002	2003	2004	2005	2006	2007	2008
Value in U	14.61	15.9	21.13	26.53	31.9	34.86	26.94	32.05	34.15

The volume and values of flower exports have consistently increased since 2000 except during 2006 when they dropped. From 2007 to 2008 the values increased by **6.6%** from US\$32.05million to US\$34.15million. The evidence to the impact of economic crises experienced by the farm is clearly explained under the section on purchasing practices.

In Uganda it is estimated that the commercial horticulture sector employs about 20,000 workers, with the floriculture sector employing approximately 6,000–9,000 workers (UFEA). In view of the increasing importance of the flower sector as an employer, it is quite pertinent that the rights of workers in the sector are closely monitored to determine that they are in consonance with the established codes of practice in the industry.

1.4 Research aims and objectives

The aim was to carry out action research on four specific areas in horticultural farms so as to develop strategies that would improve labour conditions for women workers. The four specific areas include;

- Baseline assessment of conditions on farms;
- Application of Social Codes of Practices;
- Purchasing Practices; and
- Cultural, Behavioural and Management influences.

The findings from this action research would shape an advocacy campaign, capacity building and training to address the concerns raised.

1.4.1 Specific Objectives and Investigation Areas:

- **Baseline assessment of conditions on farms**
 - Status and changes in working conditions;
 - Compliance with workers and environmental rights;
 - Existing remedial and mitigation mechanisms;
 - Current situations/outcomes against project indicators; and
 - Levels of unionisation and negotiations.
- **Application of Social Codes of Practices**
 - Knowledge and awareness;
 - Identify levels of practices and gaps;
 - Evidence of benefits and outstanding issues; and

² Ibid

- Policy advocacy areas outstanding.
- **Significance of Purchasing Practices**
 - Terrain and key players in the market chain;
 - Market Fluctuations and their impacts on compliance with Social Codes of Practices by producers;
 - Trade Conditions (Price, Quality and Delivery); and
 - Intervening areas that require actions.
- **Cultural, Behavioural and Management influences:**
 - Factors responsible for gender-biases against women;
 - Initiatives and actions for women’s advancement;
 - How to strengthen labour unions in engendering their approaches.

The research was conducted with a view of collating gender sensitive information in order to highlight the particular problems that relate to women workers on flower farms. Taking into account that most of women are either un-skilled and/or low skilled in addition to having multiple roles that in most cases expose them to stressful and subordinate conditions.

1.5 Report Structure:

The report is organized in four chapters.

Chapter One provides background information on the project concept; aim, implementation strategies, and indicators; implementing agency and its history; flower industry in Uganda; research objectives and focus of the research.

Chapter Two provides the approach and methodology to the study detailing the study design, sample composition and size, data collection and analyses and limitations encountered.

Chapter Three presents the study findings structured according to the research objectives giving an assessment of the project interventions performance (outcomes). It gives the current statuses of the 4 focus areas, gaps and emerging issues.

Chapter Four makes major conclusions, recommendations and area of future study based on study findings, intended to aid future programming, organizational strategies formulation and institutional development.

CHAPTER TWO: RESEARCH METHODOLOGY

2.1 Overall Study Design

A combination of qualitative and quantitative methodologies were applied when carrying out this study. The information was collected using questionnaires, focus group discussions, observations and key informants interviews. The key informants included: trade union leaders, managers of flower farms, line ministries and umbrella organisations that included- the Uganda Flower Exporters' Association (UFEA) and the Federation of Uganda Employers (FUE). Purposefully selected flower farms were identified and studied in which a total **number of 401 respondents were interviewed. The respondents were selected using** simple random sampling (SRS) and interviewed. Other key informants were also interviewed as shown in Table 2.1.

2.2 Study Participants

Study participants (primary targets) included female and male workers, managers in the flower farms that were interviewed during the study. Other key informants (secondary) included; officials of UFEA and FUE, Trade Union officials, officials in the line ministries of labour and that of agriculture together with people in the surrounding communities. **68.6%** of the farm workers interviewed were females.

Table 2.1: Sample Distribution of study participants

Type of respondent	Female	Male	No.	%
Farm managers	3	11	17	4.3%
Workers	253	97	350	87.5%
Staff of UFEA and FUE	2	0	2	0.8%
Line ministry officials	1	2	3	0.8%
Union leaders	6	4	10	2.5%
Community members	10	12	22	5.5%
Total	275	126	401	100.0%

2.3 Area of study and sampling units

The study was conducted in three districts of Wakiso, Mpigi and Mukono. The flower farms visited included those as explained in table 2.2 below.

Table 2.2: Names and ownerships of farm sample units

No.	Name	Ownership	Total farm workforce	% represented as per floriculture industry total workforce(8,300)
1.	Wagagai Ltd;	Foreign	1692	20.39%
2.	Ugarose Ltd;	Local	272	3.28%
3.	Aurum Roses Ltd;	Foreign	261	3.14%
4.	Melissa Flowers Ltd;	Foreign	320	3.86%
5.	Mairye Estates Ltd;	Foreign	720	8.67%

6.	Xclusive Cuttings Ltd;	Foreign	227	2.73%
7.	Uganda Hortec Ltd;	Foreign	282	3.40%
8.	Xpressions Ltd;	Foreign	258	3.11%
9.	Rosebud Ltd;	Local but of foreign origin	1,200	14.46%
10.	Fiduga Ltd	Foreign	580	6.99%
11.	JP Cuttings Ltd.	Foreign	240	2.89%
12.	Royal Van Zanten	Foreign	310	3.73%
	Total		6,362	76.65%

Each of these flower farms represented different types of characteristics with regards to conditions of women workers on the farms, the efficiency of the codes of practice in tackling women related rights violations/abuses, the effect of purchasing practices on workers and the cultural, behavioural and management influences accounting for poor labour conditions.

2.4 Data Collection

2.4.1 Training of interviewers

As part of data collection, interviewers (research assistants) were trained in the research methodology and processes. The research assistants also benefited from the four days' regional training conducted in Kampala on research and advocacy for the project partners from the three countries. This was aimed at preparing the research assistants to gain research skills required in order to meet the minimum quality and accuracy in information collection standards to measure up to the purpose of the assignment. A one day in-house training session was also organised and a total number of 4 interviewers/research assistants were oriented in the study guidelines and approaches based in the questionnaire and the study checklist.

2.4.2 Participatory approaches to data collection

The study employed rapid assessment procedures to collect data from the study communities. Participatory Rapid Appraisal (PRA) methods were preferred because they allowed free participation and response from the study participants in addition to generating the workers' voices and views regarding the study. It therefore ensured direct involvement and participation of workers and communities surrounding flower farms to be and act as evaluators of all farm processes with regards to workers conditions. The following specific PRA tools were used: selecting case study communities, direct observation of the projects developed as a result of the program, key informant interviews and document/records review.

2.4.3 Literature and documentary review

A review of relevant farm records was done throughout the period of data collection, analysis and report writing. Other documents reviewed included: UFEA periodic reports, ILO conventions, national labour laws, UFEA codes and some farm records available. They are documents specifically related to the purchasing

practices, Codes of conduct and general practice in terms of workers' welfare support services.

2.4.4 Key Informant Interviews (KII)

Key informant interviews were conducted with managers and workers on the farms. Other groups where key informants' interviews were conducted included Uganda Flower Exporters' Association, Line Ministries of Labour and that of Agriculture together with people from the surrounding communities.

2.4.5 Semi-Structured Interviews

Semi-structured interviews were conducted using an interview guide and focus group guide administered to workers of farms. FGDs were conducted with farm workers and community members. Groups of 15 –30 workers were organized in the above categories and in-depth discussions done to gain more information regarding the study objectives.

Input of stake-holders:

Three stake-holders' meetings were held to get their views and feedback about the findings which equally enriched this report. The three stake holder meetings were held at different intervals and participants consisted of employers' representatives, trade unions, and civil society organisations, that are members of WERN, people from the surrounding communities including local authorities and workers.

Data Management/Analysis

2.5.1 Quality Control

All duly filled-in questionnaires were edited and coded before they were administered. Data entry was done using EPI-INFO and analysed using SPSS package to generate frequencies, percentages and cross tabulations in order to provide a comprehensive description of the workers conditions, related purchasing practices as well as behavioural and management influences affecting poor labour conditions. Bi-variant analysis was done to establish the possible differences between decision making on financial aspects of women and men, their spending behaviours, the difference between supermarkets behaviours and wholesalers and among the flower farms that were covered by the study.

All qualitative data was analysed using content and thematic approach. All the interviews were transcribed and themes formulated on the basis of study objectives which also informed sections in this report.

2.6 Study Limitations

To date some farms still have not well appreciated the importance of conducting studies by other parties other than themselves and especially on subjects such as a focus on labour. However, managers from other farms were very free with information as they shared it without any hesitation. During the execution of the study, the team encountered the following challenges:

- Suspicion by some respondents as regards the purpose of the research;

- Scattered data on the flower farms hampering easy and coordinated access for instance in the case of Uganda Hortec, the top managers with the required vital information did not have their offices on the farm as they were housed inside the offices of SCOUL that is the parent company.
- Most farm-managers were unwilling to give detailed information related to purchasing practices.
- Difficulties in getting some managers to attend the focus group discussions and mobilisation of the communities surrounding flower farms which prolonged the evaluation exercise with attendant costs.

Notwithstanding the above limitations, the team dedicated more time to the action research exercise and reached all planned farms, respondents and surrounding communities. The team is confident that with information obtained through document reviews, interviews with flower farm management, workers, and community people surrounding farm industries, line ministries, key trade union staff, Flower Exporters' Association staff and other study participants in field visits, the findings presented in this report reflect a balanced analysis of the project performance and baseline status of the project focal areas.

CHAPTER-THREE: ANALYSIS AND DISCUSSION OF FINDINGS

3.1 Introduction

This section presents findings from the action research based on the study objectives. The research findings are presented following the structuring of the study i.e. assessment of working conditions by farmers' application of social codes of practices, significance of purchasing practices and cultural, behavioural and management practices. It also summarises the demographic characteristics of study elements (Workers on the farm, farm management, union leaders and key informants). These provide the context within which workers situations on the farms are analysed. The analyses of the findings are thus assumed to have a significant bearing on the promotion of their rights.

3.2 Findings:

This chapter presents the socio-economic demographic characteristics and employment situation of the respondents, in addition to findings of the baseline research and farm records maintained during the project period.

Table 3.1 gives the statistical summary of the findings.

The data reflected in the table below was collected before the signing of the CBA; with the coming into force of the CBA that was signed in August 2010, there was reflected a change in the working conditions as indicated in the tables under Appendix II.

EMPLOYMENT SITUATION

Sex	Frequency	Percentage
Male	126	31.42
Female	275	68.58
Total	401	100.00
Category of workers		
permanent	178	44.38
Casual	155	38.65
Seasonal terms	32	7.99
Contract terms	14	3.49
N/A	22	5.49
Total	401	100.00
Written contract		
Yes	189	47.13
No	191	47.63
N/A	21	5.24
Total	401	100.00
Language in which contracts are written		
English	387	96.51
Don't know (N/A)	14	3.49
Total	401	100
Elements in contracts	(n/N)	

Health	74	18.45
Name of employee	194	48.37
Medical check up report	70	17.46
Home/contact address	191	47.63
Next of kin and address	185	46.13
Commencement date	172	42.89
Job title	174	43.39
Nature of work	132	32.91
Hours of work	134	33.41
Reporting time	174	43.39
Salary payable	132	32.91
When paid	132	32.91
Disciplinary code	187	46.63
Probationary period	84	20.94
Annual leave	98	24.43
Termination of employment	124	30.92
Duration of employment	112	27.93
Salary per month		
50,000-80,000	179	44.64
85,000-100,000	130	32.42
110,000-200,000	50	12.46
210,000-500,000	19	4.74
550,000-900,000	14	3.49
Above 1,000,000	9	2.25
Total	401	100.00

Source: UWEA survey (figures covering workers in the 12 project farms – Data collected from May 2008 – August 2010). By comparison to data reflected in the appendix II there is reflected improvement in the working conditions

Sex

Female respondents were the majority (**275**) accounting for **68.58%** and their male counterparts being (**126**) **31.42%**.

3.2.1 Category of workers

From the analysis made workers were categorized into: permanent, casual, seasonal terms and contract terms. Among respondents interviewed, a total of **178** accounting for **44.38%** were permanent as compared to **155 (38.65%)** casual, **32 (7.98%)** seasonal, **14 (3.49%)** on contracts and **22 (5.48%)** N/A who had no knowledge on employment contracts. As compared to the last study, these figures reflected an increase in the number of workers on permanent employment and reduction of workers in casual, seasonal and contract employment. Although they bore different titles, it was observed that workers in casual, seasonal, contract terms and even some in permanent category were largely subjected to similar working conditions.

With the final analysis of data collected from the 12 farms for the period ranging from December 2010 to February 2011; women constitute 62.50% of the total workforce in the twelve farms, permanent workers are 51.40%, and casual workers are 48.60%, (reference is made to the data analysis tables in Appendix I attached to this report).

N/A - Refers to respondents from the surrounding communities and other workers/officials who didn't have an idea on employment contracts.

3.2.2 Salary per month

The survey carried out indicated that the majority of workers (44.63%) were paid between Ug. Shs 50, 000 - 80,000) which is an equivalent of (\$21.32 - \$34.12) an amount that was approximately one US Dollar a day. Although according to the FGDs and available records these salaries reflect an average increment of about 14% over the past two years, majority workers are still paid little money which is inadequate for domestic and personal effects. This compared to the recent data collected from December 2010 to February 2011, reflected an increment in salaries where the majority of workers now earned between 60,000 -100,000 per month (\$25.59 - \$42.64, while supervisors and managers are earning between 181,500 – 4,800,000/= (\$77.40-\$2046.91).

Workers' salaries still remained relatively too low, considering the increasing cost of living which has been compounded by the high inflation rate that at the time of this report was at 14%. This negatively affected access to the basic social needs such as housing, feeding, clothing, education, medical care, energy etc. In addition most households had no alternative sources of income which meant that they entirely depended on their employment on the farms for a living. Despite the numerous attempts by Trade Unions and CSOs, Government had not legislated on the minimum or living wage. The process of collective bargaining between the unions and the employers was also still inadequate due to an unlevelled ground in negotiations. This situation meant that workers were still not able to get a fair share of the wealth they have worked to generate at the farms.

This situation still leaves workers under the mercy of employers and calls for very vibrant labour unions and civil society organisations that are concerned with the rights of workers to enhance positive change in the issues highlighted. This is an issue for advocacy and concerted social dialogue efforts by the stakeholders.

A female worker when contacted for comment on how she spends her wages said: “we depend on bi-weekly payments and sometimes salary advances. It is difficult to budget on that little money; we use it as it comes. My children feed poorly and sometimes feed on one meal a day to enable me provide for other family needs.”

3.2.3 Employment categories on various flower farms:

Table 3.2; Gender analysis of the workforce on the various flower farms.

Category	Total No. of workers in the farms			Percentage of females at the farm
	Males	Females	Total	
Wagagai Ltd	423	1269	1,692	75.0%
Ugarose Ltd	116	156	272	57.35%
Aurum Roses Ltd	94	167	261	63.98%
Melissa Flowers Lt	122	198	320	61.88%
Mairye Estates Ltd	227	493	720	68.47%
Xclusive Cuttings Ltd	83	144	227	63.44%
Uganda Hortech Ltd	120	162	282	57.45%
Royal Van Zanten	113	197	310	63.55%
Xpressions Ltd	106	152	258	58.91%
Rosebud Ltd	441	759	1,200	63.25%
Fiduga Ltd	431	149	580	25.69%
J.P Cuttings	106	134	240	55.83%
Totals	2,382	3,980	6,362	62.56%

Source: UWEA Data collected from farm managers and Union leaders; 2007-February 2011

The observation derived from the table above is that the majority of the workers are females for all the farms except for Fiduga Limited that had 431 males as compared to 149 females. The percentage of female workers on all other farms studied ranged from **55.83%** to **75%** of the total work force, with an average of **62.56%** while male workers were at an average of **37.44%**. The situation reflects a change of **4.80%** increase in the employment of female workers as compared to the baseline survey indicated in the report of 2007 where females constituted **57.76%** of the total work force and males **42.24%**. The high level of women working on flower farms has two implications, one is that there is increasing number of women who fend for their families as single mothers following the loss

of their husbands or separated and secondly the economic hardships where breadwinners have lost traditional employment opportunities. This compels women to look for supplementary sources of income. In addition, employers prefer to employ females because they are ***‘less demanding, more stable and can easily be managed’***. This phrase quoted from one of the farm managers also explains women’s vulnerability to exploitation and abuse of their rights as compared to men and partly accounts for their being the majority on the farms.

Written employment contracts:

Table3.3: Showing the number of workers with written contracts and language in which contracts are written

No.	Name of the farm	Total No. of Workers	No. of workers with written employment letters	Percentage	Language of the contract
01	Wagagai Ltd	1,692	899	53.13%	English
02	Ugarose Flowers Ltd	272	169	62.13%	English
03	Aurum Roses Ltd	261	193	73.95%	English
04	Melissa Flowers Lt	320	243	75.94%	English
05	Mairye Estates Ltd	720	397	55.14%	English
06	Xclusive Cuttings Ltd	227	204	89.87%	English
07	Uganda Hortech Ltd	282	156	55.32%	English
08	Xpressions Ltd	258	72	29.75%	English
09	Rosebud Ltd	1,200	621	51.75%	English
10	Royal Van Zanten	310	269	86.77%	English
11	Fiduga Ltd	580	501	86.38%	English
12	J.P Cuttings	240	193	80.42%	English
	Total	6,362	3917	61.60%	English

Source: UWEA Data collected from farm managers and Union leaders as at December 2010

From the above table it can be seen that there is an increase in the number of workers that have been issued with written employment contracts from **21.60%**

at project inception to the current **61.60%**. With the full implementation of the CBA this percentage is practically expected to reach 100% before end of 2011. This notwithstanding the CBA provides for mandatory issuance of written employment contracts to every employee. Management of farms explain that the delay in the issuance of these written contracts to all employees is due to administrative difficulties associated with the large number of workers who were already in employment without written contracts and that unlike the new employees whose relevant information can easily be collected prior to appointment. There is a need to take time to collect the relevant data required for issuance of contracts to such employees who are already in service.

Language in which contracts are written

According to personal interviews, all the employment letters were written in the English language. It was however explained that the illiterate and semi-illiterate workers had an opportunity to have their appointment letters translated or explained to them in their vernacular languages, although many workers interviewed and who had written appointments did not understand the contents of their contract letters.

Respondents agreed that farms issued written employment contracts to some of their employees. **96.51%** of the respondents, including those who never had contracts explained that all contracts were written in English and **3.49%** respondents had no knowledge of the language in which contracts were written considering that most of these were from the surrounding communities and were not employees in any farm. This analysis tallies with farm records which show that all contracts are written in English.

