

Case study

EXPLORING CLIENT APPROACHES TO GENDER-BASED VIOLENCE PREVENTION AND RESPONSE

CLIENT:

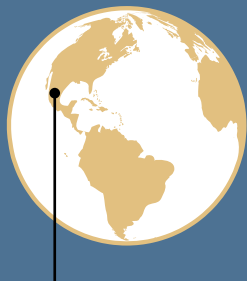
Bioparques de Occidente

Agribusiness and Forestry, **MEXICO**



Policy Overview

Mexico



Economy name:
United Mexican States

Main business city:
Mexico City

Region:
Latin America &
Caribbean

Income level:
Upper middle income

Population (2019):
127,575,529

Female population:
65,172,136 (51.1%)

Labor force participation rate:
44.3% female
78.3% male

Proportion of wage and salaried workers:
68.1% female
68.4% male

Proportion of self-employed workers:
31.9% female
31.6% male



Global rankings

Women, Business and the Law Indicator*	83.8/100
Gender Inequality Index†	74/162
Global Gender Gap Index‡	25/153
Latin America and Caribbean Gender Gap Index‡	5/25
Wage equality‡	129/153
Economic participation and opportunity‡	124/153



Women, Business and the Law*

Can a woman get a job in the same way as a man?	Yes
Does the law prohibit discrimination in employment based on gender?	Yes
Is there legislation on sexual harassment in employment?	Yes
Are there criminal penalties for sexual harassment in employment?	Yes
Are there civil remedies for sexual harassment in employment?	Yes
Is there legislation specifically addressing domestic violence?	Yes



Gender-based violence‡

Prevalence of lifetime domestic violence	24.6%
Prevalence of child marriage	26.1%

Unless otherwise indicated, all data for this overview were taken from WBG, World Development Indicators:

Labor force participation rate, female (% of female population ages 15+) (modeled ILO estimate), (2020)

Labor force participation rate, male (% of male population ages 15+) (modeled ILO estimate), (2020)

Wage and salaried workers, female (% of female employment) (modeled ILO estimate), (2020)

Wage and salaried workers, male (% of male employment) (modeled ILO estimate), (2020)

Self-employed, female (% of female employment) (modeled ILO estimate), (2020)

Self-employed, male (% of male employment) (modeled ILO estimate), (2020)

* WBG, Women, Business and the Law Indicator (2020)

† UNDP, Gender Inequality Index (2018)

‡ WEF, Global Gender Gap Report (2020)

§ UN Women, Global Database on Violence Against Women (accessed on September 22, 2020)

Bioparques

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GENDER-BASED VIOLENCE IN MEXICO

Mexico has made significant progress towards securing women's rights and gender equality within legislation in recent years. However, the effectiveness of strengthened legislation has been severely hampered due to a lack of enforcement by police and the courts. There continue to be high and increasing rates of gender-based violence (GBV) throughout the country.¹ Among Mexican women aged 15 or older, 66 percent have experienced some form of GBV; 44 percent have experienced intimate partner violence; and, 34 percent have experienced sexual violence in a public space.²

In 2007, The General Law on Women's Access to a Life Free of Violence (Ley General de Acceso de las Mujeres a una Vida Libre de Violencia) was enacted by Mexico's Federal Congress. This law aims to prevent and eradicate GBV through the coordinated efforts of government at three levels – Federal, State and the Federal District, and the Municipalities.³ It establishes the duty of the States to guarantee the security and integrity of victims through the issuance of protection orders, and immediate police and judicial intervention in cases of family violence and rape. Implementation of the law at the State level has been inconsistent. The number of protective orders issued remains very low. Government and non-government actors continue to recognize GBV as an area where urgent action is needed.⁴

In 2019, the authorities reported 1,006 femicides (the intentional murder of women because they are female) – approximately one quarter of all women murdered that year. Women's rights groups argue the number is significantly higher because many State and local authorities are unable or unwilling to recognize when gender plays a factor in a murder, leading many femicides to be reported under the more widely recognized definition of homicide, which does not recognize gender to be a motivating factor for the murder.⁵ In addition, authorities routinely treat investigations and prosecutions of femicide as less important than other types of violent crime. Few perpetrators are identified and those who are caught are infrequently convicted.⁶

Intimate partner violence is frequently romanticized as an "understandable by-product of passionate love"⁷ within the Mexican media and by the courts. One example which illustrates this occurred in 2018 when Abril Pérez Sagaón, the wife of a prominent CEO Juan Carlos García, was viciously assaulted in her sleep by her husband with a baseball bat. A judge dismissed charges of attempted murder, ruling the baseball bat could not be considered a weapon. García was released after the charges were downgraded. A year later, after divorcing her husband, Abril was murdered by a hitman. This case sparked a series of protests throughout the country during 2020.⁸



Bioparques employs 4,360 workers in Jalisco. In 2020, **women represented** approximately 38% of the workforce.

