

Leading apparel brands, trade unions and women’s rights organizations sign binding agreements to combat gender-based violence and harassment at key supplier’s factories in Lesotho

With support from U.S. labor organizations, collaborative program creates independent mechanism to investigate complaints and enforce remedies

Maseru, Lesotho; Washington, D.C. (August 15, 2019): Civil society groups, an international apparel manufacturer, and three global brands have agreed to launch a comprehensive pilot program intended to prevent gender-based violence and harassment (GBVH) in garment factories in Lesotho employing more than 10,000 workers.

Five Lesotho-based trade unions and women’s rights organizations, as well as U.S.-based Worker Rights Consortium, Solidarity Center and Workers United, have signed a set of unprecedented agreements with Nien Hsing Textile and Levi Strauss & Co., The Children’s Place, and Kontoor Brands to address GBVH at five factories owned and operated by Nien Hsing Textile in Lesotho.

The product of extensive negotiations after a Worker Rights Consortium investigation documented a deeply concerning pattern of abuse and harassment in Nien Hsing Textile factories in the country, the agreements reflect a shared commitment to protect the rights of workers, support economic development in Lesotho, and promote Lesotho as an apparel exporting country.

The unions and women’s rights organizations are Independent Democratic Union of Lesotho (IDUL), United Textile Employees (UNITE), the National Clothing Textile and Allied Workers Union (NACTWU), the Federation of Women Lawyers in Lesotho (FIDA) and Women and Law in Southern African Research and Education Trust-Lesotho (WLSA). Each brand agreement will operate in tandem with a separate agreement among Nien Hsing Textile and the trade unions and women’s rights organizations to establish an independent investigative organization to receive complaints of GBVH from workers, carry out investigations and assessments, identify violations of a jointly developed code of conduct and direct and enforce remedies in accordance with the Lesotho law. The program will also involve extensive worker-to-worker and management training, education, and related activities.

The Solidarity Center, the Worker Rights Consortium, and Workers United will provide technical and administrative assistance and support for the program.

“We are grateful to everyone for their input and ideas over the past several months, which allowed us to reach an agreement that should benefit and protect people – and women in particular – who are so important to the work we and our brand customers do,” said Richard Chen, the Chairman of Nien Hsing. “We strive to ensure a safe and secure workplace for all workers in our factories and are therefore fully committed to implementing this agreement immediately, comprehensively, and with measurable success.”

Attendant to the agreements, the brands and the local organizations agreed to appoint representatives to serve on an Oversight Committee for the program, with equal voting power. Nien Hsing Textile and the Worker Rights Consortium will each have observer status on the Oversight Committee.

Funding for the two-year program will come primarily from the three brands, in collaboration with the U.S. Agency for International Development (USAID) in an inspiring and innovative public-private partnership.

Levi Strauss & Co., The Children's Place and Kontoor Brands jointly stated, "We are committed to working to protect workers' rights and foster well-being at third party supplier factories, so that all workers at these facilities, especially female workers, feel safe, valued and empowered. We are pleased to be collaborating with Nien Hsing Textile, the Worker Rights Consortium, the Solidarity Center, and local trade unions and women's advocacy groups in Lesotho on a comprehensive program intended to prevent and combat gender-based violence and harassment in the workplace. We believe this multi-faceted program can create lasting change and better working environments at these factories, making a significant positive impact on the entire workforce."

Nien Hsing Textile has committed to work with the Solidarity Center and partner organizations to ensure that effective policies and systems to address GBVH are established at its facilities. In addition, Nien Hsing Textile will provide access to its factories for reporting purposes and direct its managers to refrain from any retaliation against workers bringing complaints or otherwise participating in the program. Should there be any material breach by Nien Hsing Textile of its agreements with the trade unions and women's rights organizations, each brand has committed to reduce production orders until Nien Hsing returns to compliance.

"FIDA and WLSA are pleased and thankful for the support extended to the NGOs and trade unions by the three brands, Levi Strauss & Co., The Children's Place, and Kontoor Brands, for the program to prevent and eliminate gender-based violence and harassment directed at women employees in the textile sector in Lesotho," Thusoana Ntlama and Libakiso Matlho, of FIDA and WLSA, respectively, said. "This is the first initiative in Lesotho that brings together workers, unions, women's organizations and employers to work towards one common goal of improving the socio-economic rights of women in the workplace."

"These breakthrough agreements set an example for the rest of the apparel industry on how to address harassment and abuse in apparel supply chains," said Rola Abimourched, Senior Program Director at the Worker Rights Consortium. "The parties worked together to develop a series of binding agreements between Nien Hsing, its brand customers, and unions and women's organizations, that guarantee protection for workers and punishment for harassers. Hopefully this is something others will see and build on, so we can collectively make an impact far beyond any single country."

Appendix:

1. Background on unions and NGOs involved (with contact information):

About the Federation of Women Lawyers in Lesotho (FIDA)

The Federation of Women Lawyers-Lesotho is a nongovernmental, non-profit-making organization founded and registered in 1988 by women lawyers in Lesotho. The Federation advocates for the promotion and protection of women's and children's rights. Over the years, its mandate has expanded to accommodate all legal issues within the public domain that affect the Basotho nation, because an empowered civil society is a crucial component of any democratic system. By articulating citizens' concerns, FIDA is active in the public arena engaging in initiatives to further participatory democracy and development in Lesotho. There has been significant progress over the last couple of years as a result of

legislative changes that have empowered women and children, moving them closer to social justice, among them the: Sexual Offences Act, 2003; Legal Capacity of Married Persons Act, 2006; Land Act, 2010; Child Protection and Welfare Act, 2011.