Elements in the in the written employment contracts

Table 3.4: Explaining the details of a contract

Name of the farm	Elements in the contract
Wagagai Ltd	Job title, nature of work, hours of work, salary payable, when paid, Disciplinary code, probationary period, health, reporting time, annual leave, termination of employment, duration of employment
Ugarose Flowers Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period, nature of job (although this is generalised)
Aurum Roses Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period
Melissa Flowers Lt	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period
Mairye Estates Ltd	Job title, nature of work, hours of work, salary payable, when paid, Disciplinary code, probationary period, health, reporting time, annual leave, termination of employment, duration of employment

Xclusive Cuttings Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period
Uganda Hortec Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period, nature of work largely generalised
Royal Van Zanten	Job title, nature of work, hours of work, salary payable, when paid, Disciplinary code, probationary period, health, reporting time, annual leave, termination of employment, duration of employment
Xpressions Ltd	Nature of work, job title, hours of work, salary payable, when paid, Disciplinary code, probationary period
Rosebud Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period, nature of work – although this is generalised in most of the cases recorded
Fiduga Ltd	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period, nature of work, termination of employment, duration of employment
J.P Cuttings	Job title, hours of work, salary payable, when paid, Disciplinary code, probationary period
Lawful minimum provisions for an employment contract as per Employment Act No.6 of 2006	Full names and address of the parties to the contract of service, commencement date and the date of commencement of continuous service, job title, workplace, wages/salary and intervals of payment, deductions and other conditions, rate of overtime pay, hours of work, days of the week for such work and shift days, annual leave days and entitlement to wages during such leave, sick leave and pay, length of termination notice, refer the employee to a document reasonably accessible to the employee during working hours and which may contain any or all of the information mentioned above.

Elements of the contracts

From the table above, there is registered good progress with regards to the issuing of written employment contracts, although employers have not fully complied with the provisions of the Employment Act 2006. From the study findings, it was established that all farms have and are continuing to issue written contracts with contents as provided by the law, and all workers now are getting written contracts. The implementation of contents therein is also being monitored by the unions in response to their members' demands.

In terms of hours of work, most of the workers reported working more than the required normal 8 hours but without being paid overtime which is between Ug.Shs.200 -500.

Workers are now automatically transferred to permanent terms upon completion of probationary period of six months.

17 elements were recorded and which included; Name of employee, Health/medical check up report, home/contact address, next of kin, Commencement date, Job title, nature of work, hours of work, salary payable, when paid, Disciplinary

code, probationary period, health, reporting time, annual leave, termination of employment, duration of employment.

All farms in which interviews were conducted and that issued employees with written contracts at least indicated; the name of employee, employee’s contact address, job title, salary payable, reporting time, disciplinary code, duration and termination of employment. Three farms accounting for **27%** of the total project area never indicated the exact date of commencement for their employees because written contract letters to the majority of their employees were issued long after employees were in service. These employees also complained that such omissions by their employers denied them certain benefits related to seniority of employment. It was necessary for the union to undertake a verification exercise together with the employers so as to update the employees’ records.

According to the respondents in the FGDs, the nature of work for a bigger percentage of workers was so generalised almost on all farms in a phrase “**General worker**” meaning a worker could be assigned any available task. In this general phrase a worker would in a particular period be assigned to work as a scout and in another period be made a harvester, cleaner, transporter, maintainer, grader etc as the responsible manager or supervisor may determine. This is also clearly evidenced in **table 3.4** above where 8 farms out of twelve indicated the nature of work in the contract letters, while four only indicated the job title without describing the job.

Although the CBA and the Employment Act, 2006 provides that employers should issue written employment contracts to their employees, the study established that **38.40%** of workers had not yet been issued with written employment contracts. However, concerned employers accept the need to issue employees with written employment contracts in compliance with the CBA and the law but they are faced with administrative difficulties as explained above. They are, however, working to ensure all employees get their written employment contracts just as we see reflected above in the growing number of workers with written employment contracts.

Table3.5.Compliance with workers and environmental rights on: Health and Safety

OCCUPATIONAL HEALTH AND SAFETY	Frequency	Percentage
<i>Protective equipment-Provided to workers</i>		
Yes	154	38.40
No	189	47.13
N/A	58	14.46
<i>Total</i>	401	100.00
<i>How often PPEs are replaced</i>		
Yearly	88	21.94

6months	66	16.46
Monthly	-	-
Not at all	198	49.38
N/A	49	12.22
Total	401	100.00
Chemicals properly stored		
Yes	104	25.94
No	54	13.47
N/A	243	60.60
Total	401	100.00
Chemicals mixed in isolated building		
Yes	248	61.85
No	86	21.45
N/A	67	16.80
Total	401	100.00
Workers medically checked regularly		
Yes	94	23.44
No	140	34.91
N/A	167	41.65
Total	401	100.00
Medical facilities in place		
First aid box	142	35.41
Clinic at farm	89	22.19
Provide money	56	13.97
N/A	114	28.43
Total	401	100.00
Re-entry into sprayed green house		
After 6hrs	121	30.17
24 hrs	12	2.99
Anytime	243	60.60
N/A	25	6.24
Total	401	100.00

Source: UWEA survey conducted from July 2009 to March 2010

The study established that there is minimum compliance with workers' rights of health and safety with regard to access to medical services, lunch, leave and protection amenities. **34.91%** of Workers are not medically checked and only **23.44%** of the respondents get quarterly medical checks while the majority **41.65%** have no idea about medical checkups. Alternative medical provisions for First Aid facilities on farms accounted for **35.41%**, **22.19%** confirmed that they got treatment from the farm Clinics and **13.97%** of respondents indicated that money was provided for medical facilities.

Five of the twelve farms studied had health clinics two of which were considerably well equipped and three were still operating below the minimum standard due to inadequate equipment and health personnel in place.

As evidenced in **table 3.5** above, **38.40%** of the respondents reported that workers are provided with Personal Protective Equipments (PPEs) and only **21.9%** confirmed that PPEs are replaced on yearly basis as compared to **49.4%** of the not at-all respondents. These figures confirm that very few workers are provided with PPEs and those workers that do receive them rarely get given replacements on time. This poses a great danger to workers health and safety as they continue to wear worn-out equipment or no PPEs at all. These cases were also physically observed by the researchers during this study.

The basic survey conducted from December to February shows that 4 farms provide PPEs to all workers exposed to hazardous chemical substances, while 8 of the farms provide PPEs to workers handling spraying, fumigation, grading, security and general cleaning.

Further investigations confirmed that chemicals are properly stored with **25.9%** respondents confirming it. **93.7%** said that chemicals are mixed in isolated buildings. However, from the FGDs it was noted that Health and safety Committees do not exist in almost all the farms except in two i.e. Wagagai Ltd and Fiduga Ltd and even then, these two committees were set up by management, meaning that workers had little or no say over health and safety standards in the said farms.

However, the December 2010 – February 2011 basic survey reflected in **table 11** of Appendix II shows that there was registered much improvement as all the twelve farms studied had by the time of this report formed occupational health and safety committees in compliance with the basic OSH standard provided by the CBA. The CBA provides for the formation of an OSH committee and an OSH policy in all the farms and that such committee should be composed of both management and workers’ representatives and those workers representatives should be appointed by the union.

Table 3.6; WORKING HOURS

Time to report for work	Frequency	Percentage
(7.00-8.00)am	278	69.32
(8.15-9.00)am	40	9.98
N/A	83	20.70
Total	401	100.00
Stopping time for work		
4.00-5.00pm	102	25.44
5.10-600pm	148	36.91
Above 6pm	114	28.43
N/A	37	9.23
Total	401	100.00
Compulsory overtime work		
Yes	126	31.42
No	172	42.89
N/A	103	25.69
Total	401	100.00

Over time paid for		
Yes	102	25.44
No	220	54.86
N/A	79	19.70
Total	401	100.00
Payment rates		
Ug. Shs 200 per hr	195	48.63
Ug. Shs300-500 per hr	120	29.93
Above Ug. Shs 500 per hr	51	12.71
N/A	35	8.73
Total	401	100.00

As indicated in the above table, **69.3%** of the respondents reported on duty between 7.00-8.00am and it was in **31.42%** where over time was compulsory. Compulsory overtime is categorised as forced labour which practice contravenes the Employment Act. A total of **36.91%** workers stopped work between 5.00pm and 6.00pm, **28.43%** worked beyond 6.00pm meaning they worked overtime. **54.86%** respondents stated that they were not paid overtime allowance for the extra hours worked, which practice contravened the Employment Act. **25.44%** stated they received overtime allowance for the extra hours of work. It was established that overtime was normally paid for at the rate of between Ug. Shs. 200-500/= per hour. The majority of the workers were paid 200Ug.shs per hour which accounted for **48.63%**, followed by those who were paid 300-500UG.shs per hour (**29.93%**). Lastly **12.71%** respondents stated that they received 500Ug.shs and above per hour. The rate of overtime payment was as such found to be too low which in some incidences was lower than the legally set minimum requirement for the payment of overtime. This also meant that no matter how much overtime a worker worked, he or she would still not be able to meet the basic needs.

The Employment Act stipulates the minimum overtime worked on a normal working day at the rate of 1½ times the normal hourly rate and double on public holidays. Workers in the FGDs explained that the overtime payments of between 200 - 500 Ugandan shillings per hour relative to the monthly wage rates were too low. However, it should be noted that the law sets the minimum requirement but allows room for improvement through negotiations between the union and the employer.

Table 3.7 Levels on Unionisation and Negotiations.

Workers in Union	230	57.57
Existence of women committees		
Yes	84	20.95
No	262	65.33
N/A	55	13.72
Total	401	100.00
Restriction of workers to join labour union		
Yes	120	29.93
No	190	47.38
N/A	91	22.69
Total	401	100.00
Regularity of workers' meeting		
Sometimes	215	53.62
Monthly	48	11.97
Weekly	34	8.48
Not at all	74	18.45
N/A	30	7.48
Total	401	100.00

Source: UWEA Survey 2008 - 2009

3.2.7 Levels of unionisation:

Whereas at project inception the majority of workers had insufficient information on the importance of joining labour unions, with most farm owners being averse to allowing their workers to join. This situation had progressively changed as indicated in the table below where **56.10%** workers in the 12 project farms have joined the union. Similarly while **47.38%** respondents in the above table showed that workers were restricted to join TUs, **table 3.8** below reflecting the December 2010 – February 2011 survey shows an increase in union membership.

Table 3.8: showing union membership by gender

NO.	Year	2007			2008			2010		
		Name of Farm	Female	Male	Total	Female	Male	Total	Female	Male
1.	Aurum Roses Ltd 132	43	21	64	81	51	132	102	71	173
2.	Fiduga Ltd	Nil	Nil	Nil	Nil	Nil	Nil	105	305	410
3.	J P Cuttings Ltd	Nil	Nil	Nil	70	40	110	33	19	52
4.	Mairye Estates	53	31	84	241	139	380	345	185	530
5.	Mellissa Flowers	27	16	43	30	50	80	96	54	150
6.	Rosebud Ltd	148	76	224	50	70	120	288	192	480
7.	Royal Van Zanten Ltd	31	17	48	Nil	Nil	Nil	49	39	88
8.	Ugarose Ltd	58	47	105	72	117	189	96	61	157
9.	Uganda	134	80	214	139	84	223	129	89	218

10.	Hortec Wagagai Ltd	138	47	185	361	151	512	828	172	1000
11.	Xclusive Cuttings Ltd	38	23	61	42	28	70	73	51	124
12.	Xpressions Ltd	65	35	100	54	82	134	100	87	187
Totals		735	393	1,128	1,140	812	1,952	2,244	1,325	3,569

Source: UWEA Data, updated December 2010 – February 2011

Further still, while the above **table 3.7** explaining the survey of 2008 to 2009 shows that only **20.95%** respondents agreed to the existence of women's committees on their farms, a December 2010 to February 2011 survey in **table 3.9** below indicates all farms studied now have women's committees. The same farms also have elected union Branch committees which was not the case before in all farms.

Table3.9: Showing formation of Union Branch and Women committees in UHAWU

No.	Year	2007		2008		2010	
	Name of Farm	Branch Committee	Women Committee	Branch Committee	Women Committee	Branch Committee	Women Committee
1.	Aurum Roses Ltd	In place	Nil	In place	Nil	In place	In place
2.	Fiduga Ltd	Nil	Nil	Nil	Nil	In place	In place
3.	J P Cuttings Ltd	Nil	Nil	Nil	Nil	In place	In place
4.	Mairye Estates	In place	Nil	In place	Nil	In place	In place
5.	Mellissa Flowers	In place	Nil	In place	Nil	In place	In place
6.	Rosebud Ltd	In place	Nil	In place	Nil	In place	In place
7.	Royal Van Zanten Ltd	In place	Nil	Nil	Nil	In place	In place
8.	Ugarose Ltd	In place	Nil	In place	Nil	In place	In place
9.	Uganda Hortec	In place	In place	In place	In place	In place	In place
10.	Wagagai Ltd	Nil	Nil	In place	Nil	In place	In place
11.	Xclusive Cuttings Ltd	In place	Nil	In place	Nil	In place	In place
12.	Xpression s Ltd	In place	Nil	In place	Nil	In place	In place

Regularity of workers' meetings:

53.62% of the respondents stated workers' meetings were sometimes held, **11.97%** saying meetings were held monthly, **8.48%** stated that meetings were held weekly, **18.45%** not at all and **7.48%** never knew anything about workers'

meetings. Though the labour rights situation was still unsatisfactory, there was registered good progress. To have had **29.93%** respondents explaining that workers enjoyed their freedom to join labour unions and a total of **20.45%** that had weekly and monthly meetings was a positive trend. The FGDs also revealed that, although, branch union meetings took place as indicated, there was still some degree of intimidation which affected workers’ freedom of expression.

Though still weak, it is observed that the collective bargaining process is steadily improving and thereby improving the environment for the workers’ freedom of association. The CBA signed between the union and the flower farms has set standards that reduce the fears of the concerned parties and built some degree of confidence in the workers and farm management, which is good for continuing improvement in the workers’ working conditions.

It is therefore imperative that further social dialogues involving CBA negotiations, education and awareness meetings should be conducted to enhance and promote the independence of TUs in which freedom of speech, association and collective bargaining are realised.

It is also very important for workers to be allowed to hold meetings to discuss their problems as one such way of reaching amicable resolutions necessary for promoting industrial harmony necessary for productivity increase.

Table 3.10: Corporate social responsibilities

Corporate Social Responsibility	Frequency	Percentage
Activities carried out:		
• Medical facilities	72	17.96
• Support to schools	34	8.48
• Road maintenance	102	25.44
• Skills training	28	6.98
• Recreation facilities	52	12.97
• Agricultural support	48	11.97
• Water supply	24	5.99
• Environmental awareness and protection	27	6.73
Workers involved in decision making		
Yes	76	18.95
No	245	61.10
N/A	80	19.95
Total	401	100.00

There are various activities carried out by the farms which include: provision of medical facilities (**17.9%**), road maintenance with (**25.4%**), and recreation facilities accounting for **12.9%** and **11.9%** on Agricultural support, water supply **5.99%** and Environmental awareness and protection **6.73%**. In terms of decision-making, only **18.9%** respondents participate in decision making as compared to

61% who are not involved in any major decision making in regard to Corporate Social Responsibility.

Table 3.11 MATERNITY PROTECTION

<i>Days for maternity leave</i>	<i>Frequency</i>	<i>Percentage</i>
1-2 Months	78	19.45
3 Months	257	64.08
N/A	66	16.47
Total	401	100.00
Pregnant women assigned lighter work		
Yes	121	30.17
No	184	45.89
N/A	96	23.94
Total	401	100.00
Breast feeding breaks to nursing mothers		
Yes	122	30.42
No	142	35.41
N/A	137	34.17
Total	401	100.00
Childcare facilities provided		
Yes	64	15.96
No	270	67.33
N/A	67	16.71
Total	401	100.00
Distance of child care centre from farm		
Within the farm	64	15.96
NA	337	84.04
Total	401	100.00

Source: UWEA survey

Although they require improvement, all farms studied have either written or unwritten acceptable gender policies in place that recognise and institute equitable standards with regard to reproductive rights, training, and gender sensitivity. What differs is the extent at which these reproductive rights are enjoyed. The maternity leave days are set at sixty working days and provided for

in the law. The major challenge has been its enforcement, where in some cases there were reported employers granting less days of one to two months as stated by **19.45%** which also contravened the minimum legal requirements. The mandatory 60 working days of maternity leave as per Employment Act No.6 of 2006 was being enforced in the majority of farms with **64.08%** respondents who confirmed that maternity leave was 60 working days. The few farms that were not complying with this legislation were being compelled to do so through advocacy and social dialogues mainly through the sector CBA.

It was established that **30.17%** pregnant women were assigned lighter work as compared to **45.9%** that were assigned tasks like any other workers. Finally child care facilities were only available to **15.96%** of the workers as compared to **67.33%** who had no access to such facilities at workplace.

However during the FGDs and open ended discussions most women confirmed that maternity leave is given but only one month is paid for forcing some of women to come back to work before the expiry of their lawfully set period. Employers involved in this practice needed to be advised accordingly to observe the law.

Comparing this with the December 2010 – February 2011 UWEA survey reflected in **table 3.12** below, six farms (**50%**) of the project farms provide 60 working days maternity leave with full pay while the remaining half of the farms provide 60 working days leave with only one month's pay. There are no rest rooms provided for pregnant mothers and only 7 farms out of the 12 grant pregnant mothers rest time while at work. Out of the 12 farms, 4 farms still do not grant breastfeeding breaks to nursing mothers. One farm provides breastfeeding breaks of 1½hours per day and the other seven provide for one hour a day which is broken into 30 minutes breastfeeding breaks during morning and lunch time breaks. One farm - Royal Van Zanten offers maternity leave of 80 working days with full pay and Xclusive cuttings offers 90 working days maternity leave with full pay. The situation on maternity leave has greatly improved although other aspects of maternity protection like provision of rest rooms, rest time, breastfeeding breaks etc need to be further improved upon. The UWEA April maternity protection campaign created more awareness and is expected to yield positive results for all the targeted groups.

