

STRENGTHENING TRADE UNIONS: INSIGHTS FROM DATA-DRIVEN ADVOCACY IN THE TEXTILE, GARMENT, FOOTWEAR, AND PALM OIL SECTOR

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Introduction

“Data transparency and strengthening trade unions are two sides of the same coin or two inseparable elements. Data transparency is important, but without organizing efforts to strengthen trade unions, achieving better working conditions is difficult and depends solely on the 'goodwill and commitment' of suppliers and brands”

Trade unions play a crucial role in advocating for workers' rights and improving working conditions. One of the most effective tools that trade unions can use is data. The strategic use of data can significantly enhance the effectiveness of collective bargaining by providing evidence-based support for negotiations.

Since 2018, the Trade Union Rights Centre (TURC) has developed this approach to strengthen the role of trade unions in negotiations with companies through data-driven advocacy. Data collection is carried out using a company working conditions survey instrument designed to measure companies' compliance with labor policies, especially concerning eight basic rights such as occupational health and safety, menstrual and maternity leave, job security, freedom of association, social security, working hours, non-discrimination, and wages. Additionally, the data is also obtained from public data and research data. This data is then processed and analyzed to strengthen the trade unions' arguments during collective bargaining with management.

However, in the process, the data-driven advocacy approach faces several challenges, including the limited availability of factory-level data from public sources, such as data on supply chains, total orders, and companies' financial positions, which are considered confidential by the companies. Yet, this data is crucial from the perspective of trade unions, particularly in negotiations related to wages, benefits, and layoffs.

Furthermore, there are also challenges in data accessibility and the limited capacity of trade unions to work with data. Although there is a lot of data available from various public online sources, trade unions struggle to understand this data because most of the available data is in English, and the majority of them do not have the capacity to process, read, analyze, and present this data for negotiations.

¹ This paper was written as a publication for the Peer-Learning Network for Organizations Using Data to Support Workers' Rights Initiative from October 2023 to June 2024 by the Open Data Institute and supported by Humanity United. The author takes full responsibility for any opinions or conclusions presented, which do not necessarily reflect the positions of the Open Data Institute or Humanity United. Thank you also to Rizki Amalia Fatikah, Syaukani Ichan, M Setiawan for their contributions, and Ai Siti Rahayu as layout assistance

Moreover, since the initiation of this data-driven advocacy approach, gaps have emerged between this approach and reality. For example, there are still differences of opinion between trade unions and companies regarding the categorization of confidential or public information, such as data related to orders and companies' financial positions. For instance, the government recently issued a wage reduction policy in response to the global economic crisis that requires trade unions and companies to negotiate using so-called 'confidential' data. However, companies have never shared data related to orders and financial reports due to confidentiality issues. This results in an unbalanced negotiation process.