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About the Independent Democratic Union of Lesotho (IDUL)

The Independent Democratic Union of Lesotho was formed in 2015 after three unions—Factory Workers Union (FAWUL), National Union of Textile Workers (NUTEX) and Lesotho Clothing and Allied Workers Union (LECAWU)—merged. The union holds the majority in the textile sector and also represents workers in other sectors, including mining, construction, hospitality, retail and other manufacturing.

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About the National Clothing Textile and Allied Workers Union, Lesotho (NACTWU)

The National Clothing Textile and Allied Workers Union is a trade union established on November 14, 2014. Its mandate is to represent employees at the workplace on all work-related issues. It began by representing textile employees only, but with time and due to the large number of employees in need of the union's services, it expanded its scope to cover every employee in Lesotho. NACTWU also trains its members about their rights and employer rights at work, and about local and regional labor laws and international labor standards. The union helps its members understand union administration and union structures so that, in the future, they can become leaders at the workplace and within society at large. NACTWU protects employees at work by improving working conditions, wages, health and safety, and by ensuring that their employers comply with labor laws and international labor standards.

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About the Solidarity Center

The Solidarity Center is the largest U.S.-based international worker rights organization helping workers attain safe and healthy workplaces, family-supporting wages, dignity on the job and greater equity at work and in their community. Allied with the AFL-CIO and U.S. labor movement, the Solidarity Center assists workers across the globe as, together, they fight discrimination, exploitation and the systems that entrench poverty—to achieve shared prosperity in the global economy. Founded in 1997, the

Solidarity Center works with unions, worker associations and community groups to provide a wide range of education, training, research, legal support and other resources to help build strong and effective trade unions and more just and equitable societies. Its programs—in more than 60 countries—focus on human and worker rights awareness, union skills, occupational safety and health, economic literacy, human trafficking, women’s empowerment and bolstering workers in an increasingly informal economy.

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About United Textile Employees (UNITE)

United Textile Employees is a registered trade union formed by textile workers in 2008 as a class-oriented trade union. Its mandate is to protect worker rights and promote the decent work agenda, which includes rights, social protection, social dialogue and sustainable employment; to fight precarious work that turns workers into slaves; to empower women to stand against patriarchal workplace issues and intergrate gender issues into all union programs; and to build capacity within trade union leadership and women’s structures.

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About Women and law in Southern Africa Research and Education Trust (WLSA)-Lesotho

Women and Law in Southern Africa Research and Education Trust (WLSA)-Lesotho is a local NGO registered in 2000 under the Lesotho Society Act (1967). It is part of WLSA’s regional network, which operates in Botswana, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe and Lesotho. WLSA is a nongovernmental organization pursuing women’s human rights in a legal context. Its mission is to contribute to the socioeconomic, political and legal advancement of women and children in Lesotho. Since 1989, WLSA has been the anchor and lead organization in Lesotho on issues of women’s rights, strategic litigation on women’s rights, empowerment of women and gender equality and has also played a key role in mentoring and providing backstopping for other women’s groups in the country as well as government departments.

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About the Worker Rights Consortium

Founded in 2000, the Worker Rights Consortium is an independent labor rights monitoring organization whose mission is to promote, and help enforce, strong labor right protections in global manufacturing supply chains. The WRC conducts factory investigations, documents violations and seeks comprehensive remedies. The WRC has more than 175 university and college affiliates in the United States and Canada and also works with government entities seeking to enforce human rights standards.

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About Workers United

Workers United, an affiliate of the Service Employees International Union (SEIU), is an American and Canadian union that represents 90,000 workers in the apparel-textile, commercial laundry, distribution and other related industries. Workers United is the successor to UNITE, which was formed in 1995 by the merger of the International Ladies' Garment Workers' Union (ILGWU) and the Amalgamated Clothing and Textile Workers' Union (ACTWU), unions that were an important part of the formation of the U.S. and Canadian labor movement in the early 20th century. Workers United, like its predecessor unions, is a social movement union, engaging its members in social justice struggles throughout their industries and communities, and in addition acting in solidarity with our brothers and sisters in other countries.

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2. Lesotho overview:

Lesotho is a small landlocked country, surrounded by its larger neighbor, South Africa, that has a population of about two million and a per capita gross domestic product (GDP) of \$1,318. Lesotho is classified as a lower-middle-income country.

The garment manufacturing sector has expanded significantly in Lesotho over the past 30 years and is now the largest formal sector employer in the country, employing around 40,000. Lesotho has taken advantage of the African Growth and Opportunity Act (AGOA) to become one of the largest exporters of garments to the United States from sub-Saharan Africa. Beyond the U.S. market, Lesotho's products enjoy duty free access to Southern African Customs Union and Southern African Development Community countries, which have a total population of 277 million.

Lesotho garment firms specialize in the production of denim garments. It is estimated that Lesotho's 42 apparel firms make some 90 million knitted garments annually. With the growth of the apparel industry, companies have begun manufacturing other labor-intensive products in Lesotho, such as car seat covers, clean cookstoves, and circuit breaker switches.

(Sources: World Bank, Embassy of Lesotho to the United States, Lesotho National Development Corporation)