Table 3.12: Showing the situation on maternity protection

NO.	Name of Farm	ML	MP	BB	RR	RT	ML	MP	BB	RR	RT	ML	MP	BB	RR	RT
1.	Aurum Roses Ltd	60wd	Full	-	-	-	60wd	Full	-	-	-	60wd	Full	Nil	Nil	Nil
2.	Fiduga Ltd	60wd	Full	1hr	-	Yes	60wd	Full	1hr	-	Yes	60wd	Full	1hr	Nil	Yes
3.	J P Cuttings Ltd	-	-	-	-	-	60wd	1mth	1hr	-	yes	60wd	1mth	1hr	Nil	yes
4.	Mairye Estates	60wd	1mth	-	-	-	60wd	1mth	-	-	-	60wd	1mth	1hr	Nil	Nil
5.	Mellissa Flowers	60d	1mth	-	-	-	60wd	1mth	-	-	-	60wd	1mth	Nil	Nil	Nil
6.	Rosebud Ltd	60d	1mth	-	-	-	60wd	1mth	-	-	-	60wd	1mth	Nil	Nil	Nil

7.	Royal Van Zanten Ltd	60wd	Full	1hr	-	yes	60wd	Full	1hr	-	yes	80wd	Full	1hr	Nil	Yes
8.	Ugarose Ltd	60wd	Full	1½ hrs	-	yes	60wd	Full	1½hrs	-	yes	60wd	Full	1½hrs	Nil	Yes
9.	Uganda Hortec	60wd	1mth	1hr	-	-	60wd	1mth	1hr	-	-	60wd	1mth	1hr	Nil	Yes
10.	Wagagai Ltd	60wd	Full	1½ hrs	-	yes	60wd	Full	1½hrs	-	yes	66wd	Full	1hr	Nil	Yes
11.	Xclusive Cuttings Ltd	60wd	Full	1hr	-	Yes	60wd	Full	1hr	-	yes	90wd	Full	1hr	Nil	Yes
12.	Xpressions Ltd	60wd	1mth	Nil	-	Nil	60wd	1mth	Nil	Nil	Nil	60wd	1mth	Nil	Nil	Nil

KEY: ML; Maternity Leave, MP: Maternity Pay, BB: Breast feeding Breaks, RR: Rest Rooms, RT: Reduced tasks, WD = Working days

The positive actions of Royal Van Zanten and Xclusive cuttings in granting the workers an 80 and 90 respective fully paid maternity leave among other initiatives was, according to the management of the two farms, guided by a deeper understanding of the need and importance to do so. This is also one example where standards can be set far and above the minimum provisions of the law to enable protection and full enjoyment of the workers' rights. Special recognition and appreciation should be given to the two farms among others for their positive gestures in observing the respect and promotion of workers' rights by implementing standards that are above the set minimum.

Table3.13: Showing Existence of CBA, WOC, RA and freedom to join Unions;

Name of the Farm	Existence of CBA	Existence of a WOC	Existence of RA	Freedom to join union
Wagagai Ltd	Yes	Yes	Yes	Yes
Ugarose Flowers Ltd	Yes	Yes	Yes	Yes
Aurum Roses Ltd	Yes	Yes	Yes	Yes
Melissa Flowers Lt	Yes	Yes	Yes	Yes
Mairye Estates Ltd	Yes	Yes	Yes	Yes
Xclusive Cuttings Ltd	Yes	Yes	Yes	Yes
Uganda Hortech Ltd	Yes	Yes	Yes	Yes
Xpressions Ltd	Yes	Yes	Yes	Yes
Rosebud Ltd	Yes	Yes	Yes	*Partial
Fiduga Ltd	Yes	Yes	Yes	Yes
J .P Cuttings	Yes	Yes	Yes	*Partial
Royal Van Zanten	Yes	Yes	Yes - (awaiting formalisation)	Yes

Source: UWEA Data collected from farm managers and Union leaders

NOTE: WOC refers to Women's Committee; RA – Recognition Agreement and CBA is Collective Bargaining Agreement,

At the time of data collection, only Uganda Hortec had a CBA with NUPAWU covering the workers of the company; however, at the writing of this report all the farms including those that were studied in this project had been covered by the

collective Industry CBA which they had ratified. Similarly at the writing of this report all farms under the study had formed Women's Committees.

Although it was reported that there is freedom of association, workers from a number of farms through the FGDs reported acts of intimidation and victimisation by management on account of their association with the union. The union leaders also explained during the FGDs that a total of 13 union leaders from different farms were between 2008 and 2010 reported to having been terminated from employment without justifiable reasons. This explained the discrepancy between the information in **table 3.10** and the earlier information in **table 3.7** in which **29.93%** respondents explained that there existed restrictions to join a union. The union explained that these restrictions manifested in different forms such as open refusal of a certain category of workers from joining the union and others through such means as negative attitudes specifically towards union members etc.

Draft

3.3 The Application of Codes of Practice in tackling labour rights violations

3.3.1 Types of codes that are in current operation

A number of flower farms in Uganda are using a multiplicity of codes. However, the Ugandan Flower Exporters' Association provided the guidelines for codes of practice for Ugandan flower exporters. Although the MPS/SQ code contains standards that if implemented could go a long way in improving labour and environmental standards, one of the farms did not adequately comply with the standards contained therein. The standards remained largely inadequate as the basic facilities were not provided in spite of it being certified as is explained in the subsequent paragraphs of this report. The farm had poor and inadequate toilet facilities, workers were not properly protected, some green houses were ragged thus rendering the environment vulnerable to pollution, workers salaries were very low and in fact after the audit, workers went on strike demanding pay rise. Maternity protection was not adequate and some women did not get maternity leave and were subjected to return to duty after a very short time and others did not get full maternity pay. However after a dialogue meeting with UWEA, the union and the WERN, the farm promised to work on the areas that were below standard.

Table 3.13: Types of codes used by each farm

Flower farm	Type of code	Description
Wagagai Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS -SQ/ETI) and (MPS -GAP) MPS ABCD • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Ugarose Flowers Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS-GAP) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Aurum Roses Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS -GAP) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Melissa Flowers Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS-GAP) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Mairye Estates Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS-SQ/ETI) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Xclusive Cuttings Ltd	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS- SQ/ETI) • Fair Flowers and Plants (FFP) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Royal Van Zanten	<ul style="list-style-type: none"> • Millieu Programma Sietrtelt (MPS- SQ/ETI) • UFEA code of Ethics (draft) 	<ul style="list-style-type: none"> • Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Uganda	<ul style="list-style-type: none"> • MillieuProgrammaSietrtelt 	<ul style="list-style-type: none"> • Environment/social (optional Bench

Hortech Ltd	(MPS -GAP) • UFEA code of Ethics (draft)	mark with ICC, diff. Levels of label • Social based on ILO conventions
Xpressions Ltd	• Millieu Programma Sietrtelt (MPS - GAP) • UFEA code of Ethics (Draft)	• Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Rosebud Ltd	• Millieu Programma Sietrtelt (MPS - GAP) • UFEA code of Ethics (Draft)	• Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
Fiduga Ltd	• Millieu Programma Sietrtelt (MPS-GAP) • ISO • UFEA code of Ethics (Draft)	• Environment/social (optional Bench mark with ICC, diff. Levels of label • Social based on ILO conventions
J.P Cuttings	• UFEA code of Ethics (Draft)	• Social based on ILO conventions

3.3.2 The effectiveness of codes of practice in tackling labour rights violations:

The information in the **table 3.12** reflects the multi-stakeholder Social Codes of Conduct practiced by the various flower farms in Uganda.

These codes have played a role in some farms in improving labour and environmental rights and promoting harmonious industrial relations that are positive to the production of quality and hygienic flower produced under socially and environmentally sustainable conditions. To be more specific farms that have been audited by MPS/SQ and ETI and also those with MPS - ABCD have much fairer working conditions than those that have only MPS –GAP.

The methodology used in gathering information on social codes used on the farms was through separate FGD / participatory research meetings with workers, managers and by way of observation. During the Focus Group discussions workers explained that although a section of workers were aware that codes of practice exist on farms there are still some workers did not know the contents of such codes and their purpose. Workers also revealed that some workers were *“selected and advised”* by management before they attended audit interviews.

During farm tours the research team noticed that one farm had been certified despite it having poor working conditions. The name of the farm could not be mentioned in this report; however, separate reports about this farm were prepared and submitted to management for possible remedies. Still other farms could not comply with certain recommendations made by auditors for correction because according to them the timelines set for correction were too short and the costs of instituting remedies were so high that the farms could not afford.

In this particular incident these employers brought to surface a question of; whether the workers should indefinitely continue working under hazardous conditions below the minimum set standards until the employer makes enough money to improve such conditions, or whether the employer should look for adequate funding to at least implement minimum standards before engaging the worker? The stakeholders’ meetings needed to continue with a debate on this question in light of the laws in force.

Managers agreed that the UFEA code of practice exists but is not yet implemented on farms as it is waiting for amendment to meet international standards required for quality, environmental and worker friendly production of flowers.

Other stakeholders like Trade Unions, and NGOs, which in a way act as watchdogs for workers, have not been involved in the audits (at least on observer status) thus rendering it difficult for such organisations to exercise remedial checks. However the MPS/SQ interpretation document (April2007) provides that Trade Unions and NGOs should be informed of the participants' application for MPS/SQ certification prior to the audit and then NGOs and Trade Unions will be given an opportunity to join the audit team as observers.

It was also noted that buyers and final consumers largely had no direct knowledge on the workers' working terms and conditions of service from countries and companies where the products were sourced, since they largely relied on reports from the international and local certifying bodies. This scenario raised questions on the efficacy of compliance and application of social codes of practices where all stakeholders needed to have fuller knowledge of code application and practices particularly in regard to workers and their working environment. In absence of which; the social codes of practices became redundant and less relevant. This information gap requires intervention from a neutral party to supply this information to all parties as to the social codes of practice.

Workers when asked on what benefits they had realised as a result of social audits on their farms could not enumerate all amenities that accrued from codes since they were not even aware of the contents of the codes. They however counted PPEs supplied to only sprayers, maternity leave, medical facilities and prompt payment of wages as some of the benefits they are enjoying on the farms. However workers were not happy with the wages, they said the wages were too low for them to afford basic needs or to provide them with the chance to have some discretionary income. When asked about what gender aspects and women's rights were embedded in the codes, managers could not specifically mention any but referred researchers to the documents, some of which were readily available while others were hard to come by.

Whereas it is true that most farms have been certified as compliant, there is no thorough audit mechanism to verify the authenticity of the audit reports, since there is no regulatory organ to provide oversight and independent validation of the social codes audit reports. This is further watered down by the limited knowledge of the workers about the specificity and significance of these codes, hence during audit exercises workers responses are from uninformed perceptions and perspectives. In addition, because of high unemployment levels, workers are compromised to accept anything against the opportunity cost of being unemployed, hence they are reluctant to demand their full rights as they can be discontinued at a stroke of a pen. In essence, not all workers on farms have employment contracts and not all workers fully comprehend the contents of their letters of appointment since they are written in English.

Notably, there are institutional weaknesses that constrain the optimal enforcement of social codes e.g. in cases of worker related accidents and injuries, it is difficult for the affected workers to pursue their compensation benefits because of the judicial bureaucracies and impediments. In case of chemical damages, there is no Chemical

Laboratory in Uganda to medically examine the degree of injury and effects to be able to determine the adequate compensation. Conversely medical checks are not done before initial commencement of work and sometimes managers deny workers compensation in cases of chemical related diseases, claiming that workers came to work when already infected and that such a disease could be a childhood or an inherited disease. A case in point is recorded from one of the farms (see picture in Appendix II of this report).

There is however to some extent a great improvement in the application of the social codes of practice as illustrated in sections 3.3.1, 3.3.2, 3.3.3 and 3.3.4 above. In summary, employment terms and conditions have improved, occupational health and safety standards are in place and workers are to some extent free to join trade unions. In addition farm owners cooperate with Labour Organisations that promote and protect workers' rights like the case of UWEA, there is however a lot of room for improvement.

It is important, if socially and environmentally friendly production of flowers is to be realised, that audit firms consider increasing the time frames between audits, in addition to financial incentives to farms that may need assistance in implementing audits. Furthermore other stakeholders like trade unions and civil society organisations should be granted at least observer status during all audits. Audit firms and farm managements should ensure that workers are fully sensitized on the contents of the codes and the purpose of codes. This is also an area of international advocacy.

3.4 The effects of purchasing practices on workers

The major areas of concern were related to stability of relationship, flexibility and seasonality, delivery, payment to customers, quality and price.

3.4.1 The Horticulture Supply Chain in Uganda.

Europe is the major importer of Ugandan horticulture products. This is done through a direct link of export to Dutch markets (Dutch Auction Houses) and supermarkets in UK. Approximately 20% of the Uganda flower exports go to the direct sales of supermarkets in Europe and 80% by auctions to among others Roto, Carms, within Netherlands. The bigger percentage that goes to the Dutch markets is also further distributed to other countries like USA, Norway, Sweden, United Kingdom, Germany, Japan etc....⁴¹

⁴¹ UFEA Website Market News

3.14: List of export countries and the type of farm

<u>Name of the Farm</u>	<u>Export country</u>
Wagagai Ltd	Netherlands , Germany
Ugarose Flowers Ltd	Netherlands
Aurum Roses Ltd	Netherlands
Melissa Flowers Ltd	Netherlands
Mairye Estates Ltd	Netherlands and U.K supermarkets
Xclusive Cuttings Ltd	Netherlands
Uganda Hortech Ltd	Netherlands
Xpressions Ltd	Netherlands
Rosebud Ltd	Netherlands,
Fiduga Ltd	Netherlands, South Africa, Japan
J.P Cuttings	Holland, Italy, Dubai, Kenya and local consumption in Uganda

According to the Uganda Export Promotion Board's annual report of 2009, the floriculture sector registered total earning US\$26 million in 2009 compared to US\$28.7 in 2008 (this figure is lower than the UFEA quoted i.e. US\$ 34.15m as the total value in 2008). Uganda Export Promotion Board further explains that flower consumption with the EU remained under pressure because of reduced consumption spending heightened by economic crisis. It is important to note that in 2008, global direct trade of flowers between production and consumption areas increased, spurred by low auction price (in some cases lower than cost) and by market diversification for Latin American growers turning their sights to the EU market and leaving the US, which at the time was in recession.

The fact that most flower exports go to EU (Netherlands) belies the tepid performance of the sector, given the gravitas of economic crisis in the region in 2009.⁴²

3.4.2 Key issues of purchasing practices: Players and Terrain of Market Players:

Of the 401 respondents interviewed only 140 respondents had some knowledge about purchasing practices and this now constituted the 100% against which the other variables were calculated as indicated in the following table.

Table 3.15: Key issues of purchasing practices

Farm characteristics on purchasing practices	Frequency	Percentage
Products on farms studied included among others; Roses such as Eskimo, Sasha, Royal dup, Fusco, Lambada, Jambo, Chelsea, Summer flowers, different varieties of Chrysanthemum cuttings, pot plants, etc. One farm dealt wholly in fruits and Vegetables and one had fruits and vegetables as a supplementary		

⁴² Uganda export promotion board annual report

<i>Stability of relationships (Product buyers);</i>		
Holland	282	70.34
United kingdom	67	16.70
USA	11	2.74
South Africa and others	14	3.49
NA	27	6.73
Total	401	100.00
<i>Long standing relationship with customers;</i>		
Most	71	50.71
About half	41	29.28
Less than half	28	20.00
Total	140	100.00
<i>Have contracts with customers;</i>		
Yes	140	100.00
No	-	-
Total	401	100.00
<i>Difference between supermarket behaviour as customers and Wholesalers;</i>	<i>Super markets %age</i>	<i>Wholesalers %age</i>
Unpredictable	61	25
Consider higher Quality	43.57	55
Less pay	73	60
Total		
<i>Flexibility and seasonality;</i>		
<i>Changes criteria in volume after placing an order</i>		
Yes	53	37.85
No	87	62.14
Total	140	100.00
<i>Customers roll on contracts /orders or on seasonal basis;</i>		
Yes	93	66.42
No	47	33.57
Total	140	100.00
<i>Have enough lead time for an order;</i>		
Yes	92	65.71
No	48	34.28
Total	140	100.00
<i>Get notice for change of late orders;</i>		
Yes	101	72.14
No	39	27.85
Total	140	100.00
<i>Able to refuse change of late orders;</i>		
Yes	18	12.85
No	122	87.14
Total	140	100.00
<i>Problems with change of late orders;</i>		
More hours of work	67	47.85
Addition costs not considered	73	52.14
Total	140	100.00

Frequency of working over time;		
More than 20days/month	10	7.14
15-20days	29	20.71
10-15days	46	32.85
Less than 10days	55	39.28
Total	140	100.00
Over time paid in terms of;		
Transport	75	18.70
Meals	37	9.22
Labour offered	220	54.86
Risk allowance	142	35.41
Do customers decrease orders		
Yes	48	34.28
No	92	65.71
Total	140	100.00
How when it happen;		
Problems incurred when decrease in orders is done by customers;		
Products perish/get dumped	185	46.13
Time wasted	145	36.16
Loss in revenue	252	62.84
Difficulties in meeting budgetary estimates	78	19.45
Increase in conflicts between workers and management	54	13.46
Decline in working conditions	82	20.44
How often does it happen;		
When do customers place high orders;		
Valentines' day	50	35.71
Others(Christmas, mother's day, etc)	90	64.28
Total	140	100.00
Often participated in promotions;		
Once in a year	12	8.57
Twice a year	0.00	0.00
Once every 2 years	49	35.00
Once every 3 years	79	56.42
Total	140	100.00
Customers make payments late;		
Yes	37	26.42
No	103	73.57
Total	140	100.00
Average delay in payments by customers;		
1-2 weeks	82	58.57
2-3weeks	37	26.42
One month	21	15.00
Total	140	100.00

Source; UWEA data collected from management and workers on the flower farms

Players in the market chain;

Specifically the key players in the market chain include agents, super markets and small retailers, auctions (VBA BVH) and final consumers.

3.4.2.1 Stability of relations;

Concerning product buyers, the table above shows that **70.34%** of the respondents stated Holland as the biggest buyer, followed by the United Kingdom **16.70%**, the United States **2.74%**, South Africa and others with **3.49%**. The majority of respondents were also not able to explain which particular companies in Holland, UK and USA actually buy the products.

Asked about their relationship with their customers, **50.71%** respondents said they had long standing relations with most of their customers, **29.28%** said such relations existed with about one half of their customers and **20%** said long standing relations existed with only less than half of their customers.

In regard to contracts with the customers all respondents explained that their companies had signed agreements with the buyers, although FGDs showed that such contracts varied from buyer to buyer with some being short term and others long term.

The stability of relationships had direct a correlation to producers' planning and management decisions, which in turn affected workers' conditions on farms. Through FGDs and observation it was also noted that farms with stable relationships with their customers had better working and environmental conditions compared to those who frequently sourced for markets and those that shifted from one customer to the other. Where the relationships terms were unstable, it is the workers who bore the incidence of the negative effects associated with changes in customers, or the employers' mitigation measures which normally restricted expenditures on workers' welfare. The nature of relationships that existed between the producers and the buyers significantly contributed in determining security and expansion of the market, which had a bearing on the workers terms and conditions of employment.

3.4.2.2 Difference between supermarket behaviour as customers and Wholesalers/Auctions;

When comparing supermarkets to wholesalers; it was observed that generally supermarkets offered higher prices as indicated by **4.28%** respondents only who stated less pay for supermarkets, as compared to **42.85%** who said that they received less pay from wholesalers. This meant that producers who had secured long term contracts with supermarkets were able to make more profits in comparison to those who sold their produce through auctions.

With regards to quality **52.14%** stated supermarkets considered higher quality in comparison to **39.28%** who indicated higher quality demands from wholesalers/auctions. From this it was observed that all customers; be it auctions or supermarkets demanded higher quality products, although supermarkets were seen to be more strict on this.