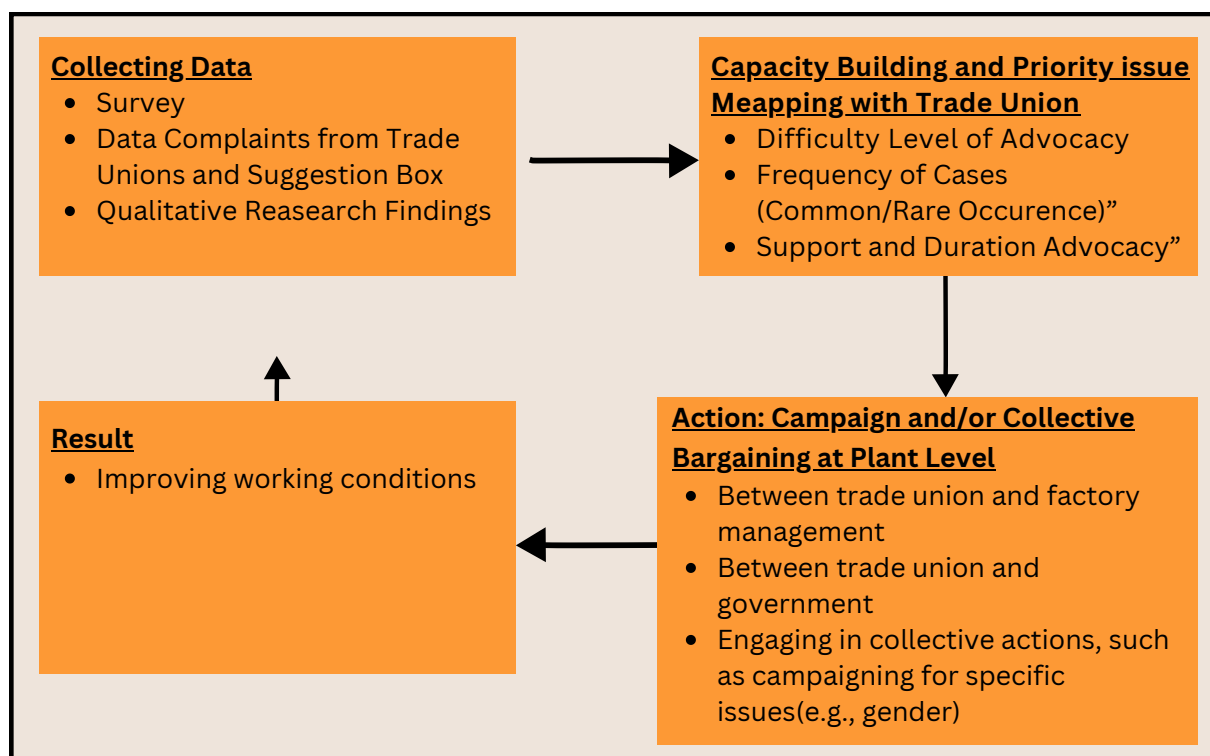
This view is similar to transparency initiatives in the garment sector in Bangladesh. A 2020 report by the Laudes Foundation found that stakeholders in the supply chain have different definitions of "transparency." Trade unions and workers' rights organizations see transparency as full disclosure of working conditions and financial results. For example, the number of workers laid off and the reasons, as well as the amount of company profits to ensure workers receive a fair share of the profits. In contrast, companies believe that public disclosure of information should be done cautiously. Additionally, companies also expect brands to be more transparent about the order prices offered in various producer countries. According to brands, transparency levels already exist, although not in public disclosure, but between companies and brands as a prerequisite for doing business or sharing information between two parties as part of a "business relationship or transaction."

This paper will explain the experience of TURC in empowering trade unions to advocate for the fulfillment of labor rights using a data-driven advocacy framework. It will outline the framework used in data-driven advocacy, stories from the field, challenges faced, and lessons learned during the intervention process. Through this discussion, it is expected to provide insights and inspiration for other trade unions in using data to advocate for workers' rights and improve working conditions.

Framework for Data-Driven Advocacy

The effective use of data in collective bargaining requires a structured and systematic approach. Here is the framework used by the Trade Union Rights Centre (TURC) along with labor unions to strengthen trade unions in collective bargaining through data-driven advocacy:

Figure 1: Data-Driven Advocacy Framework



Stage 1: Data Collection

The first stage in this framework is the collection of relevant data. Data collection is carried out through various methods, including:

- Using surveys to gather data on working conditions in companies, compliance with labor policies, and other important issues such as occupational health and safety, menstrual and maternity leave, job security, freedom of association, social security, working hours, non-discrimination, and wages.
- Collecting data from complaints filed by union members and suggestions provided through suggestion boxes.
- Conducting in-depth qualitative research to gain deep insights into working conditions and issues faced by workers.

Stage 2: Capacity Building for Trade Unions

After data is collected, the next step is to enhance the capacity of trade unions to use the data. This involves several key aspects:

- Providing training to union members on how to collect, analyze, and interpret data. This training includes the use of data analysis tools, survey techniques, and basic statistical methods.

- Assisting trade unions in mapping key issues affecting workers based on the collected data. This involves assessing the level of advocacy difficulty, frequency of cases, available support, and advocacy duration.

