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## WOMEN IN TRADE UNIONS

### Background

A trade union is a membership-based organisation made up mainly of workers with the aim of protecting and advancing the interests of its members in the workplace. By joining unions, women can enhance their collective strength to expose inequalities at different societal levels, fight injustices, resist exploitation and demand fair employment conditions.

Kenya has two federations, The Central Organization of Trade Unions in Kenya COTU (K) and Trade Unions Congress of Kenya (TUC-Ke). There are about 50 registered trade unions, most of which (44) are affiliated to COTU (K) while a few such as the Kenya National Union of Teachers (KNUT), Union of Kenya Civil Servants (UKCS), Universities Academic Staff Union (UASU) and the Kenya Universities Staff Union (KUSU) affiliated to the newly formed Trade Union Congress of Kenya (TUC-Ke).

Kenya has five sets of labour laws that govern industrial relations. These are the Employment Act (2007); the Labour Relations Act (2007); the Labour Institutions Act (2007); the Work Injury Benefits Act (2007); and the Occupational Safety and Health Act (2007). Other Acts that support effective industrial relations include the Employment and Labour Relations Court Act, 2011, the National Social Security Fund Act, No. 45 of 2013 and the National Hospital Insurance Fund Act, 1998 (Revised edition, 2012).

COTU represents about 4 million workers, 50% of whom are women in the public and private sectors of the economy. With the increasing number of women entering the workforce, there are numerous labour issues facing the women workforce. Although a number of women have shown interest in trade unions matters, not many have contested for top trade union positions often because of hostile campaigns, and also because women have not been socialized to aspire for leadership positions in general, although a changing reality.

### Interesting statistics

- In 2021, during the Universities Academic Staff Union (UASU) elections, out of the seven national seats only two were won by women, Grace Nyongesa, the first ever female national chair and Dr Janepha Kumba who clinched the Treasurer seat.
- There has never been a woman Secretary General of the Central Organisation of Trade Unions COTU (K).
- Currently, COTU (K) has four women appointed to its executive board while many more are serving at the same level in its affiliate unions.

- Gender imbalance is vividly illustrated in the teachers' unions, yet teaching is one profession in which women constitute a significant number. Data from the Economic Survey 2020 shows that women outnumbered men among primary school teachers between 2015 and 2019. Of the total population, 52.1 per cent were female and 47.9 per cent male in 2019. For secondary schools, women accounted for 41 per cent of the population. Yet this is not reflected in the leadership of the unions.
- The current office of the Kenya National Union of Teachers (KNUT) has eleven members out of which only four are women. All the top five posts are held by men. In fact, the numbers are only boosted by the two reserved positions of women's representatives.
- In the Kenya Union of Post-Primary Education Teachers (KUPPET), only one of the 10-member national executive board is a woman, stereotypically allocated the position of secretary for gender and women.

### **Status of women's participation in Trade Unions**

A lot of women in trade union leadership are often confined to positions dealing specifically with gender issues rather than serving in the highest-ranking positions, which limits their impact within unions and the capacity of unions to represent workers. As such, inadequate women's representation in union leadership means that women's views are often ignored or poorly represented.

There have however been efforts by unions to include women in their structural decision making organs. For instance, a majority of COTU (K) affiliate unions have reviewed their Constitutions to include women in leadership, right from the shop floor level to their executive boards. Of significance is the recent endorsement of a COTU (K) Gender Policy which acknowledges that women are usually in a disadvantaged position as compared to men, hence there is a need to mainstream their issues in all its structural operations.

Additionally, in a bid to address the welfare of female teachers, Kenya Women Teachers Association (KEWOTA) was formed. The Association is made up of female teachers employed by the TSC, privately employed female teachers, ECDE female teachers, SNE female teachers and other women in the education sector. KEWOTA seeks to enhance better living standards for female teachers and their families through financial empowerment, investment opportunities, development projects, career and workplace advocacy, sponsorship and trainings.

The rights of women in the workplace have often been overlooked. Trade unionists should therefore seek to ensure that there is harmony in the workplace and that female employees are treated fairly just as their male counterparts.

This will ensure compliance with The Employment Act (2007), which seeks to ensure that equality is observed by employers, the Minister of Labour and Social Services, Labour Officers and that the Industrial Court, are all bound by the law to champion for equal treatment of all employees. The act also states that all persons shall be equally remunerated depending on the cadre and on merit if the job done. In effect this act seeks to ensure that there is equal payment of employees regardless of gender, race or disability. It also addresses the glaring wage disparities that have created the divide between women's and men's wages.

## **Factors impeding women's leadership in trade unions in Kenya**

The reasons for fewer women getting elected include:

- 1. Kenyan communities are generally patriarchal in nature.** In addition, Trade unionism in Kenya is closely intertwined with the struggle for independence, a fight which was largely dominated by men. This context has fuelled the perception that trade unionism is a masculine affair, hence many women shy away from active participation.
- 2. Women's oppression occurs within the context of unequal gendered power relations.** Programmes and activities, such as collective bargaining, do not take account of the specific needs of women members. There is also an active and direct domination over women through sexual harassment and open discrimination, especially in terms of recruitment and promotions.
- 3. There exists no platform where young women can interact and network with other women who are in a higher social, economic and political leadership and who could assist through a structured mentorship programme.** Consequently, young upcoming women leaders lack a support framework in their quest for growth.
- 4. The perception that men make better leaders than women,** women are less assertive than men, women are too gentle and soft spoken to handle union affairs and that culturally leadership is not an appropriate role for women.
- 5. Not many women contest for union positions because of hostile reactions from male counterparts,** the assertion that women have not been socialized to aspire for leadership positions and that men occupying existing union structures perpetuate prejudices, values and stereotypes unfavourable to women.

## **Conclusion**

In order to increase women members' participation in trade union activities, there is a need to develop and initiate a comprehensive capacity building and empowerment education programme for women workers. Such programmes should especially target young women to enhance their awareness of their rights so that they can claim those rights from employers and the government.

Moreover, pushing for compliance of the two thirds gender rule in the respective trade unions elections and Affirmative Action can correct the imbalance by creating special seats for women, thereby ensuring gender balance and responsiveness. In order to safeguard against gender role stereotypes, the union should educate and re-educate members, state and re-state that men and women have equal potential for individual development.

Trade unions should also address negative attitude towards women in leadership and management, including by fellow women; allocation of resources for gender mainstreaming; and negation of the claim that addressing gender will cost resources hence, reduce profits. They should also spearhead institutional gender analysis to identify gaps and conduct sensitisation for workers and the leadership.