43.57% respondents stated supermarkets were unpredictable with regard to sustainability of the market, compared to **17.85%** who said the same for the auctions. Auctions were seen to be more predictable as they had a wider catchment area where several supermarkets with varying interests in given products could source from. This meant that even if supermarket A was not interested in "*Chelsea*" for instance, supermarket B would be interested, as it would be driven by different consumer

demands at any given time. This was not seen to be the case with supermarkets however because of a fairly narrow catchment area. Retail buyers who bought from supermarkets sometimes lost interest in a given product almost at the same time as they are influenced by various factors such as market variations in terms of policy, volumes, quality, purchase-prices, relations, etc.

3.4.2.3 Market Fluctuations and Flexibility:

The majority of respondents (**62.14%**) did not have their customers change agreed criteria in volume after the customer had placed an order while **37.85%** said that their customers changed criteria in volumes after placing an order.

66.42% of respondents agreed that they had roll-on contracts with their customers which encouraged stability of the relationship, as opposed to **33.57%** who had no-roll on orders or contracts. Although in most cases purchase contracts were for a long term basis mainly above one year, there were incidents where abrupt fresh orders were made to meet unforeseen bumper market demands, particularly in festive seasons and/or during one-off unpredicted jublations. **65.71%** of the respondents said the lead-time provided for such orders was adequate as compared to **34.28%** who said it was inadequate. **72.14%** of those respondents said the lead time was adequate, stated they received adequate notice for change in an order. This meant they had enough time to plan for such change without putting much pressure on the workers to meet the set targets. This was not the case with the **27.85%** who said notice given was not adequate, which meant the pressure of the fulfilment of such orders eventually rested on the workers who needed to work overtime to meet the set targets. Very few producers (**12.85%**) had the restraint to refuse late orders as compared to **87.14%** who said there was no way late orders could be refused because of the monetary value attached and the need to maintain the customer. Due to the attractiveness of such orders producers were reluctant to decline offers but instead exerted pressure on workers to meet the order targets. This in the long run had negative effects on the workers as explained in the paragraphs that follows.

Consequently, the existing workforce worked more hours to meet the required targets needed to satisfy the demands of the customers as indicated in the above table and 3.6. Concerning additional costs, **52.14%** respondents explained that in making late orders customers never factored in additional costs relating to the engagement of additional workers, or better overtime pay for the existing workforce. This meant that workers worked long hours and were low paid at the rates of 200 – 500 Uganda shillings per hour which was an equivalent of 20 - 50 cents of a US Dollar. All the other respondents said they worked overtime, however the overtime worked varied from less than ten days a month, which accounted for **39.28%**, to that of more than 20 days a month, which accounted for **7.14%**. Where overtime was paid; **18.70%** respondents said it was in form of transport, **9.22%** said it was in form of meals, **54.86%** said it was in form of real labour offered, and **35.41%** said it was in compensation for the risks taken, for instance with regard to workers who handle chemicals; (These variables attracted multiple responses in which one respondent could respond to all the questions asked). Through FGDs it was noted that long working hours further affected the quality of products as workers' concentration reduced in addition to the of hiring of extra, less skilled and experienced labour was brought into the workforce. Workers' health was

also negatively affected as work was extended by up to five hours in a day on some farms. It was also observed that this was a further point of conflict at work because it was an abuse of the law, this was revealed by workers themselves through the FDGs. Conflicts also emerged in some workers' homes because family responsibilities and relations were in turn negatively affected due to failure by some spouses to fulfil other family responsibilities as a result of long hours spent at work.

During the FDGs some managers explained that in certain cases where there were market slumps, changes in orders sometimes involved the reduction of orders, which meant that during such periods, farms made losses. **34.28%** respondents stated that producers experienced such incidents while **65.71%** said there were no reductions in orders. These failed predictions in purchases, though not so common tended to compel some farms to set lower standards e.g. wages, so as to be able to pay workers even when losses were realised. Further, these changes in orders also involved cancellation of orders mainly on grounds of low quality. This in turn led to job losses, either as a punishment to the workers alleged to have been responsible for the low quality or as a corresponding workforce measure to maintain a financially manageable workforce. Quality of standards relating to labour and environment were also affected negatively. This partly explained why some farms failed to provide certain facilities such as adequate PPEs, adequate salaries etc. During the FDGs workers also revealed that quality control is very important and workers could be traced down to the greenhouse if flowers are rejected by the buyers.

In cases where there was a decrease or cancellation of orders, the farms faced several problems which included the perishing and dumping of their products as stated by **46.13%** respondents, time wastage as explained by **36.16%** respondents which led to loss in revenue stated by **62.84%** respondents and difficulties in meeting budgetary estimates accounting for **19.45%** of the respondents. **13.46%** respondents also pointed out that farms experienced more conflicts between workers, the union and management of the farms, which is believed to have arisen as a result of late and/or low pay and decline in working conditions as stated by **20.44%** (This too allowed multiple responses).

The TUs in liaison with the flower farm owners need to be aware of the possibilities of these market variations so to provide safety nets for the workers. In the CBAs or other employment contracts, there should be provisions to buffer any eventualities both in the case of bumper demands and market shrinkages so that workers are given bonuses in case of the former and a buffer fund be put in place in case of the latter to protect workers from liabilities arising out of farm losses. It was observed that so far three farms out of those studied provided mitigation measures to maintain the workers in employment. In such cases however their measures also involved the payment of low salaries and allowances. An attempt by these farms to address this problem was a good initiative which needs to be improved upon and promoted.

Overall according to this study, customers largely at **73.57%** effected payments on time for the products delivered as compared to **26.42%** who said customers made late payments. Even among those that stated that there were delays, these lasted for a period of slightly more than one month as explained by **58.57%** respondents, who said

delays ranged from one to two weeks; **26.42%** said delays lasted for between two to three weeks and **15%** stated that delays lasted over one month. Even though these incidents were recorded and a need for the customers to pay on time was observed, it was not significant as to affect workers' working conditions where proper planning was exercised by the farms.

Table 3.16; Delivery, quality and price

Delivery;		
<i>Any action taken by customers to shorten delivery</i>		
Yes	140	100.00
No	-	-
Total	140	100.00
Payments to customers;		
<i>Customers fine due to failure to deliver in full after an order change on short notice;</i>		
Yes	79	56.42
Sometimes	13	9.28
No	48	34.28
Total	140	100.00
<i>Accept to sale at lower price to avoid losing customers;</i>		
Yes	91	65.00
No	49	35.00
Total	140	100.00
Quality;		
<i>Quality increased in past 5 years;</i>		
Yes	140	100.00
No	-	-
Total	140	100.00
Price;		
<i>Customers understand full costs of production;</i>		
Yes	85	60.71
Sometimes	14	10.00
NO	41	29.28
Total	140	100.00

<i>Understand following costs while calculating a min selling px/unit;</i>		
Min wages set by local authorities	65	16.21
Above minimum wages	25	6.23
Overtime premium in full compliance with labour law	55	13.71
Social benefits for workers	23	5.94
Health & Safety training costs	85	21.19
Recruitment costs	35	8.73
Safety equipment	35	8.73
Maternity protection	110	27.43

3.4.2.4 Price Fluctuations:

When asked about whether the customers understood the full cost of production; **60.71%** respondents said yes they did, **10%** indicated that sometimes customers considered production costs and **29.28%** said no, meaning some customers were not interested in understanding the cost of production but rather low prices for the products.

In highlighting labour costs in the determination of the selling price per unit; **16.21%** stated customers understood the minimum wages set by local authorities; **6.23%** said customers appreciated payments above minimum wages; **13.71%** said customers understood the payment of overtime premiums in full compliance with the law; **5.94%** stated customers were aware of the social benefits for workers; **21.19%** stated customers were aware of the health and safety training costs; and **8.73%** said customers were aware of costs related to recruitment of staff. Another **8.73%** respondents also stated customers were aware of the costs related to the provision safety equipment and **27.43%** said customers were aware of maternity protection.

From the above percentages it was noted that the majority of customers were either not adequately informed about the basic labour requirements at the time of determination of the final price for the produce or they were simply not interested in understanding the details of labour related costs in production.

The attention of the customers should among others things be drawn to labour related costs and future prices set in full view of these costs to ensure proper balance in the improvement of workers' working terms and conditions of service. Secondly producers, through negotiations with the labour unions should always set minimum percentage of their income towards labour as a principle measure to improving working conditions. However they must not maintain static payments in disregard of other factors such as inflation, bumper harvests etc. Further still, labour unions should seek to know the exact percentages of the total incomes that are allocated to labour in comparison to other budget lines, so that demands for a fair share of the wealth generated are reasonably advanced. The national government through Economic Partnership Agreement (EPAs)

negotiations should support the producers to attain and maintain good prices for their produce; this is one way through which workers' working terms and conditions of service can be improved. GHOWERN should engage the government and the buyers, involving their national governments e.g. through EPAs, with a view of negotiating for higher prices for the products so to improve on the workers' earnings.

3.4.2.5 Effects of the global financial crisis;

Through literature review and FGDs it was realised that the flower industry like other industries in international trade was affected by global market dynamics. This included a decline in economic trends, financial developments, foreign exchange rates and other non-commercial calamities like the volcanic ash cloud which grounded most flights for a week in April 2010, causing flower harvests to be sold at local market or just thrown away.

These dynamics affected the purchase volumes and price offers in local currency equivalence. In 2008 and 2009 for example, there were declines in turnover which were caused by the global recession arising out of the financial credit crunch in the developed countries, where the fall was equivalent to about 6% reduction in projected turnover for 2009.⁴³ There were also foreign exchange volatilities between Euro and other currencies like US Dollar, GB Pound etc, which in turn affected realisable prices in other markets leading to poor sales. As a result, despite the fact that flower exports increased from 5,167 tonnes in 2007 to 5,547 tonnes in 2008, the export values in terms of Euros dropped by 0.7% from €23.39 million in 2007 to €23.23 million. However in US Dollar terms there were increases of 6.6% from US\$34.05 million to US\$34.15 million. These foreign exchange volatilities to some extent negatively affected the farm revenues of the exporters with direct impact on their profitability and abilities to adequately pay their workers. Indeed one of the Flower Farms – Victoria Flowers owned by Wava Holdings closed down during this calendar year rendering about 300 employees jobless. Although the closure of this farm could not be squarely blamed on the said global market trends as there were other management and administration challenges, the study established that the global financial crisis contributed to its closure.

Similarly, the producers were subjected to the market dynamics whereby they had no control of changes in costs of production yet they were subjected to fixed sales prices as per signed contracts with the buyers. The key determinants of cost of production included changes in prices of inputs, per capita yields, freight costs over which the producers have no control. Like the previous two years there had been a rise in unit price costs of chemicals, fertilizers and greenhouse materials which was a result of depreciation in exchange rates and double digit inflation over 10%. In addition because of aviation fuel price increases, the freight costs increased which equally affected the realisable export price returns. Flower farmers in order to counter price-margin reductions had to oscillate wage expenditure to an equilibrium level that could keep them in business, which negatively affected the workers both in terms of reduction in earned wages and other employment benefits. This was because producers only have control over one factor of production, i.e. labour, hence it was the labour related costs

⁴³Floraculture international Website.

like acceptance of minimum wages, overtimes costs, social benefits, job training costs, occupational health, safety and environment training costs and observance, recruitment costs, safety equipment cost etc over which adjustments could be made to absorb changes/increases in other uncontrollable cost inputs. As a result, workers in many farms were subjected to working in poor conditions which were harmful to their health and to the environment. It was established during the FGDs with managers that certain farms (names withheld) could not improve on labour standards because they were unable to make profits. For example two farms under this study resorted to giving days off to workers to compensate them for overtime worked and PPEs which would not be replaced for longer periods ranging from 1- 1½ years.

In times of trade slumps some producers were compelled to sell the flowers at times that were even below the breakeven prices rather than losing their produce as indicated by **25.19%** respondents who indicated that producers had ever encountered such incidents.

3.4.2.6 Payment to customers:

Producers were subjected to payment on delivery terms, hence they bore all the commercial and non-commercial risks until the produce was delivered to the buyers. In case of failure to deliver produce in time and of the required quality, the loss/fine incidence fell on them as was indicated by **56.42%** respondents. This remained the same even if the order was changed at short notice providing the producer accepted to deliver. **9.28%** respondents stated that this occurred sometimes and **34.28%** said it wasn't the case. In cases where deductions were made on payments as indicated, these were done without producer's agreement, including costs for disposal of rejected products which in turn bore a negative effect on the farms/companies.

However, **65%** of the respondents said that they accepted selling their produce at lower prices to avoid losing customers while **35%** indicated that they did not accept selling their products at lower prices even if they had to lose the customer. There are producers that have mother companies in Holland (especially those that produce Chrysanthemums and potted plants) and so they have a sure market for their products and therefore do not worry about price reductions

Quality of the products was seen to be one of the key pre-conditions producers faced when selling in the European market. The quality of flowers in addition to the methods of growing, harvesting and transporting to markets was subject of innovation and these differed from farm to farm.

Asked about quality increase in the past five years **100%** said there was realised increase, none of the respondents indicated any decline in quality for the period in question.

FGDs and literature review revealed that horticultural products were normally inspected to ensure a high level of security for European health and environment (insects, diseases or foreign materials in flowers). Measures for flowers, cover plants products, documentation requirement and inspections had to be instituted and were quite stringent and costly requirements. Where standards were not met, for instance in avoiding or minimizing pesticide residues, the consignments had to be intercepted which meant a loss to the company. Flower producers found the inspection agencies as having contributed to this burden.

The analyses on purchasing practices show that there is an unlevel playing field between the producers and buyers; in most cases the producers are in an inferior position under the dictates of the buyers. This required immediate intervention either through international trade protocol where the role of UFEA, GHOWERN and bi-lateral governments become critical.

3.5 Gender Cultural, Behavioural and Management influences:

Table 3.17: Showing number of women & men in management and supervisory positions from the twelve farms studied

Name of Farm	Females in Management positions	Females in Supervisory positions	Total of females & in management & supervisory positions	Total female % age	No. of male managers & supervisors	Total male %age	Overall total No. of managers & supervisors	Total number of workers	Availability of a comprehensive Gender policy on the farm
Wagagai Ltd	6	76	82	45.05	100	54.95	182	1,692	NIL
Ugarose Flowers Ltd	-	7	7	19.44	29	80.56	36	272	NIL
Aurum Roses Ltd	2	16	18	37.50	30	62.50	48	261	NIL
Melissa Flowers Lt	1	10	11	31.43	24	68.57	35	320	NIL
Mairye Estates Ltd	2	30	32	32.99	65	67.01	97	720	NIL
Xclusive Cuttings Ltd	2	10	12	36.36	21	63.64	33	227	NIL
Royal Van Zanten	3	28	31	40.79	45	59.21	76	310	NIL
Uganda Hortech Ltd	2	19	21	39.62	32	60.38	53	282	NIL
Xpressions Ltd	-	7	7	25.00	21	75	28	258	NIL
Rosebud Ltd	2	40	42	25.15	125	74.85	167	1,200	NIL
Fiduga Ltd	3	15	18	16.51	91	83.49	109	580	NIL
J.P Cuttings	1	12	13	19.40	54	80.60	67	240	NIL
Totals	24	270	294	31.58	637	68.42	931	6,362	NIL

Source; UWEA data collected from workers and managers

From the above table Wagagai was found to have had a higher percentage of female managers and supervisors, which according to the respondents were at **45%**, followed by Royal Van Zanten at **40.79%**, Uganda Hortec at **39.62%** and Aurum Roses at **37.50%**. Fiduga had the lowest number (**16.51%**) of female managers and supervisors and

they also had a small percentage of female workers employed by this farm. However as indicated above farms employed more female workers than male with most managerial positions being assigned to men. Through FGDs it was also established that the most important decisions at the farms were made by male managers with the female managers and supervisors playing a role which ensures effective implementation of the decisions made by the male managers holding the most senior positions.

Further, through literature review and FGDs there were noted some provisions on gender and equality in the farms' Human Resources manuals, CBAs and other staff regulations, however no farm had a clear gender policy in place which made it difficult to correct the differences through deliberate planned measures. Managers still do affirm that although they do not have specific written gender policy or Gender Equality committees on the farms, the practice of equal opportunities and treatment for all male and female workers exists on the farms, e.g. trainings organised by the farms and UFEA do consider the gender aspect. They, however agreed to the establishment of Gender and Equality Committees and development of Gender policies as guided by the CBA as one way of improving on the equal opportunities standards. This was demonstrated by their signing of a CBA that contained a provision for the establishment of gender policy and gender and equality committees in collaboration with the union

Through FGDs it was observed that; as was the case with most regions and tribes of Uganda, it was clear that all cultures were patriarchal. The cultural-stratification model epitomised women's vulnerability which was a function of exposure to risk of violence, being powerless and unable to cope with social demands. Exposure to risk was a factor of age, marital status, sex, and social environment which rendered females subjective to male chauvinism. Uganda has a patriarchal society where females are disadvantaged in variety of ways, through education and control over productive and economic resources. Females also have limited opportunity to engage in diverse economic opportunities outside the home. This can be linked to cultural beliefs and the fact that females are primarily responsible for the domestic sphere. This explains that females are, in comparison to males exposed to more complex situations, sharpening and strengthening both their mental and physical capacities.

The constitution of Uganda included anti-discriminatory provisions and condemned any custom that contradicted human rights. But discrimination against women was rife and the situation of Ugandan women was further aggravated by deeply rooted patriarchal tradition and past years of armed conflict. The government had enacted new laws to improve the situation of women, but their implementation had been obstructed by some reticent communities.¹

This was further determined, influenced and exacerbated, by cultural factors that constantly moved around social behaviours, property inheritance, marriage bondages; decision making at household level and community, hostility tendencies particularly among men, which demean women's ability to have equitable opportunities both in social and economic spheres as explained below.

- Customary laws dominated family matters and many of such laws discriminated against women.
- Tradition dictated that women did not have the right to inheritance, yet the marriage code granted widows the right to inherit 15% of a deceased husband's property.

- The physical integrity of women was inadequately protected - violence against women was widespread e.g. domestic violence was a wide social acceptance, even by women.
- Ugandan women's ownership rights remain extremely limited where access to land was governed by customary laws. Traditional practices persisted despite government's recent adoption of a new land law designed to improve women's access to land and the right to own and to manage their property. Furthermore customary law prevented women from exercising their right to have access to property other than land and freedom to administer their property without their husband's or clan consent.

This study used the above conceptual framework in analysing how the cultural, behavioural and management practices on the flower farms affected the survival, dignity, self-esteem and reproductive sanctity of women lives and social security.

3.5.1 Behavioural Practices:

Women were generally subordinated to men who are influenced by their cultural upbringing, beliefs and norms. Respondents from FGDs explained that women on the farms were considered an inferior sex. They also explained the general perception that cowardice and lack of self-esteem were other factors that demeaned women's equal treatment on farms. They further thought that "*women's quarrelling tendencies*" perpetuated their subordination before men. As a result, although they were in the majority, most of the women on the flower farms worked under men's supervision and earned less than men. Women are mostly concentrated in low paid jobs like harvesting, sorting, grading, tending flowers, propagation, cleaning flower beds etc, while men are engaged in top managerial and supervisory jobs.