Stage 3: Campaign and Collective Bargaining at Factory and Brand Levels

With enhanced capacity, trade unions can proceed to the campaign and collective bargaining stage. This involves several main activities:

- Conducting collective bargaining or negotiations with companies at the factory level using data to support demands for better wages, safer working conditions, and other important issues.
- Using data to influence policies at higher levels, such as the government and brands associated with companies. This includes presenting data on worker satisfaction, health and safety metrics, and productivity impacts to support policy changes.
- Engaging in collective actions such as campaigns for specific issues (e.g., gender issues) using data to raise awareness and garner support.

Stage 4: Monitoring and Evaluation

The final stage in this framework is monitoring and evaluation to assess the effectiveness of the negotiations and campaigns conducted. This involves:

- Conducting regular visits to factories to monitor working conditions and progress of negotiation outcomes.
- Holding online training clinics to provide ongoing support to union members in using data for advocacy.
- Evaluating the outcomes of collective bargaining and campaigns conducted, including improvements in working conditions and fulfillment of workers' rights.

Data-Driven Stories from the Field

Wage Negotiation During the Pandemic

During the COVID-19 pandemic, trade unions faced considerable challenges in securing fair wages for workers. A survey conducted by Gajimu.com in 2020 highlighted significant disparities in how four different factories, all producing for the same brand and operating

An example of how trade unions use data in handling COVID-19.

(Three (3) factories provided personal protective equipment, but factory B did not provide mask.

Workers had been lay off temporarily in factory X got full wage, but in three other factories got half of the wages

OCCUPATIONAL HEALTH AND SAFETY, IMPACT ON BUSINESS, WAGE, AND CBA
"Same Brand" – Tier 1 – Footwear, Leather and Garment Sector

	PT. B	PT. X	PT. Y	PT. Z
Mask	No	Yes	Yes	Yes
Hand Sanitizer	Yes	Yes	Yes	Yes
Body Temp	Yes	Yes	Yes	Yes
Physical Distancing	Yes	Yes	Yes	Yes
Internal Clinic	Yes	Yes	Yes	Yes
Internal Clinic with doctor/nurse	Yes	Yes	Yes	Yes
Wage for temporary layoffs worker	50% Wage	Full Wage	50% wage	50% wage
Order	Decreased	Decreased	Decreased	Decreased
CBA	Active	Active	Active	Active

Source: COVID-19 Survey Gajimu.com and TURC

Figure 2 for an analysis of the survey results.

within the same sector, treated their workers' wages. The survey revealed that only one of four factories provided full wages to workers who were temporarily laid off, while the other three factories paid only 50% of the wages. Please refer to Figure 2 for an analysis of the survey results.

Armed with this critical data, the trade unions initiated negotiations with the management of these factories. They presented compelling evidence showing the inconsistencies in wage payments among factories producing for the same brand. Despite their best efforts, the unions' advocacy did not achieve the desired outcomes. Several factors contributed to this result.

One primary challenge was the varying strength of the trade unions across different factories. In some factories, the unions did not have enough influence to effectively pressure management into meeting their demands. This disparity in union strength created an uneven playing field, making it difficult for some unions to negotiate from a position of power.

Another significant obstacle was the lack of solidarity among the unions. The unions were fragmented and unable to present a united front, which weakened their bargaining position. Without a cohesive strategy and unified voice, the unions struggled to negotiate effectively. Solidarity is crucial for successful union negotiations, and its absence severely hampered their efforts.

Additionally, the fragmentation of trade unions within the factories further complicated the negotiation process. The large number of unions, each with its own agenda and approach, hindered the development of a cohesive strategy. This division made it challenging to coordinate efforts and present a united front, resulting in a weakened overall bargaining position.

Despite these setbacks, the use of valid data to support wage negotiations marked a significant step forward for the trade unions. By comparing similar factories producing for the same brand, the unions demonstrated a commitment to evidence-based advocacy. Although the immediate outcomes were not as successful as hoped, this experience underscored the importance of building stronger, more unified unions capable of leveraging data to achieve fair wages and better working conditions in future negotiations.