It was further established that majority of decision making in households was skewed in favour of men, where men made the most household decisions and in less cases where households' decisions were jointly taken. This was further supported at project inception by the revelation that women participation in important management decision making on flower farms was rated at less than **10%** which reflects a slight increase as indicated in the table above that moved to **16.92%** at the time of writing this report. A further study was required to be conducted to establish the current status following other activities undertaken on the subject. There were few women at management level and most of who held leadership positions that carried no power. Such women were just there as figure heads without wielding any tangible authority.

A female Human Resources Manager from farm x confided in the researchers that;

"I cannot make any decision here unless I seek permission from either the General Manager or Managing Director"; she left the job some months later. This female manager who earned a salary of Ug.Sh.300,000= was succeeded by a male Human Resources manager who was paid a salary of close to Ug.Sh.1,500,000=. Whatever the reason, this practice demonstrated an unfair social practice that discriminated against women and which should be discouraged. Job pay levels are also discriminatory, take for example sprayers and harvesters, sprayers are paid more than harvesters mainly because spraying is a "masculine" job. It is described as a job that needs a lot of energy and therefore only men can manage to do it whilst harvesting is a "tender" job which needs a lot of care and is assigned to women because women are more careful. The fact is that harvesting, although one does not learn the skill from school, requires more

concentration in order to cut the right size of flowers needed for export. Besides women are equally exposed to chemicals just like the sprayers are and at the end of the day because of bending and high concentration for long hours harvesters are equally tired like the sprayers who also do not require any skill but learn on the job. One of the managers when interviewed on this point said that women are mainly recruited for harvesting because they are naturally careful and do not destroy flowers when harvesting while men are rough and destroy a lots of flowers when harvesting. Job evaluation is necessary so that wage pay levels are in conformity with the ILO Convention No. 100 on equal pay for work of equal value. The union management CBA adopted the principle of equal pay for work of equal value and all that remains now is its implementation after a thorough job evaluation exercise that should be undertaken to streamline the salary structures.

Trade unions and other CSOs should support dialogues and campaigns that will eliminate this practice and that will contribute to the restoration of female workers' rights and dignity.

3.5.1.1 Sexual Related Practices:

Table 3.18 Sexual Related Practice (Respondents rating of sexual related incidences)

Existence of sexual harassment	Frequency	Percentage
Yes	198	49.37
No	71	17.70
N/A	132	32.91
Total	401	100.00
Times sexual harassment reported		
Once in 1-2 Months	120	60.61
Once in 3-5 Months	42	21.21
Once in 5 Months	32	16.16
N/A	04	2.02
Total	198	100.00

Source: UWEA data collected from respondents from 2008 to December 2010

From the above table **49.37%** respondents stated that sexual harassment practices existed on the farms. **17.70%** respondents said there were no such practice and **32.91%** said they were not aware. Asked about how often the practice occurred on the farm **60.61%** of those stated that sexual harassment existed, estimated that it was reported once in about two months; **21.21%** of the same number stated once in three – five months and **16.16%** stated such cases were reported once in about five months. **2.02%** had no idea as to the frequency of reporting sexual harassment cases. Although the frequency of reporting still remained low due to fear of job losses, it was established that the practice was being reported unlike in previous years where workers did not know their rights and were reticent about such cases. In the FGDs it was reported that some supervisors and managers were disciplined and others were even dismissed from employment on account of sexual harassment.

The FGDs and literature review showed that because of poor remuneration some women were tempted to accept sexual harassment as a normal practice in order to attain financial favours to supplement their incomes which relationships were found to be not only detrimental to their marriages but exposed them to health hazards that included the contraction of HIV/AIDS.

3.5.1.2 Effects of long working hours to female workers:

The long hours of work and the multiple roles of women were also found to be harmful to their health, social family demands and reproductive responsibilities. The kind of remunerations that female workers got were not adequate enough to meet their dietary nutritional requirements for appropriate healthy living and neither were they enough to cater for private medical expenses, which put their lives in danger. At times, because of long working hours, female spouses at times were unable to meet the conjugal demands of their husbands which at times led to either marriage break-ups or compelling husbands into polygamous marriages.

3.5.1.3 Women's ability to balance productive and reproductive work

As for child bearing mothers, they did not have enough time to look after their children yet they could least afford to hire childminders. Although, there were minimal childcare facilities within certain farms, the facilities provided and care given in some cases was not adequate for optimal child growth.

The FGDs also noted that little time was available for the workers to take care of their children due to the days' demanding tasks. As such, most of them had to get baby sitters who often looked after the children well with the low associated costs. One of the women respondents reported that; *"I make sure I wake up very early to prepare what the husband wants first, prepare children to go to school and take a baby to a nearby village for someone to look after"*. She however noted that this causes a lack of concentration at work as children may not always go to school. *"At times it becomes too much to always keep asking for permission to go back home early to look after the baby, so we are forced to wait until late in the evening when we break off from work."*

"Sometimes I have to carry the baby on my back to some neighbour who may be willing to help look after it at agreed day's fee" (Nakato Prossy - Mellisa Flower Farm)

"We go back home late and our children sometimes are very sick. What we get we end up spending it in clinics buying drugs. We have no options (Stella - Xpressions farm)"

This is financially costly and detrimental to the health of babies as they become sick due to improper care and yet the salaries were too low to meet the related demands. Most of these women were heavily financially indebted to some individuals and microfinance organisations that continued charging the higher interests. One worker, Maurine from Mairye Estates lamented; *"I borrowed seventy thousand shillings (70,000=) from a money lender at an interest rate of 30% per month thinking that I would pay it the following month which I failed and now the total outstanding amount I have to pay has risen to one*

hundred fifty five thousand shillings (155,000=). Now the money lender has taken my Television;”.

Workers should be assisted to form a Savings and Credit Cooperative Organisation (SACCO) to encourage them to save and to access credit facilities at lower interest rates that they can afford. This would save them from the money lenders and other Micro finance companies whose interest rates were so high.

Women that were working on temporary terms as casual workers did not enjoy certain benefits such as maternity leave that were meant for full-time staff alone and they also had no guarantee to return to work after their maternity leave. In most cases they had to choose between fore-going their maternity in order to save their temporary jobs on the farms. The CBA that was being negotiated had provisions to cater for this category of employees and if adopted in the way they were, then the casual workers would equally enjoy similar benefits.

3.5.2 Management Practices:

Most of the women were in low-cadre/skilled jobs with implications on their levels of responsibility, nature of work they did, remuneration and their status in the community on the flower farm. Indeed as earlier explained only **16.92%** leadership positions on the farms were held by women and these were middle-management positions. Women were mainly assigned tasks which were less-demanding in terms of skills and authority-leverage. This negated effective representation of women on decision making processes besides minimising their opportunities for promotions and merit-based managerial/technical skills advancement. As explained in the preceding subsection of behavioural practices the jobs that women do (as listed in the paragraph below) in horticultural farms require a lot of care, concentration and time to produce quality product. Women are engaged in the beginning, and at the end of the production chain and those jobs are critical for the production of quality products, meaning that such jobs actually require skill though the women learn such skills on the job. Women’s jobs are not rated as high paying jobs due to cultural beliefs which place women as second class gender and are supposed to be submissive to men, well behaved in society and are therefore not supposed to complain and as such easy to manage.

Mostly women were engaged in occupations like grading, packaging, harvesting, batching, propagation, maintaining seed beds, cleaning and watering gardens. These positions require more concentration and most times without moving a lot for long hours which affected muscles and at times physical stress-paralysis. This type of work caused stress and strain which also led to frequent headaches, and other related illnesses ultimately resulting in absenteeism and less or poor performance at work.

3.5.2.1 Institutional Initiatives and Actions for Women advancement:

There was evidence of deliberate actions by flower farms management, working together with the unions and other CSOs, to alleviate the precarious working conditions of workers and more so of women workers. Although no farm had a Gender and Equality committee, there was witnessed some literature and dialogues by the concerned parties that showed progress on institution of gender policies on flower farms by both the union and management and setting up of women committees by the union.

Table 3.20: Showing promotion criteria on the farms

Name of the farm	Promotion criteria	Existence of equality committee
Wagagai Ltd	Experience, performance & academic qualifications.	Nil but principle accepted
Ugarose Flowers Ltd	Experience performance & academic qualifications.	Nil but principle accepted
Aurum Roses Ltd	Experience performance & academic qualifications.	Nil but principle accepted
Melissa Flowers Lt	By seniority & Academic qualifications	Nil but principle accepted
Royal Van Zanten	Experience, performance & academic qualifications	Nil but principle accepted
Mairye Estates Ltd	Experience, academic qualification	Nil but principle accepted
Xclusive Cuttings Ltd	Performance, Academic Qualifications	Nil but principle accepted
Uganda Hortech Ltd	Experience, academic qualifications	Nil but principle accepted
Xpressions Ltd	Performance, academic Qualifications	Nil but principle accepted
Rosebud Ltd	Performance, academic Qualifications	Nil but principle accepted
Fiduga Ltd	Conduct, performance, experience, academics	Nil but principle accepted
J .P Cuttings	Experience performance & academic qualifications.	Nil but principle accepted

Respondents from FGDs also noted and recommended that:

- Charity begins at home and as such, men and women needed not separate roles for the girl child and boy child. All children must share work equally right from childhood (Socialisation).
- Both women and men must be sensitised on the gender concepts.
- Women should be allowed to own critical resources for income (property).
- They should be equally encouraged to further their education and to engage in income generating activities. This would break the dependence syndrome among the women.

Table3.20: Showing training opportunities available on the farms

Name of the farm	Promotion criteria	Training selection criteria
Wagagai Ltd	Available mainly for supervisors. & Managers	Co. has defined targets and courses for training
Ugarose Flowers Ltd	Available mainly for sups. & Managers	Not well defined
Aurum Roses Ltd	Available mainly for sups. & Managers	Not well defined
Melissa Flowers Lt	Depending on need,	Not well defined

Mairye Estates Ltd	Depending on need,	Not well defined
Xclusive Cuttings Ltd	Available and properly programmed	Co. has defined targets and courses for training
Uganda Hortech Ltd	Depending on need, departmental	Not well defined
Xpressions Ltd	When organized by UFEA or UWEA	Not well defined
Rosebud Ltd	Depending on need,	Not well defined
Fiduga Ltd	Available and properly programmed	Co. has defined targets and courses for training
J.P Cuttings	Depending on need,	Not well defined

3.5.2.2 Ways through which merit based promotion can be improved on the Farms.

Respondents noted and recommended the following:

- An appraisal system and promotional panel needed to be instituted to vet the promotion. Relying on reports from immediate supervisors only had a potential to disadvantage certain workers who could have been hardworking but yet as slight differences with such supervisors could be denied, their right to be promoted as some immediate supervisors were found to be biased.
- Bonus should be given to all workers without discrimination
- Capacity building courses for all employees should be developed including adult literacy classes to ensure all workers got adequately informed.

In order to address gender biases on farms there was a need for multi-dimensional approaches which have to involve all stakeholders including the respective spouses, farm management, civic leaders and policy makers. All issues that render women in subordinate positions need to be holistically addressed, as without eliminating the negative gender-based stereotypes womens rights will continue to be abused be it in the private or public spheres. The packages must include both preventive and responsive approaches to gender biases and deprivations.

CHAPTER FOUR: CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

This chapter presents the conclusions and also provides the policy recommendations that will help Develop Strategies for Change for Women Workers in African Horticulture based on the ideas and information collected from the farms. The areas of further research are also affected in this sector.

This study was an action research aimed at causing positive change on the lives and working conditions of women workers in African Horticulture. The conclusions and recommendations made here will help the project partners lay strategies for further action especially through advocacy in the direction of social security and labour rights affecting women in this sector.

4.1.1 Base line survey:

This was carried out on a six monthly basis to track the changes on farms on various areas of study

4.1.1.1 .Employment situation:

Category of workers:

It was observed that workers in casual, seasonal, contract terms and even some in permanent categories were largely subjected to similar working conditions, although certain benefits such as maternity leave were not adequately granted to the casual employees.

Salaries:

It was established that all workers were earning a salary, with the lowest earning a monthly salary of Ug.Sh 54,000/= (US\$27) as compared to managers that earned between Ug.Sh (500,000- 4,000,000)/= an equivalent of (US\$1785.71).The majority of the respondents (**44.6%**) earned between Ug.Sh 50,000-80,000 monthly as their salary wages. These wages were too low considering the economic situation where the cost of living was very high and increased on daily basis. Workers earning between Ug.Sh 85,000-100,000 were **34.3%**, which was also still on the low side.

Generally Workers' salaries remained too low where the cost of living (renting houses, meals, clothing, education, medical etc....) was increasingly higher yet most households had no alternative sources of income.

Elements of employment contract:

From the findings of the study it was established that many farms had issued written contracts to workers, although the implementation of the contract contents was not well realised.

The workers that had written employment contracts had such contracts that lacked the full details of what should be contained. However the majority of workers with such contracts did not know the contents of the contracts because they were written in a

language (English) that they did not understand and the issuing authority had also not taken time to explain the said contents to the workers.

Hours of work

Most workers reported working for more than the required normal eight (8) hours a day but with very little overtime pay. The law stipulated that any overtime worked on a normal working day had to be paid at the rate of 1½ times the normal hourly rate and double on public holidays. The overtime payments of Ug.Sh 200 were too low compared to what the law stipulated.

Overtime work was paid for but with very little money. Out of 401 respondents only **29.9%** received Ug.Sh 300-500 per hour, compared to **12.7%** who were paid above Ug.Sh 500 per hour. However, the over-time rate even at current wage rates was too low considering that it would translate to Ug.Sh 80,000-150,000 per month which fell below the normal working day remunerations for all cadres of employees qualifying for overtime pay.

Probationary period:

It was also established that workers upon completion of their probationary period, remained unconfirmed in employment (workers remain on probationary period beyond the legally stipulated probation period) thus rendering their employment status uncertain and in case of termination a worker could lose his/her entitlements. With the signing of the CBA that is now in force, upon completion of the probationary period a worker is deemed confirmed in employment even when the concerned manager does not issue such a worker with a written confirmation letter. The implication of this CBA provision is that all workers that had completed six months at the time of signing the CBA were deemed confirmed and therefore entitled to all benefits of a permanent employee.

4.1.1.2. Occupational Health and Safety:

38% of the respondents reported that workers were provided with Personal Protective Equipments and only **21.9%** confirmed that PPEs were replaced on a yearly basis, as compared to **49.4%** of the not at-all respondents. These figures confirmed that fewer workers were provided with PPEs which were also hardly replaced on time. This posed danger to workers' safety and health as they continued to wear worn out PPEs.

From the FGDs it was noted that Health and Safety Committees did not exist in almost all the farms except in two farms i.e. Wagagai Ltd and Fiduga Ltd and even then, these two committees were set up by management, meaning that workers and their organisations had little or no say over health and safety standards in the said farms. This was because committees appointed by management subject those who are appointed to simply take instruction from the appointing authority, these instructions may not take into consideration the workers' interests. This was affirmed by the workers' revelation during the FGDs that their views were often ignored; for example whenever they requested replacement PPEs it took a long time for the response to be effected, which ranged from 1-1½ years. However with the continued workers education and the management/ Union social dialogue meetings which culminated in

the signing of the CBA, this trend is progressively changing towards sustainable establishment of Occupational Health and Safety standards on the farms.

The study established that there was minimum compliance with workers' rights of being healthy and safe in regard to access to medical services, lunch, leave and protection amenities.). **34.9%** of workers were not medically checked and only **23.4%** of the respondents got regular medical checks while the majority **41.65%** had no idea about medical checkups. Alternative medical provisions were in place, in **35.4%** of cases First Aid kits existed on the farms and **22.2%** confirmed that they received treatment from the farm Clinics. Very few farms provided funds for medical treatment of workers.

It was discovered that motivation in the farms was provided to some extent and majority respondents said workers were provided with lunch, **34.29%** said workers were given free Health care and the others said they were provided with transport and leave.

Sexual harassment was another key factor in our conclusion, where out of 401 workers, **49.37%** agreed that sexual harassment occurred on the farms and this was mainly by male workers, especially managers and supervisors against female junior workers on promises that they would maintain their victims in employment. The majority of sexual harassment cases were not reported for fear of loss of employment by the affected vulnerable and disadvantaged female workers, which in essence maintained an abuse of women's right to a workplace free of sexual harassment. The mechanism in resolving this is now provided for in the CBA and since at every stage of grievance handling a worker is represented by a union leader. The affected female workers are encouraged to report sexual harassment cases and to follow them up until the conclusion. The women committees in this case play the role of monitoring the process to ensure that the cases are handled effectively. Where default is identified they assist the victims to appeal to a higher office in the grievance handling structure.

4.1.1.3. Unionisation:

There was observed acceptance by employers where **29.93%** of the respondents said that workers enjoyed their right to freedom of association, although, there was also a revelation through FGDs and literature review about acts of intimidation and victimisation of workers by management of some farms on account of such workers' association with the union. For example, a total of seven union leaders reported having been "terminated from employment without any justifiable reason". It was also discovered that workers' union meetings were sometimes (**53.62%**) held with **11.97%** saying meetings were held monthly. While it is observed that some managers have acted contrary to the law the response by union (UHAWU) leaders in certain incidences tended to escalate conflict, thereby affecting relations negatively. With these improper relations in place, some managers became reluctant to offer their maximum cooperation towards activities intended to improve workers working conditions. This notwithstanding the union (UHAWU) membership within the flower industry stands at 3,569 on only the twelve project farms. The whole union membership in all the 19 farms totals to over 4,867.

4.1.1.4. Gender issues:

Maternity protection:

Most employers **64.08%** complied with the lawful 60 working days' maternity leave for female workers although some employers (**19.45%**) granted a maternity leave of 1 – 2 months, contrary to the Employment Act. During the FGDs and open ended discussions respondents also explained that maternity leave was given but only one month was paid forcing some women to come back to work before the expiry of their lawfully set period.

It was also established that pregnant women at **30.17%** were assigned lighter work as compared to **45.9%** who were not.

Child care facilities were only available to **15.96%** of the workers as compared to **67.33%** not being able to access child care facilities at the workplace.

Number of women in leadership positions

Respondents explained that Women workers were not given higher management positions because of discrimination arising from deep cultural beliefs and traditional norms. Women constituted **58%** of the total workforce in the eleven selected farms of the study but only **16.92%** of them held leadership positions in the farms, the majority of which had no related authority to take binding decisions.

Cultural beliefs affected women not only at home but the workplace as well. Many women also still believed that it was only men that were supposed to lead and take important management decisions. This put them in a difficult position where sometimes they did not support fellow women but preferred men. If such positions were to be taken by democratic means women tended to step down in favour of men when nominated for a leadership post.

4.1.2 Cultural, Behavioural and Management Influences:

Decision making on financial matters both at home and at work was mostly done by men who largely decided on what to do with the finances as compared to their female counterparts.

4.1.2.1 Cultural influences

The Constitution of Uganda includes anti-discriminatory provisions and condemns any custom that contradicts human rights. But discrimination against women was rife and the situation of Ugandan women was further aggravated by deeply rooted patriarchal tradition and past years of armed conflict. The government has enacted new laws to improve the situation of women, but their implementation has been obstructed by some reticent communities.¹

- Customary laws dominate in regard to family matters and many of such laws discriminate against women.
- Tradition dictated that women do not have the right to inheritance, yet the marriage code granted widows the right to inherit 15% of a deceased husband's property.
- The physical integrity of women was inadequately protected - violence against women was widespread e.g. domestic violence was a wide social acceptance, even by women.

- Ugandan women's ownership rights remain extremely limited where access to land was governed by customary laws. Traditional practices persisted despite government's recent adoption of a new land law designed to improve women's access to land and grant them the right to manage their property. Furthermore customary law prevented women from exercising their right to have access to property other than land and freedom to administer their property without their husband's or clan consent.

4.1.2.2. Behavioural influences:

Due to working long hours female spouses at times are unable to meet the conjugal demands of their husbands, which at times lead to either marriage break-ups or compelling husbands into polygamous marriages.

On the other hand because of poor remuneration women are tempted to go into extra-marital relationships in order to supplement their incomes which are not only detrimental to their marriages but expose them to health hazards including contracting HIV/AIDS.

Wilfully and un-wilfully, women are subjected to sexual harassment from male counterparts in the interest of saving their employments and meeting their domestic needs, which renders them vulnerable to generic abuses of their rights.

It was revealed that women's participation in decision making on flower farms is rated at **5%**. Yet they constitute approximately **58%** of the total workforce of the eleven farms studied. There are very few women at management level and in most cases the leadership positions they hold carry no power, they are just there as figure heads without wielding any authority.

4.1.2.3 Management influences:

Only **16.92%** leadership positions on the farms were held by women and these were middle-management positions. Women were mainly assigned tasks which were less-demanding in terms of skills and authority-leverage. This negated effective representation of women in decision making processes further more minimising their opportunities for promotions and merit-based managerial/technical skills advancement.

Mostly women were engaged in occupations like grading, packaging, harvesting, batching, propagation, maintaining seedbeds, cleaning and watering gardens. These positions required more concentration and most times without moving a lot for long hours which affected muscles and at times physical stress-paralysis. This type of work caused stress and strain which sometimes led to frequent headaches, and other related illnesses ultimately culminating into absenteeism and less or poor performance at work.

4.1.3 Purchasing practices:

4.1.3.2 Market Fluctuations and Flexibility:

There were incidents where abrupt fresh orders were made to meet bumper market demands, particularly in festive seasons and or one-off jublations unpredicted. Because of the attractiveness of such orders producers were reluctant to decline offers but instead exerted a lot of pressure on workers to meet the order targets without necessarily paying them reasonable corresponding premium wages. Consequently, the existing workforce had to stretch working hours to meet the required targets needed to satisfy the demands of the customers.

4.1.3.3. Produce quality:

The quality of products was sometimes affected due to long working hours which reduced workers' concentration. Workers' health was also affected negatively as work was extended by up to five hours in a day on some farms leading to absenteeism and high staff turnover. This further brought conflict at work because long working hours were an abuse of the law which in turn negatively affected family responsibilities and relations.

Where standards were not met for instance, in avoiding or minimizing pesticide residues, the consignments could be intercepted which meant loss of income to the company. Flower producers found the inspection agencies as contributing to this burden. All these heightened the producer cost prices whereby farmers resorted to underhand methods of cutting on labour related costs to absorb the other incidental costs to avoid losses or heavy impact on their expected profits, which in turn reduced benefits for workers or negated labour and environmental standards.

Price fluctuations

There was noted price fluctuations brought about by several factors. The TUs in liaison with flower farm owners need to be aware of the possibilities of these market variations so as to provide safety nets for their members. This should be included in the appointment letters and Collective Bargaining Agreements, where provisions to buffer any eventualities, both in case of bumper demands and market shrinkages are provided for workers. Workers would be given bonuses in case of bumper demands and a buffer fund in case of market shrinkages to protect workers from liabilities arising out of farm losses.

Payment on Delivery Terms:

Producers were subjected to payment on delivery terms hence they bore all the commercial and non-commercial risks until the produce was delivered to the buyers. In case of failure by the producer to deliver produce in time and of the required quality the loss/fine incidence fell on such producer, even if the order was changed at short notice provided the producer accepted to deliver. In such situations deductions were made on payments without producer's agreement, including costs for disposal of rejected products which in turn bore a negative effect on the producer and ultimately the worker.

For a period close to one year (Nov 2008-July 2009) most farms complained about the reduction in prices for their products and kept selling just to maintain relations with their customers. This was associated with the global financial crisis.

4.1.4. Effectiveness of Social Codes of Practice:

Farms that have been audited by MPS/SQ and ETI and also those with MPS - ABCD have better working conditions than those that have only MPS –GAP.

Workers were not happy with the wages, they said the wages were too low for them to afford basic needs or provide them the chance to have some discretionary income

Workers expressed their ignorance of the contents of the codes used on their farms let alone knowing the names of the codes, though some of them had been involved in the audit interviews. Some workers confided to the research team that they were coached on what to say before going to attend audit interviews.

Whereas it is true that most farms had been certified as compliant, there was no thorough audit mechanism to verify the authenticity of the audit reports since there was no regulatory body to provide oversight and independent validation of the social codes audit reports.

Farmers also complained that the timeframe given to them to implement the audit recommendations was too short and audits were very costly.

Judicial bureaucratic tendencies and impediments made it very difficult for workers to pursue their compensation benefits.

In the case of chemical damages, there was no chemical laboratory in Uganda with all the required facilities to examine the degree of chemical effects or injury to the workers.

Medical checks before initial commencement of work were not done and sometimes managers denied workers compensation in cases of chemical related diseases, claiming that workers came to work when already infected and that such sickness could have been a childhood or an inherited disease or a disease caused by other factors.

4.1.1 Satisfactory Performance Areas:

Workers and Environmental Rights Mapping:

There was evidence of sufficient documentation and mapping of the workers and environmental rights on all the flower farms in Uganda. UWEA had been able to determine the total workforce establishment on the farms and documented their working conditions and environmental concerns. In addition UWEA had worked with all the flower farms to build necessary rapport with their management making it possible to monitor progress on workers' and environmental rights, build necessary capacities and facilitate implementation of social codes of practices.

Rights Knowledge, Awareness and Practices Creation:

UWEA had developed a critical mass of actors and advocates for workers and environmental rights by engaging all the stakeholders including UFEA, farm managers, the government line ministries, CSOs, TUs and the general workforce. There is now a high level of awareness and practices for rights protection and promotion on flower farms. So far there are two TUs organizing flower farm workers and all the farm managers are willing to cooperate with protagonists of workers and environmental rights with minimal restraint. The majority of workers were aware of their rights even though some of them could not stand to demand and defend those rights. Close to one half of the workers were members of trade unions.

Application of Social Codes of Practices:

All the flower farms have some form of established social codes of practices and UFEA ensures that they are complied with. All the flower farms studied as certified as compliant. The degree of efficacy of these social codes of practices was rather uncertain because of some institutional limitations.

4.1.2 Unsatisfactory Performance Areas:**Social Codes Practices Audits:**

The social audits needed to be taken to a level where workers are knowledgeable on areas of investigation and are free to offer their independent opinions. Similarly, adequate representations (scope of coverage and numbers of workers) of assessments need to be taken into account other than producing thinly researched audit reports.

Information on compliance, adequacy and impacts of given social codes on each of the farms was currently inadequate for meaningful action and policy oriented strategies, which is something that needed to be addressed. In addition, the optional liberties for certain farms to choose not to be coded, created market imperfections that would continue to endanger the protection and promotion of workers and environmental rights of workers in the industry.

Gender Advancement:

Empowerment of women on flower farms was still inadequate as reflected by their inequitable representation in senior management positions, however, women in the senior management positions are skilled with educational standards of university level that have the ability to participate effectively and constructively in the decision making organs. The major issue lies with women in low income jobs, some of whom are illiterate and therefore need to be encouraged to attend literacy classes to improve on their educational status. It is important to note that one of the twelve farms studied offers literacy classes for its workers, a gesture the rest of the farms should emulate. Secondly, without addressing the root causes that keep women in subordinate positions, it was unlikely that their vulnerability predicaments would be resolved. This is something that went beyond just mere representation in numbers but empowering them in terms of skills, behavioral change and economic independence that should not endanger their marriage relationships but strengthen them.

Purchasing Practices:

The current purchasing practices were still skewed in favour of the buyers of flower produce as against producers. This imbalance impaired the abilities of employers to offer competitive and adequate remuneration and fringe benefits to their workers. Secondly, there were no institutional mechanisms to safeguard workers in market-fluctuations cycles, such that they stand to accrue benefits in times of booms and protection of their employment terms in times of trade slumps.

Institutional Weaknesses:

The litigation impediments curtailed by both inadequacies of investigation facilities e.g. chemical laboratories, to assess chemical/biological injuries and judicial bureaucracies let alone transaction costs militated against quick and proper redress of affected workers

4.2 Policy recommendations**Employment situation:**

1. The negotiations for the CBA between the members of UFEA and UHAWU were concluded in August 2010 and signing by individual farms was to continue until all farms would sign. The signing has been concluded and sensitisation of workers on the elements of the CBA by both the union and management is now on going. This exercise contributes to the process of enforcement of the CBA, which in turn if adhered to by both parties would play a role in improving the working conditions on farms especially when both parties observe and implement it wholly. Negotiations on salaries as a supplementary CBA started in September 2010 and are expected to be concluded soon and once concluded it will enable workers to meet their basic needs such as clothing, food, housing, utilities, medical care, education etc.
2. The wage gap between the lowest paid workers and the managers was too wide and needed to be critically looked into. Every farm should formulate realistic salary structures which give room for workers to climb from the lowest to the highest level upon fulfilment of certain requirement through an appraisal system.
3. All promotions should be on merit and Gender and Equality committees should be established on all farms, so that gender balanced training is done to encourage women to also come up to higher ranks.
4. In order to address gender biases on farms there is need for a multi-dimensional approach which has to involve all stakeholders to ensure all issues that render women in subordinate positions are holistically addressed. Without eliminating the negative gender-based stereotypes women rights will continue to be abused, whether in private or in public spheres. The packages must include both preventive and responsive approaches to gender biases and deprivations.

5. Capacity building courses for all employees should be encouraged. Literacy classes should also be arranged and women should be encouraged to participate.
6. Efforts should be made by all stakeholders to eliminate casualisation of labour in the horticulture industry by appointing all casual workers to permanent terms upon having completed the necessary probationary periods.
7. Contracts written in the English Language created problems for most workers as they did not understand the contents. The law provides in section 26 of the Employment Act No.6 of 2006 that a contract made with an employee who is unable to read or understand the language in which the contract is written shall be attested to and the attestation has to be prepared by either a magistrate or a labour officer. In case the contract is not attested to, section 26 subsection (4) of the same Employment Act emphasises that the absence of attestation shall not prejudice in any way the rights of the employee. Thus; sensitization of workers on the contents of an employment contract should be made a priority therefore reducing workers' ignorance on their rights and responsibilities.
8. Although motivation is done in these farms, it is not enough for all workers. Policies should be put into consideration to improve on working conditions and thereby improving productivity.
9. Considering that the level of education was found to be low amongst workers, thereby making communication difficult and developing conservative attitudes and entrenchment of detrimental cultural beliefs, it is necessary that an education fund should be introduced on farms. Management could contribute a bigger part of the fund while workers contribute a supplementary fund towards their further education and literacy classes. These efforts would contribute to eradicating illiteracy, interpret technology and enhance productivity.
10. Payments on overtime work should be substantially improved to motivate workers and to eliminate forced overtime work.
11. Employers should endeavour to confirm all workers in employment after such workers have completed their probationary period.

Occupational health and safety

1. To avoid chemical exposure to workers, PPEs should be provided and their replacement be done at periodically.
2. All workers should be trained on OSH basics and OSH committees be established on the farms with periodical special training be periodically organised for committee members to keep abreast with changes that are made from time to time.
3. All workers on the farm should have periodical medical checks since they are all exposed to chemicals.
4. There is need for all farms to have all their workers medically insured, and provided with medical treatment without having workers to pay for such treatment
5. Sexual harassment policies should be established on each farm to enhance discipline and to protect the female workers that are the major sufferers of this practice. All workers should be made aware of what amounts to sexual harassment and the related consequences that may follow those involved in the practice.

Unionisation:

1. Intimidation of workers because they are union members is an abuse of their right to freedom of association. Continuous dialogue meetings with employers needs to be intensified if they are to understand the usefulness of the union to their businesses.
2. Government should ensure and as a matter of urgency functionalise the industrial Court as provided for in Section 7 of the Labour Disputes (Arbitration and Settlement Act No.8 of 2006 Laws of Uganda, to facilitate quick settlement of labour cases.

Maternity protection:

1. 60 working days maternity leave given to employees should be fully implemented with the payment of salaries to the workers that go on such leave. In addition workers should either be able to return to their previous jobs or to have the opportunity to return to an even better position when they return from maternity leave, as is provided for by the Employment Act 2006 and agreements in place.
2. Pregnant women should be given time to rest and assigned lighter duties as the situation may demand.
3. Government should improve on the Maternity Protection by way of amending Section 56 of the Employment Act No.6 of 2006 Laws of Uganda, to provide for breastfeeding breaks for nursing mothers, rests during work process and all the other items under maternity protection.

Women in leadership positions;

1. Women constituted 61% of the total workforce in the twelve selected farms of the study but only 31.58% of them held leadership positions in the farms. Cultural beliefs affect women not only at home but are also carried on into the workplace. Many women still believe that it is only men that are supposed to lead and take decisions. This puts women in a difficult position where sometimes they do not vote for fellow women but prefer men and sometimes even stand down for men when nominated for a leadership post. Gender training is a must on all farms and even men should participate in such workshops to appreciate the need for women's empowerment. Gender training removes the cultural bias the men have about women.

4.3 Areas of future research

1. There is need to conduct similar research in other farms in the country for further comparative studies.
2. There is a need for further investigation on the effects of chemicals on the health of the workers and the general environment.
3. Why cultural beliefs and practices have continued impacting negatively on the development of women in Uganda even when they are seen and accepted as detrimental.

4. A further comprehensive study on supply chains involving establishment of the real value of a flower and how much is paid to a worker in return to the labour offered.
5. Effective management of SACCOs and how women workers can best benefit from them

4.4 Advocacy:

The existing Workers and Environmental Rights Network (WERN) that has greatly worked to support the efforts of TUs in registering the current successes in workers' working conditions should be strengthened and sustained to carry on its work until the trade unions are firmly established to continue efforts of promoting workers' rights. This network needed to consider engaging some full time staff to constantly liaise with all other members and to take the responsibility of mobilizing funds for implementation of its activities. The network should also widen its membership and should be linked to GHOWERN for proper coordination and unification of the Ugandan network members.

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The labour Disputes (Arbitration and Settlement Act No. 8 of 2006 Laws of Uganda

Appendix 1

UGANDA WORKERS EDUCATION ASSOCIATION (UWEA)

PROJECT ON; DEVELOPING STRATEGIES FOR CHANGE FOR WOMEN WORKERS IN AFRICAN HORTICULTURE - UGANDA

ACTION RESEARCH:

Aim; this research is aimed at creating sustainable decent working conditions and better livelihoods for women workers in African Horticulture farms. The created change will not be limited to women only but cover all workers.

Objectives;

1. To create a sustainable body of evidence that can be used for leverage in negotiations with farm management and other stakeholders.
2. To monitor change on farms throughout the project period.
3. To link evidence to project indicators /outcomes in order to assess project impact.
4. To record incidents on farms as part of an evidence base that can be presented to buyers if necessary.

Methodology

1. Use of focus group discussions with workers and management every 6 months.
2. Interviews with farm management.
3. Interviews with other stakeholders.
4. Reports from trainers (TOTs)
5. Reports from shop stewards.

UGANDA WORKERS EDUCATION ASSOCIATION (UWEA)

DEVELOPING STRATEGIES FOR CHANGE FOR WOMEN WORKERS IN AFRICAN HORTICULTURE - UGANDA

Base line Assessment of conditions on farms

FARM PROFILE

- 1) Name of Farm.....
- 2) Farm ownership.....
- 3) Contact person.....
- 4) Farm products.....
- 5) Farm size.....
- 6) When was the farm established.....
- 7) Growth rate of the farm.....
- 8) What policies does the farm have in place.....
- 9) Where does the farm sell its products.....
- 10) What are the names of the specific buyers/importers of the products from this farm.....
- 11) How much in terms of volumes does the farm export annually.....monthly.....
- 12) What links does the farm have within the region (Kenya, Tanzania, Zambia, Ethiopia etc.....
- 13) What links does the farm have internationally?.....

EMPLOYMENT SITUATION

- (14). Terms of employment.
- Total No. of workers: Male..... Female..... Total.....
 - Workers with written contract.....

Category of employment

- Permanent terms
- Casual terms
- Seasonal terms
- Contract terms
- Probation terms

(15). (a). Language in which contracts are written

- English
- Swahili

- Local language (specify)
- (b). Elements in the contract.....

(16). what are the salary scales in this farm?

- Senior managers from.....to.....
- Managers from.....to.....
- Supervisors fromto.....
- Harvesters from.....to.....
- Maintenance staff from.....to.....
- Cleaners from.....to.....
- Sorting and grading from.....to.....
- Propagators from.....to.....
- Packaging from.....to.....
- Sales and marketing from.....to.....
- Nursery preparations from.....to.....

(17). Does the company transport workers to and from the farm? Yes/No

GENDER ISSUES:

How many women are?

- Supervisors.....
- Managers.....
- Senior managers.....

(18). what criteria are applied when promoting workers?.....

(19). Is there any gender policy on this farm? Yes/No.

(20). what training opportunities are available for workers on this farm?.....

(21). Are men and women on this farm equally selected for training yes/No, sometimes.

(22). Is there an equality committee on this farm? Yes/No

(23). what other welfare amenities are available for workers on this farm?.....

(24). Do women benefit from these amenities yes/No? If yes, which ones.....

UNIONISATION /FREEDOM OF ASSOCIATION

(25). How many workers are in the union?.....

(26). who is the branch secretary?.....

(27) Is a union women’s committee in place? Yes /No

(28). Does this farm have a CBA in place? Yes/No if yes, when was it negotiated

(29). Does the farm have a recognition Agreement in place yes/No if yes, when was it signed?.....

(30). Are workers freely allowed to join the union? Yes/No if not, give reasons.....

(31). Do workers meet regularly?

- Sometimes

- Monthly
- Weekly
- Not at all
- NA

OCCUPATIONAL HEALTH AND SAFETY

(32). Are protective equipments provided to workers yes/No if yes, what category of workers?.....

(33). How often are the PPES replaced?

- Yearly
- Monthly
- NA
- Not at all

(34). Are chemicals properly stored.....