Improving Reproductive Health Facilities and Addressing Gender Based Violence

In the process of building the capacity of trade unions, TURC strives to present data as a crucial point in data-driven advocacy approaches. For example, TURC collaborates

with Gajimu.com to present findings from the 2021 Gajimu.com survey, which showed the low compliance level of a company regarding the provision of lactation rooms.

After attending this workshop, trade unions used this data to advocate for workers' rights, such as providing lactation rooms for breastfeeding female workers, through negotiations or collective bargaining with company management. Using this data, TURC encouraged trade unions to complement it with several arguments about the importance of lactation rooms for breastfeeding female workers. One argument is that lactation rooms are essential because most workers are young and female, and it was found that female workers who had just given birth faced difficulties and had no dedicated space for pumping breast milk.

After the workshop, the trade unions sent a letter to the company management to initiate collective bargaining on this issue. During the collective bargaining, the trade unions presented the survey findings along with several arguments to the management.

One example of success from this effort occurred at a factory in Depok, West Java, Indonesia, where the management agreed to provide a lactation room after the trade unions negotiated with the company and presented the findings of the work conditions survey, which showed low compliance levels in providing lactation facilities.

In another factory, the survey results also showed that the company's compliance level in handling sexual harassment and violence was still low, indicating that these cases were still occurring. After the capacity-building workshop held by TURC, the trade unions raised this issue with the management. As a result, the company management agreed to increase awareness about the dangers of violence and sexual harassment, and to impose strict sanctions on perpetrators. This agreement was subsequently included in the Collective Bargaining Agreement (CBA) documents, related to the zero-tolerance policy towards sexual harassment and violence in the workplace.

Through these steps, the trade unions successfully used data to drive positive changes in working conditions, despite many challenges that still need to be addressed. Well-collected and analyzed data can be an effective tool in advocacy and collective bargaining.

Advocating for Free Sanitary Pads

The findings of a 2023 study conducted by TURC in collaboration with a trade union on occupational safety and health (OSH) issues at a factory affiliated with a global brand, which employs 56,000 workers, revealed a pressing concern: many women workers faced significant difficulties in obtaining sanitary pads within the factory. This lack of

access forced them to purchase sanitary pads outside the factory, adding to their monthly expenses and causing unnecessary financial strain.

Recognizing the urgency of this issue, the trade union took decisive action. They raised this concern with the factory management, highlighting the importance of providing sanitary pads at the workplace to support the health and dignity of women workers. The union emphasized that access to sanitary pads is not just a health necessity but also a fundamental right for women workers.

The negotiation process was intensive, requiring persistent dialogue and advocacy. The trade union presented compelling data from the TURC study, which clearly outlined the negative impact of the current situation on women workers. They argued that providing free sanitary pads would not only improve the health and comfort of women workers but also enhance overall workplace productivity.

After thorough discussions, the management acknowledged the validity of the trade union's concerns and agreed to provide free sanitary pads for all women workers within the factory. This decision marked a significant victory for the trade union and the workers they represent.

The provision of free sanitary pads not only alleviates the financial burden on women workers but also sends a powerful message about the company's commitment to gender equality and the well-being of its employees. This success story underscores the vital role of data-driven advocacy in collective bargaining, demonstrating how well-researched evidence can lead to meaningful improvements in workplace conditions.

By addressing this critical issue, the trade union has set a precedent for other factories and companies to follow, advocating for the health and rights of women workers everywhere. This achievement showcases the transformative power of collective action and the importance of prioritizing workers' needs through effective negotiation and advocacy.

Advocating for Social Security in Palm Oil Sector

At the end of 2022, a labor union in the palm oil sector in South Kalimantan, assisted by TURC, collected data primarily related to the social security of workers. This data was obtained through information requests to the BPJS Ketenagakerjaan (Employment Social Security) and BPJS Kesehatan (Health Social Security) in South Kalimantan. The data revealed that many workers did not have active social security memberships because their employers had not registered or paid contributions to BPJS.