(35). Are chemicals mixed in an isolated area/building?.....

(36). Are workers medically checked regularly yes/No

(37). what medical facilities are in place?.....

(38). Are sanitary facilities available in the farm? Yes /No. If yes, which ones; toilets, washrooms, and are they separated? Yes /No

(39). Are there any recorded cases of sexual harassment? Yes/ No

- If yes, how many and how often?.....
- If No, do people fear to report?.....
- How many of these cases have been reported to management?.....
- Is there a sexual harassment policy on this farm yes /No.....

(40). Is there a functional Health and safety committee in place? Yes /No

(41). Are there regular inspections by the ministry of labour? Yes/No

(42). when do workers normally re-enter a sprayed green house?

- After 6 hrs
- 24 hrs
- Any time

(43). Are re-entry warning signs available? Yes /No

- If yes are they appropriately used?.....

MATERNITY PROTECTION

(44). How many days of maternity leave are granted to nursing mothers?.....

(45). Is the maternity leave paid for?.....

(46). Are pregnant mothers allocated lighter duties? Yes /No

(47). Are nursing mothers given breast feeding breaks?.....

(48). Are child care facilities provided in this farm?.....

(49). How far is the child care centre from the farm?.....

WORKING HOURS

(50). What time do workers report on duty?.....

(51). What time do workers end work?.....

(51). Is overtime work compulsory? Yes /No

(52). Is over time paid for? Yes /No if yes, at what rate?.....

CORPORATE SOCIAL RESPONSIBILITY

(53). what corporate social responsibility activities are carried out in this farm?
.....

(54). Are workers involved in decision making for such activities? yes /No.

QUESTIONNAIRE ON SOCIAL CODES OF PRACTICE IN UGANDA FLOWER FARMS

The methodology used here will be FDGs with workers and management done at separate meetings.

- 1) What social codes of practice are implemented in this farm?
 - a. Company code.
 - b. Industry code.
 - c. Multi stake holder code.
 - d. Consumer labelling programmes.
 - e. Others e.g. fair trade, Auction houses e t c.
- 2) Has this farm ever been certified under these codes?.....
- 3) When was this farm last socially audited?.....
- 4) Who audited the farm?.....
- 5) Were workers involved in the auditing exercise?.....
- 6) Are these codes worker friendly? For example are there sections in the code that talk about workers' rights?.....
- 7) What items are included in these codes?.....
- 8) Does the flower industry in Uganda have its own code?.....
- 9) Who was involved in the development of this code? And who audits its implementation of the farms?(like the workers , trade unions, labour NGOs).....
- 10) Are other stake holders involved in the auditing of this code?.....
- 11) Is your farm covered by this code?.....
- 12) How are the different codes on this farm implemented?.....
- 13) What benefits has your farm achieved as a result of the implementation of these codes?.....
- 14) Do workers have something to boast about as benefits from the implementation of these codes?.....
- 15) Is there any aspect of women's rights on these codes?.....
- 16) What gender issues are covered?.....

QUESTIONNAIRE ON PURCHASING PRACTICES:

Issues;

1. Effects of cumulative pressure from international buyers.
2. Links between buying practices of individual retailers on legal retailers.
3. Decision making process effect of the production process and the subsequent effect on workers (where does power lies?)
4. Ask stake holders to make recommendation for change that would improve their ability to look after workers.
5. Match case study examples.

QUESTIONS FOR DISCUSSION

1. What are the products of this farm?.....
2. Where does the farm sell its products?.....
3. Do you have the power to bargain higher prices for your products?.....
4. Where does the power lie in the supply chain?.....
5. Does the pressure from retailers ' supermarkets Auctions (top of supply chains) frustrate your efforts to improve workers welfare /working conditions?.....
6. What production challenges does the farm face?.....
7. Do you realize enough profit to help you expand your business?.....
8. Regardless of less profit do you intend to expand your business?.....

CULTURAL BEHAVIOUR AND MANAGEMENT INFLUENCES

- How to do this.
- Gender awareness creation;
- Women only meetings.
- Men and women meetings.
- Will need the CEDAW ICESCR, ICCPR, and Uganda constitution.
- Understanding the cultural Norms of all women beneficiaries especially those working in the farm and those that are involved in the FDGs. This section will also bring out the aspect of discriminatory practices linked to culture.
- Aspect of discriminatory practices linked to culture.

1. Write on a manila card where you come from and your tribe.
2. Daily time use for men and women from your region.

Activity profile for 24 hours

Region /tribe				
Men			Women	
Time	Activity		Time	Activity

3. What are some of the social cultural practices that women work on flower farms (probe?).....
4. What is the status of decision making among men and women at household in relation to taking over paid employment
5. Who makes decisions on utilization of the women’s financial resources.....
6. How is ownership and utilization of financial resources of men and women?.....
7. Are you able to send your children to school i.e. pay fees and all school requirements?.....
8. How the following gender related issues do affects women’s paid employment on flower farms.
 - Time allocation among men and women.
 - Child care related work.
9. What labour saving technologies do men and women employ in their gender roles to enable them take up employment without any problem.....

10. What status of ownership and control of resources are acquired by men and women? (Who owns and who controls).....

11. Spending behaviours between men and women (tick all that is relevant)

ITEM	MALE	FEMALE
Clothing for self and family school fees		
Scholastic materials		
Household materials		
Essential goods		
Health		
Support to relatives food (those who buy)		
Community contribution		
Taxes		
Rent (for those who rent)		
Water		
Electricity		
Capital investments e.g buying land		

12. How are women in this farm treated in terms of the following?

- Training opportunities
- Promotional opportunities.
- Participation in decision making.
- Disciplining their juniors.

13. How are women enabled to reconcile their productive work at home and productive work at farm?.....

14. Is their differential treatment between men and women on this farm? Please explain.....

15. What challenges do female supervisors and managers face in their capacities.....

Appendix II

Uganda Workers' Education Association (UWEA)

ANALYSIS OF PROGRESS MADE DURING THE PERIOD FROM 2007 TO 2010 FOR THE TWELVE FARMS UNDER THE PROJECT: "DEVELOPING STRATEGIES FOR CHANGE FOR WOMEN WORKERS IN AFRICAN HORTICULTURE" – THE CASE OF UGANDA

Table A: showing the growth in size of farms and the increase in number of workers

No.	Year	2007		2008		2010	
		Name of Farm	Size in Hectares	Total Number of workers	Size in Hectares	Total Number of workers	Size in Hectares
1.	Aurum Roses Ltd	10Ha	243	10Ha	256	10Ha	261
2.	Fiduga Ltd	18Ha	420	19.3Ha	530	20.64Ha	580
3.	J P Cuttings Ltd	-	-	6Ha	200	7Ha	240
4.	Mairye Estates	9.4 Ha	397	12.9Ha	630	20Ha	720
5.	Mellissa Flowers	11.29Ha	312	12Ha	320	12.5Ha	320
6.	Rosebud Ltd	39Ha	1,025	39Ha	1,150	40Ha	1,200
7.	Royal Van zanten Ltd	8.7Ha	284	9.1Ha	297	9.5ha	310
8.	Ugarose Ltd	12Ha	325	12Ha	314	12Ha	272
9.	Uganda Hortec	6 Ha	243	7.5Ha	258	9Ha	282
10.	Wagagai Ltd	10.5Ha	1,243	13.5Ha	1290	30Ha	1,692
11.	Xclusive Cuttings Ltd	2.5Ha	150	3Ha	200	4.5Ha	227
12.	Xpressions Ltd	6.5Ha	242	6.5Ha	242	9Ha	258
	Totals	133.89	4,884	150.5	5,687	184.4	6,362

Source: UWEA survey

Table B: showing the employment situation by year (casual and permanent workers)

Year	2007	2008	2010				
No.	Name of Farm	Number of casual workers	Number of permanent workers	Number of casual workers	Number of permanent workers	Number of casual workers	Number of permanent workers
1.	Aurum Roses Ltd	187	56	182	74	79	182
2.	Fiduga Ltd	300	120	290	240	-	580
3.	J P Cuttings Ltd	-	-	143	57	48	192
4.	Mairye Estates	340	57	412	218	130	590
5.	Mellissa Flowers	287	25	208	112	110	210
6.	Rosebud Ltd	935	90	1053	97	443	757
7.	Royal Van zanten Ltd	174	110	167	130	52	258
8.	Ugarose Ltd	45	280	36	278	52	220
9.	Uganda hortec	142	101	135	123	88	194
10.	Wagagai Ltd	436	807	316	974	354	1338
11.	Xclusive Cuttings Ltd	97	53	50	150	-	227
12.	Xpressions Ltd	215	27	188	54	134	124
	Totals	3,158	1,726	3,180	2,507	1490	4,872

Source: UWEA survey

Note:

- Ugarose made a reduction in the workforce from 278 in 2008 to 220 in 2010 to enable the farm to manage a salary increase for the workers. Workers got a salary increase of 14% in 2010 with a view that fewer workers that were well remunerated would perform better.

According to the CBA all casual workers that have worked for more than six months qualify to be appointed permanent workers and where appointment is not given in writing as required, such workers are deemed confirmed into employment as permanent workers. With the full implementation of the CBA it is expected that the number of casual workers will reduce to less than 20% of the total work force within one year from the date of the CBA.

Table C: showing the total number of workers by year and gender

NO.	Name of Farm	Year 2007			Year 2008			Year 2010		
		Female	Male	Total	Female	Male	Total	Female	Male	Total
1.	Aurum Roses Ltd 132	149	94	243	157	99	256	167	94	261
2.	Fiduga Ltd	58	362	420	103	427	530	149	431	580
3.	J P Cuttings Ltd	-	-	-	100	100	200	134	106	240
4.	Mairye Estates	292	105	397	400	230	630	493	227	720
5.	Mellissa Flowers	124	188	312	192	128	320	198	122	320
6.	Rosebud Ltd	591	434	1025	670	480	1,150	759	441	1,200
7.	Royal Van Zanten Ltd	189	95	284	197	100	297	197	113	310
8.	Ugarose Ltd	192	133	325	185	129	314	156	116	272
9.	Uganda Hortec	130	113	243	138	120	258	162	120	282
10.	Wagagai Ltd	820	423	1,243	850	440	1,290	1269	423	1,692
11.	Xclusive Cuttings Ltd	82	68	150	112	88	200	144	83	227
12.	Xpressions Ltd	132	110	242	132	110	242	152	106	258
	Totals	2,759	2,125	4,884	3,236	2,451	5,687	3,980	2,382	6,362

Source: UWEA survey

Table D: showing union membership by gender

NO.	Name of Farm	Year 2007			Year 2008			Year 2010		
		Female	Male	Total	Female	Male	Total	Female	Male	Total
1.	Aurum Roses Ltd 132	43	21	64	81	51	132	102	71	173
2.	Fiduga Ltd	Nil	Nil	Nil	Nil	Nil	Nil	105	305	410
3.	J P Cuttings Ltd	Nil	Nil	Nil	70	40	110	33	19	52
4.	Mairye Estates	53	31	84	241	139	380	345	185	530
5.	Mellissa Flowers	27	16	43	30	50	80	96	54	150
6.	Rosebud Ltd	148	76	224	50	70	120	288	192	480
7.	Royal Van Zanten Ltd	31	17	48	Nil	Nil	Nil	49	39	88
8.	Ugarose Ltd	58	47	105	72	117	189	96	61	157
9.	Uganda Hortec	134	80	214	139	84	223	129	89	218
10.	Wagagai Ltd	138	47	185	361	151	512	828	172	1000
11.	Xclusive Cuttings Ltd	38	23	61	42	28	70	73	51	124
12.	Xpressions Ltd	65	35	100	54	82	134	100	87	187
	Totals	735	393	1,128	1,140	812	1,952	2,244	1,325	3,569

Source: UWEA survey

Note: In JP Cuttings union membership reduced drastically in 2009 and 2010 because of the deteriorating relationship between the union and the company. The company went further and secured a court order barring the union's General Secretary from entering the farm. The union has also appealed for the revocation of the court order arguing that it was an error by the court. This battle between the farm management and the union leaders made many workers withdraw their union membership for fear of job loss.

In 2008 the number of union members in Rosebud reduced from 224 to 120 because the unions were in conflict over unionization.

Table E: Showing formation of branch and women committees in UHAWU

No.	Year	2007		2008		2010	
		Branch Committee	Women Committee	Branch Committee	Women Committee	Branch Committee	Women Committee
1.	Aurum Roses Ltd	In place	Nil	In place	Nil	In place	In place
2.	Fiduga Ltd	Nil	Nil	Nil	Nil	In place	In place
3.	J P Cuttings Ltd	Nil	Nil	Nil	Nil	In place	In place
4.	Mairye Estates	In place	Nil	In place	Nil	In place	In place
5.	Mellissa Flowers	In place	Nil	In place	Nil	In place	In place
6.	Rosebud Ltd	In place	Nil	In place	Nil	In place	In place
7.	Royal Van Zanten Ltd	In place	Nil	Nil	Nil	In place	In place
8.	Ugarose Ltd	In place	Nil	In place	Nil	In place	In place
9.	Uganda Hortec	In place	In place	In place	In place	In place	In place
10.	Wagagai Ltd	Nil	Nil	In place	Nil	In place	In place
11.	Xclusive Cuttings Ltd	In place	Nil	In place	Nil	In place	In place
12.	Xpressions Ltd	In place	Nil	In place	Nil	In place	In place

Source: UWEA survey

Table F: showing the collective bargaining & recognition agreement situation

No.	Year	2007		2008		2010	
		CBA	RA	CBA	RA	CBA	RA
1.	Aurum Roses Ltd	Nil	Nil	Nil	Nil	In place	In place
2.	Fiduga Ltd	Nil	Nil	Nil	Nil	In place	In place
3.	J P Cuttings Ltd	Nil	Nil	Nil	Nil	In place	In place
4.	Mairye Estates	Nil	Nil	Nil	In place	In place	In place
5.	Mellissa Flowers	Nil	Nil	Nil	Nil	In place	In place
6.	Rosebud Ltd	Nil	Nil	Nil	Nil	In place	In place
7.	Royal Van Zanten Ltd	Nil	Nil	Nil	Nil	In place	In place
8.	Ugarose Ltd	Nil	In place	Nil	In place	In place	In place
9.	Uganda Hortec	In place					
10.	Wagagai Ltd	Nil	In place	Nil	In place	In place	In place
11.	Xclusive Cuttings Ltd	Nil	In place	Nil	In place	In place	In place
12.	Xpressions Ltd	Nil	In place	Nil	In place	In place	In place

Source: UWEA survey

Table G: showing the salary/wage increase & other benefits

No	Year	2007				2008				2010			
		Name of Farm	W/S	HA	TA	MA	W/S	HA	TA	MA	W/S	HA	TA
1.	Aurum Roses Ltd	54,000L 1,500H	Nil	Nil	Nil	62,000L 2,500H	Nil	Physical transport	Treatment offered at farm	62,000L 1,300,000H	Nil	Physical transport	Treatment offered at farm
2.	Fiduga Ltd	66,000L 2000000H	Nil	Nil	Treatment offered at farm	70,000L 3,000000H	Nil	Nil	Treatment offered at farm	80,000L 3,000000H	Nil	Only to night shift workers	Treatment offered at farm
3.	J P Cuttings Ltd	Nil	Nil	Nil	Nil	58,000L 2,500,000H	Nil	Nil	Nil	65,000L 2500000H	Nil	Nil	Treatment offered at farm
4.	Mairye Estates	58,000L 1,500H	Nil	Nil	Nil	58,000L 3000000H	Nil	Nil	Nil	65,000L 3000000H	Nil	Nil	Nil
5.	Mellissa Flowers	45,000L 1,500H	Nil	Nil	Nil	47,000L 1,575000H	Nil	Physical transport	Nil	56,000L 1,660,000H	Nil	Physical transport	Treatment offered at farm
6.	Rosebud Ltd	45,000L 2,500H	Nil	Nil	Nil	54,000L 4,200,000H	Nil	Nil	Nil	60,000L 4,800,000H	Nil	Nil	Treatment offered at farm
7.	Royal Van zanten Ltd	60,000L 2000000H	Nil	Nil	Treatment offered at farm	62,000L 3,400000H	Nil	Nil	Treatment offered at farm	80,000L 3,800,000H	Nil	Nil	Treatment offered at farm
8.	Ugarose Ltd	54000L 165000H	Nil	Nil	Treatment offered at farm	60000L 181500H	Nil	Nil	Treatment offered at farm	60000L 181,500H	Nil	Nil	Treatment offered at farm
9.	Uganda Hortec	58000L 1750000H	Nil	Nil	Treatment offered at farm	58000L 1750000H	Nil	Nil	Treatment offered at farm	65000L 2000000H	Nil	Nil	Treatment offered at farm
10.	Wagaga i Ltd	60,000L 2000000H	3000L 100000H	Nil	Treatment offered at farm	63,000L 2500000H	31500L 125000H	Nil	Treatment offered at farm	100,000L 2625000H	3315L 131250H	Nil	Treatment offered at farm
11.	Xclusive Cuttings Ltd	66,000L 2000000H	Nil	Nil	Nil	60,000L 2,800,000H	Nil	Nil	Treatment offered at farm	75,000L 2,900,000H	Nil	Nil	Treatment offered at farm
12.	Xpressions Ltd	52,000L 1,500H	Nil	Nil	Nil	50,000L 1,500H	Nil	Nil	Nil	60,000L 2,400,000H	Nil	Nil	Nil

Source: UWEA survey

KEY: W/S: Wages/Salaries, HA: House Allowance, TA: Transport Allowance, MA: Medical Allowance L = Lowest H = Highest

Table H: showing the situation on maternity protection

NO.	Year Name of Farm	2007					2008					2010				
		ML	MP	BB	RR	RT	ML	MP	BB	RR	RT	ML	MP	BB	RR	RT
1.	Aurum Roses Ltd	60wd	Full	-	-	-	60wd	Full	-	-	-	60wd	Full	Nil	Nil	Nil
2.	Fiduga Ltd	60wd	Full	1hr	-	Yes	60wd	Full	1hr	-	Yes	60wd	Full	1hr	Nil	Yes
3.	J P Cuttings Ltd	-	-	-	-	-	60wd	1mth	1hr	-	yes	60wd	1mth	1hr	Nil	yes
4.	Mairye Estates	60wd	1mth	-	-	-	60wd	1mth	-	-	-	60wd	1mth	1hr	Nil	Nil
5.	Mellissa Flowers	60d	1mth	-	-	-	60wd	1mth	-	-	-	60d	1mth	Nil	Nil	Nil
6.	Rosebud Ltd	60d	1mth	-	-	-	60wd	1mth	-	-	-	60d	1mth	Nil	Nil	Nil
7.	Royal Van Zanten Ltd	60wd	Full	1hr	-	yes	60wd	Full	1hr	-	yes	80d	Full	1hr	Nil	Yes
8.	Ugarose Ltd	60wd	Full	1½hrs	-	yes	60wd	Full	1½hrs	-	yes	60wd	Full	1½hrs	Nil	Yes
9.	Uganda Hortec	60wd	1mth	1hr	-	-	60wd	1mth	1hr	-	-	60wd	1mth	1hr	Nil	Yes
10.	Wagagai Ltd	60wd	Full	1½hrs	-	yes	60wd	Full	1½hrs	-	yes	66wd	Full	1hr	Nil	Yes
11.	Xclusive Cuttings Ltd	60wd	Full	1hr	-	Yes	60wd	Full	1hr	-	yes	90d	Full	1hr	Nil	Yes
12.	Xpressions Ltd	60wd	1mth	Nil	-	Nil	60wd	1mth	Nil	Nil	Nil	60wd	1mth	Nil	Nil	Nil

Source: UWEA survey

KEY: ML; Maternity Leave, MP: Maternity Pay, BB:Breast feeding Breaks, RR:Rest Rooms, RT: Reduced tasks, WD = Working days

Table I: showing provision of medical facilities

NO.	Year Name of Farm	2007				2008				2010			
		MI	HC	FAK	C	MI	HC	FAK	C	MI	HC	FAK	C
1.	Aurum Roses Ltd	Nil	Nil	Yes	Yes	Nil	-	Yes	Yes	Nil	Nil	Yes	Yes
2.	Fiduga Ltd	Nil	Nil	Yes	Yes	Nil	-	Yes	Yes	Nil	Nil	Yes	Yes
3.	J P Cuttings Ltd	NA	NA	NA	NA	Nil	-	Yes	Yes	Nil	Nil	Yes	Yes
4.	Mairye Estates	Nil	Nil	Yes	Nil	Nil	-	Yes	Nil	Nil	Nil	Yes	Yes
5.	Mellissa Flowers	Nil	Nil	Yes	Nil	Nil	-	Yes	Nil	Nil	Nil	Yes	Yes
6.	Rosebud Ltd	Nil	Nil	Yes	Yes	Nil	-	Yes	Yes	Nil	Nil	Yes	Yes
7.	Royal Van zanten Ltd	Mgt only	Yes	Yes	Yes	Nil	yes	Yes	HC	Nil	yes	Yes	HC
8.	Ugarose Ltd	Nil	Nil	Yes	Yes	Nil	Nil	Yes	Yes	Nil	Nil	Yes	Yes
9.	Uganda hortec	Nil	Nil	Yes	Yes	Nil	Nil	Yes	Yes	Nil	yes	Yes	HC
10.	Wagagai Ltd	Nil	Nil	Yes	Yes	Nil	yes	Yes	HC	Nil	yes	Yes	HC
11.	Xclusive Cuttings Ltd	Mgt only	Nil	Yes	Nil	Nil	Nil	Yes	Nil	Nil	yes	Yes	HC
12.	Xpressions Ltd	Nil	Nil	Yes	Nil	Nil	Nil	Yes	Nil	Nil	Nil	Yes	Yes

Source: UWEA survey

KEY: MI: Medical Insurance, HC: Health Centre, FAK: First Aid Kit, C: Clinic

Table J: showing provision of segregated toilets safe drinking water and sanitary facilities for women

No.	Name of Farm	Number of Women	Number of Toilets	Number of Men	Number of Toilets	Total Workers	Total Toilets	PPT	Safe Drinking Water	Provision of Sanitary Towels
1.	Aurum Roses Ltd	162	10	99	10	261	20	13	Yes	Nil
2.	Fiduga Ltd	142	20	438	20	580	40	15	Yes	1pktpm
3.	J P Cuttings Ltd	128	8	112	8	240	16	15	Yes	5pcspm
4.	Mairye Estates	490	12	230	12	720	24	30*	Nil	Nil
5.	Mellissa Flowers	192	8	128	8	320	16	20	Nil	Nil
6.	Rosebud Ltd	720	22	480	22	1,200	44	27*	Nil	Nil
7.	Royal Van zanten Ltd	197	12	113	12	310	24	13	yes	1pktpm
8.	Ugarose Ltd	153	10	119	10	272	20	12	Yes	Nil
9.	Uganda hortec	152	10	130	10	282	20	14	yes	Nil
10.	Wagagai Ltd	1269	36	423	36	1,692	72	24	Yes	2pm
11.	Xclusive Cuttings Ltd	144	11	83	11	227	22	10	Yes	1pkt pm
12.	Xpressions Ltd	152	6	106	6	258	12	21	Nil	Nil
Totals		3,894	165	2,468	165	6,362	330	217		

Source: UWEA survey

Note: although Mairye estates increased the number of toilets it is still not meeting the required standard number of 25 persons per toilet. Rosebud too has not provided enough toilets for women at the current provision of 22 toilets for 720 women the situation is not good more toilets need to be built for women

Table K: showing existence of occupational health and safety committees, policy, and provision of personal protective equipment

NO.	Name of Farm	OHSC	OHSP	PPE	OHSC	OHSP	PPE	OHSC	OHSP	PPE
1.	Aurum Roses Ltd	In place	In place	In place	In place	In place	In place	In place	In place	In place
2.	Fiduga Ltd	In place	In place	In place	In place	In place	In place	In place	In place	In place
3.	J P Cuttings Ltd	Nil	Nil	Nil	Nil	Nil	In place	In place	In place	In place
4.	Mairye Estates	Nil	Nil	Nil	Nil	Nil	In place	In place	In place	In place
5.	Mellissa Flowers	Nil	Nil	Nil	Nil	Nil	In place	In place	In place	In place
6.	Rosebud Ltd	Nil	Nil	Nil	Nil	Nil	In place	In place	In place	In place
7.	Royal Van zanten Ltd	Nil	Nil	Nil	Nil	Nil	In place	In place	In place	In place
8.	Ugarose Ltd	In place	In place	In place*	In place	In place	In place*	In place	In place	In place*
9.	Uganda hortec	Nil	Nil	Nil	Nil	Nil	Nil	In place	In place	In place
10.	Wagagai Ltd	In place	In place	In place	In place	In place	In place	In place	In place	In place
11.	Xclusive Cuttings Ltd	Nil	Nil	Nil	Nil	Nil	Nil	In place	In place	In place
12.	Xpressions Ltd	Nil	Nil	Nil	Nil	Nil	Nil	In place	In place	In place

Source: UWEA survey

KEY: Occupational Health and Safety Committee, OHSP: Occupational Health AND Safety Policy, PPE: Personal Protective Equipment

NB: In Wagagai, Fiduga, Xclusive cuttings and Royal Van Zanten PPEs are provided to all workers the rest of 8 farms provide PPEs to only sprayers, fatigators,, security, graders, and general cleaners

Table L: showing existence of policies on sexual harassment gender and equality, and prevalence of sexual harassment including the number of sexual harassment cases reported

NO.	Year	2007				2008				2010			
		SHP	GEP	PSH	SHCR	SHP	GEP	PSH	SHCR	SHP	GEP	PSH	SHCR
1.	Aurum Roses Ltd	In place	Nil	common	Nil	In place	Nil	common	Nil	In place	Nil	common	2
2.	Fiduga Ltd	In place	Nil	common	Nil	In place	Nil	common	Nil	In place	Nil	common	14
3.	J P Cuttings Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	Nil
4.	Mairye Estates	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	2
5.	Mellissa Flowers	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	1
6.	Rosebud Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	2
7.	Royal Van zanten Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	Nil
8.	Ugarose Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	Nil
9.	Uganda Hortec	Nil	Nil	common	Nil	Nil	Nil	common	Nil	Nil	Nil	common	11
10.	Wagagai Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	In place	Nil	common	5
11.	Xclusive Cuttings Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	In place	Nil	common	Nil
12.	Xpressions Ltd	Nil	Nil	common	Nil	Nil	Nil	common	Nil	I	Nil	common	4

Source: UWEA survey

KEY: SHP: Sexual Harassment policy, GEP: Gender and Equality Policy, PSH: Prevalence of Sexual Harassment, SHCR: Sexual Harassment Cases reported

Table M: showing the situation of other gender issues like number of women in leadership, existence of gender and equality committees, and equal opportunities and treatment

Name of Farm	No. of Women in Leadership	GEC	EOT	No. of Women in Leadership	GEC	EOT	No. of Women in Leadership	GEC
Aurum Roses Ltd	6	Nil	Nil	10	Nil	Nil	18	Nil
Fiduga Ltd	10	Nil	Nil	17	Nil	Nil	18	Nil
J P Cuttings Ltd	8	Nil	Nil	13	Nil	Nil	13	Nil
Mairye Estates	20	Nil	Nil	27	Nil	Nil	32	Nil
Mellissa Flowers	7	Nil	Nil	12	Nil	Nil	11	Nil
Rosebud Ltd	30	Nil	Nil	41	Nil	Nil	42	Nil
Royal Van zanten Ltd	22	Nil	Nil	31	Nil	Nil	31	Nil
Ugarose Ltd	5	Nil	Nil	9	Nil	Nil	7	Nil
Uganda hortec	8	Nil	Nil	14	Nil	Nil	21	Nil
Wagagai Ltd	42	Nil	Nil	59	Nil	Nil	82	Nil
Xclusive Cuttings Ltd	7	Nil	Nil	9	Nil	Nil	12	Nil
Xpressions Ltd	4	Nil	Nil	7	Nil	Nil	7	Nil
Totals	169			249			294	

Source: UWEA survey

GEC = Gender and Equality Committee, EOT = Equal Opportunities and Treatment

The recently signed sector CBA provides for the formation of Gender and Equality Committee on each farm and the committee will be composed of two persons from management, two from the workers side and a neutral Chairperson agreed upon by both parties.

Table N: showing the existence of SACCOS

NO.	NAME OF FARM	Nil	Nil	Joint SACCO for all UHAWU members
1.	Aurum Roses Ltd	Nil	Nil	Joint SACCO for all UHAWU members
2.	Fiduga Ltd	Nil	Nil	Joint SACCO for all UHAWU members
3.	J P Cuttings Ltd	Nil	Nil	Joint SACCO for all UHAWU members
4.	Mairye Estates	Nil	Nil	Joint SACCO for all UHAWU members
5.	Mellissa Flowers	Nil	Nil	Joint SACCO for all UHAWU members
6.	Rosebud Ltd	Nil	Nil	Joint SACCO for all UHAWU members
7.	Royal Van zanten Ltd	Nil	Nil	Joint SACCO for all UHAWU members
8.	Ugarose Ltd	Nil	Nil	Joint SACCO for all UHAWU members
9.	Uganda hortec	Nil	Nil	Joint SACCO for all UHAWU members
10.	Wagagai Ltd	Farm Saving scheme	Farm Saving scheme	Joint SACCO for all UHAWU members
11.	Xclusive Cuttings Ltd	Nil	Nil	Joint SACCO for all UHAWU members
12.	Xpressions Ltd	Nil	Nil	Joint SACCO for all UHAWU members

Source: UWEA survey

Table O: showing status of social security

NO.	Year Name of Farm	2007			2008			2010		
		MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL
1.	Aurum Roses Ltd	52	71	123	62	87	149	86	124	210
2.	Fiduga Ltd	212	98	310	231	109	340	438	142	580
3.	J P Cuttings Ltd	Nil	Nil	Nil	33	37	70	36	42	78
4.	Mairye Estates	55	92	147	98	142	240	116	194	310
5.	Mellissa Flowers	12	18	30	34	44	78	111	133	244
6.	Rosebud Ltd	111	213	324	179	259	438	220	480	700
7.	Royal Van zanten Ltd	103	98	201	111	131	242	113	191	304
8.	Ugarose Ltd	10	5	15	15	10	25	15	5	20
9.	Uganda hortec	60	85	145	50	62	112	63	79	142
10.	Wagagai Ltd	109	234	343	131	189	320	240	490	730
11.	Xclusive Cuttings Ltd	47	67	114	45	69	114	93	101	194
12.	Xpressions Ltd	21	31	52	16	27	43	62	67	129
	Totals	792	1,012	1,804	1,005	1,166	2,171	1,593	2,048	3,641

Source: UWEA survey

Table P: showing training activities offered by the farms and corporate social responsibility activities

NO.	NAME OF FARM	TRAINING ACTIVITIES	CORPORATE SOCIAL RESPONSIBILITY ACTIVITIES
1.	Aurum Roses Ltd	First Aid training, HIV/AIDS awareness	Road maintenance
2.	Fiduga Ltd	First Aid Training, safe use of PPE and Pesticides, HIV/AIDS Awareness, peer educators,	Health services to community, support to schools, Road maintenance, agricultural advice, extension Programmes. Eradication of malaria from communities
3.	J P Cuttings Ltd	First Aid training, HIV/AIDS awareness, safe use pesticides and PPE	Road maintenance
4.	Mairye Estates	First Aid training, HIV/AIDS awareness, safe use of pesticides,	Road maintenance
5.	Mellissa Flowers	First Aid training, HIV/AIDS awareness, safe use of pesticides,	Road maintenance
6.	Rosebud Ltd	Fire fighting, HIV/AIDS awareness, First Aiders	Road maintenance
7.	Royal Van zanten Ltd	Basic supervisory skills training, advanced supervisory skills, first aid , fire fighting, hr basic training, HIV/AIDS awareness training, safe use of pesticides and PPE, industrial relations.	Road maintenance, Health Centre services, Agricultural extension services, for the communities, schools and church construction. HIV/AIDS awareness, education and counselling
8.	Ugarose Ltd	Fire fighting, first /Aiders, HIV/Awareness and peer educators training	Health services, Road maintenance
9.	Uganda Hortec		Nil
10.	Wagagai Ltd	Basic supervisory skills training, advanced supervisory skills, first aid , fire fighting, hr basic training, HIV/AIDS awareness training, safe use of pesticides and PPE, industrial relations.	Road maintenance, community healthcare, provision of air time to police, donation of food to flood victims. Environment protection activities
11.	Xclusive Cuttings Ltd	first Aid, Occupational Health and safety, breast feeding and child care, family planning, guidance and counselling, HIV/AIDS awareness, personal savings	Road Maintenance, health services to community
12.	Xpressions Ltd	First AID, HIV/AIDS awareness	Nil

Source: UWEA survey

Table Q: showing number of workers disputes as registered by the union

Name of Farm	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE
Aurum Roses Ltd	10	13	23	08	18	26	18	29
Fiduga Ltd	Nil	Nil	Nil	Nil	Nil	Nil	23	11
J P Cuttings Ltd	Nil	Nil	Nil	04	17	21	28	31
Mairye Estates	08	11	19	08	16	24	21	36
Mellissa Flowers	03	09	12	08	19	27	11	25
Rosebud Ltd	Nil	Nil	Nil	22	41	63	49	93
Royal Van zanten Ltd	Nil	Nil	Nil	Nil	01	01	02	05
Ugarose Ltd	05	02	07	15	18	33	07	16
Uganda hortec	05	12	17	09	14	23	19	15
Wagagai Ltd	06	03	09	22	69	91	31	62
Xclusive Cuttings Ltd	03	08	11	06	12	18	05	09
Xpressions Ltd	08	07	15	11	23	34	12	29
Totals	48	65	113	113	248	361	226	361

587

Source: UWEA survey

Table R: Planned outcomes of the project developing strategies for change for women workers in African horticulture and the progress made to date

10% workers converted from casual to permanent terms	There has been a decrease in the number of casual workers to 23.4% recorded in 2010 down from 64.7% recorded in the twelve farms in the year 2007. This means that 41.3% workers were converted from casual to permanent over the project period.
10% workers receive at least 10% increase in salary during project period.	All workers in the project farms received an average salary increase of 16.7% in the project period.
10-20% workers receive written contracts	An increase of 40% workers with written employment contracts was realised bringing a total workforce with written contracts to 61.60% up from 21.60% at the commencement of the project.
20% increase in the number of unionized workers	Union membership in the twelve farms increased to 3,569 representing 56.1% in 2010 as compared to 1,128 that represented 23.1% in 2007. This reflects an increase of 33% .
20% increase in number of women's committees and women branch Secretaries	<ul style="list-style-type: none"> • 19 women committees formed on all the flower farms including the project farms. This represents over 100% of the targeted outcome. • Seven (7) women were elected Branch Secretaries in their respective farms which represents 58% of the targeted out come.
20% increase in provision of Protective wear	A total of 2,809 workers from Fiduga, Xclusives, Royal Van Zanten and Wagagai are fully provided with PPEs. Another

<p>10% provision of medical facilities</p>	<p>624 workers from the remaining farms are also provided with PPEs making an overall total of 3,433 with PPEs which represents 54% of the total work force</p> <p>All farms covered by the project have medical facilities extended to workers although four of the twelve farms offer the very basics that enable the worker to move to the nearby health centre. Two farms namely Wagagai and Royal Van Zanten offer all the necessary medical care to workers and to the surrounding communities. The other farms provide health care only to the workers. The assessment here is that all workers in the project farms now have access to medical care but at varying degrees.</p>
<p>10% increase in provision of segregated toilets, provision female sanitary facilities, and provision of safe drinking water and facilities</p>	<ul style="list-style-type: none"> • At the commencement of the project the average ratio was one toilet for 37 workers which meant that 4,884 workers were served by 132 toilets. Now the average ratio is one toilet for nineteen workers where 6,362 workers are served by 330 toilets which reflect an increase of 152 toilets during the project period. • 67.2% workers have access to safe drinking water; • 48.3% women are provided with sanitary towels.
<p>Introduction of sexual harassment, health and safety, harsh treatment and gender policies on 10% of farms. Improved Maternity leave provision, working conditions for pregnant women and time for breast feeding on 10% farm, and introduction of child care facilities</p>	<p>All farms covered by the project have basic provisions on Sexual harassment, OHS and Gender policies covered by CBA. Other farms are also equally covered by the same provisions</p> <ul style="list-style-type: none"> • All farms which represent 100% of projected outcome now grant a minimum 60 working days maternity leave to affected female workers. • Of these six farms grant 60 working days with full maternity pay • Four (4) of the twelve farms studied grant 60 days leave but with only one month maternity pay. • Three farms of the twelve grant 66, 80 and 90 working days respectively with full maternity pay which is far and above the minimum set in the law and CBA. • 8 farms representing 68% of the total workforce in the project farms provide breast feeding breaks of at least 30 minutes between working breaks which totals to 1 hr a day. • 4 farms representing 44.2% of the total work force have day care centres. • All farms studied now observe the mandatory eight hour working time. • Overtime worked is now voluntary as provided for in the CBA and is paid for at not less than the set rates of 1.5 times the normal rate during working days and twice the normal rate on public holidays. This represents 100% of the projected out come.
<p>Introduction of set working hours and reduction of compulsory overtime on 10% farms.</p>	<p>A joint SACCO for all UHAWU members in the industry was formed in 2010 covering all workers in the 19 farms including those covered by the project</p> <p>4,211 workers representing 66.2% of the total workforce in the project farms have been made aware of their basic rights as workers.</p> <p>UWEA works with the WERN and GHOWERN in dialogue and other advocacy activities</p>
<p>2 savings and credit schemes established per country</p>	
<p>8,000 horticulture workers aware of their rights as workers.</p>	
<p>Network indicator</p>	

Source: UWEA survey