Following this data collection, the palm oil sector union, together with TURC, held meetings to analyze and develop advocacy strategies based on the gathered data. One strategic step taken was to report these findings through the Complaint System of the Roundtable on Sustainable Palm Oil (RSPO).

In the complaint, ten cases or demands were submitted, including: demanding companies to register their workers as participants of BPJS Ketenagakerjaan and BPJS Kesehatan, resolving arrears in BPJS contributions, converting casual daily workers into permanent employees in accordance with regulations, ensuring that Personal Protective Equipment is suitable and regularly provided, demanding that companies not charge workers for the provision of work tools, emphasizing the need for regular health examinations for workers, among others.

After the RSPO received the complaint, the labor union proposed resolving the cases through a bilateral mechanism. This option was chosen based on considerations of affordable costs, the possibility of meeting directly with company management, and geographical considerations. The request for resolution through the bilateral mechanism was approved by RSPO and the company management. From February to June 2023, the palm oil labor union held four direct bilateral meetings. The results of this advocacy showed that nine out of the ten union demands were accepted, including the companies subsequently registering and paying for the health and employment social security for workers who previously had inactive memberships due to non-registration.

This success represents a significant achievement, where data obtained and support from the labor union and interventions from external parties successfully changed the working conditions for the better.

Challenges

Using data in the collective bargaining process faces various challenges that need to be addressed to make data-driven advocacy effective. One of the main challenges is data availability. The data available is mostly in English, which is often not easily accessible to union workers who may not be fluent in the language. Additionally, some data requires payment to access, which can be a significant obstacle for unions with limited resources. This results in difficulties for unions in obtaining the necessary information to support their advocacy. Data accessibility also remains a major issue.

Many union workers at the factory level lack digital literacy skills, hindering their ability to access and utilize data effectively. Union workers often have limited experience and knowledge on how to access and use data for advocacy and negotiations. Consequently, the available data cannot be fully utilized to strengthen their position in collective bargaining.

Understanding data presents another challenge. Data-driven advocacy is a new concept for many union workers at the factory level, making their limited experience and knowledge in analyzing and understanding data a significant obstacle. Workers' educational backgrounds often affect their ability to comprehend the data and analysis required for advocacy. Without the ability to understand and analyze data, unions cannot use it effectively in negotiations.

Capability in data analysis is also a crucial issue. Even when data is available and accessible, without the ability to analyze and interpret it, the data cannot assist unions in negotiations. Analytical skills are necessary to understand the data and use the results effectively in bargaining. Without these skills, unions cannot leverage data to strengthen their bargaining position.

Data transparency is another challenge. Even if data is available, accessible, and understood by union workers, this does not always guarantee successful labor negotiations. In many cases, the strength of the union within the factory is crucial for winning collective bargaining. Without strong solidarity and union power, workers may not be able to use the data they have to achieve the desired outcomes in negotiations. Organizational strength of the union is also a key factor. A strong union cannot exist without organizational efforts and capacity building for its members and organizing activities.

External factors are equally important. The commitment of company management and brands to fulfilling the rights of freedom of association is crucial. Without political will, efforts to improve working conditions in the workplace will never materialize.

Lessons Learned

Based on the challenges faced in using data for collective bargaining, several important lessons can be learned to enhance the effectiveness of data-driven advocacy.

First, the availability and accessibility of data alone are not sufficient to assist trade unions in negotiations. Trade unions need to have the skills to analyze and interpret this data. Without these skills, data cannot be used effectively to support advocacy and collective bargaining. Therefore, ongoing training and education are essential to build these skills among union members.

Second, data transparency does not always guarantee successful labor negotiations. In many cases, the strength of the union within the factory is crucial to winning collective bargaining. Strong unions can leverage data to support their advocacy, but this requires sustained organizational efforts and capacity building. These efforts include building solidarity among union members and ensuring they have a good understanding of the data and how to use it.

Third, strong trade unions cannot exist without organizational efforts and capacity building for union members and organizing activities to increase membership. Sustained organizational efforts are necessary to build unions capable of using data effectively in advocacy and negotiations. Without these efforts, unions will not have the strength needed to leverage data in collective bargaining.

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