- 60% of the packing department
- 33% of field workers
- 34% of administrative workers

The company has implemented a holistic approach towards the prevention of gender-based violence and sexual harassment **within the workplace** and its **worker housing complexes**:

- Code of Ethics
- Grievance Mechanism
- Psychosocial Risk Prevention Policy
- On-site support services



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Women's Empowerment

Women's rights and gender equality were integrated as a core theme in Mexico's National Development Plan for 2013-2018. A national Gender Equality Policy was also introduced in 2013. In 2014, as part of the implementation of this policy, electoral reforms were introduced to require statutory gender parity for political candidates to Federal and State Congress. This has resulted in a significant increase in women's representation in government. By the end of 2018, female parliamentarians accounted for 48.6 percent of seats (246 women) in the Chamber of Deputies and 50.78 percent of Senate seats (65 women). By contrast, in 1991, there were only 21 women in the Chamber and two women in the Senate.⁹

Almost 60% of employed women have informal jobs, with low social protection, high insecurity, and low pay. Mexican women carry out three quarters of all unpaid work in the home, including childcare. These domestic duties prevent women from devoting time to formal work. In addition, the work culture of long hours makes it difficult for women to strike a suitable work/life balance. The constant promotion of gender stereotypes in the media further reduces scope for women's equal participation in the workforce.¹⁰

PROJECT BACKGROUND

Bioparques de Occidente (Bioparques) is a greenhouse tomato producer based in San Gabriel, located in the southwest region of Jalisco at the base of Mexico's tallest volcano – Volcán de Colima. Its operations are situated in a remote, rural area, 141 km from the State capital of Guadalajara and around an hour away from the nearest town of Sayula. As of 2015, the company operated a total of 317 hectares, including 171 hectares of semi-hydroponic greenhouses and 146 hectares of tomato plantations under mesh house technology divided across four sites. Tomato production in this part of Mexico can take place year-round within Bioparques' facilities.

IFC has made three investments with Bioparques. The first and second investments consisted of \$12 million in 2007 and \$5 million in 2011 for the acquisition and construction of new greenhouses and irrigation equipment, other infrastructure, and working capital. In 2016, IFC approved a third investment of \$10 million for a 50-hectare expansion of tomato plantations and the expansion of worker accommodation.

HOW BIOPARQUES WORKS TO PREVENT GENDER-BASED VIOLENCE

Since 2013, Bioparques has implemented a number of initiatives to ensure the safety of its workers, including a Code of Ethics, a Grievance Mechanism, a Psychosocial Risk Prevention Policy, and a range of on-site support services. The company has created a Social Performance Team who are responsible for monitoring compliance with policies and procedures that relate to the social and working conditions of employees. It also employs security guards in its work locations and housing complexes to help ensure the safety of workers, and provides free access to secure company transportation to and from the worksite. All workers receive training on the Code of Ethics and Grievance Mechanism on commencement of their employment.



"In Bioparques de Occidente we are unique because we are all equal – we all have equal opportunities and are treated with dignity and respect."

**Marisol Torrico de La Torre,
Integral Management Coordinator**

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Code of Ethics

Bioparques' Code of Ethics states that all employment decisions – recruitment, hiring etc. – will be based on the principles of equal opportunity and fair treatment. The Code explicitly prohibits discrimination based on race, gender, sexual orientation, age, pregnancy, disability, religion, political opinion, and social or national origin. Within the Code, sexual harassment and abuse are prohibited. Violence and mistreatment are cited as unacceptable; and workers are encouraged to report any incidents immediately to their boss or a manager. The Code applies to all workers, including migrant workers, who are recognized to be more vulnerable than local workers. Suppliers must also comply with this Code of Ethics.

In addition to the Code of Ethics, Bioparques has adopted a separate policy – Psychosocial Risk Prevention Policy – to ensure measures are taken to prevent psychosocial risks and acts of labor violence. This policy mandates the respectful treatment of all workers. It also specifically states that workers can express grievances without fear of retaliation and obtain feedback throughout the grievance process. The policy commits the company to taking actions to raise awareness about the Code of Ethics and related company policies, and to provide information and training sessions.

Grievance Mechanism

Bioparques has implemented a Grievance Mechanism (GM) procedure that applies to all workers and community members. The GM is designed to cover a wide range of grievances, ranging from housing maintenance issues to bullying, sexual harassment, and sexual exploitation and abuse. Workers can

report grievances verbally, using feedback boxes placed in the worker accommodation and on-site, via email to a dedicated email address, or by phoning a reporting number. Complaints can be reported anonymously. Confidentiality of the complainant is guaranteed at all times, except in cases where mandatory reporting may be required.

Grievances are handled by a GM committee comprised of representatives of different departments including Administration, Management, Social Department, Standards and Quality, and Human Resources (HR). The HR Director also sits on this committee. All types of complaints reported by any channel are referred through to this GM committee. If a security guard or any other worker is informed about an incident, they are required to immediately pass on the report to a GM focal point.

Members of the local community who wish to submit a grievance can call the company directly or leave a written complaint in one of the mailboxes located at the entrance of each work facility. Feedback boxes are also provided in the Municipal offices, where posters advertising the Code of Ethics can be seen. If a community member reports an incident involving a worker, this complaint is dealt with in the same way as an internal complaint.

After a complaint has been submitted to the GM committee, members of the committee communicate about the incident via WhatsApp. A GM focal point is appointed to manage the case – a decision that is based on their area of competency. For example, if an incident takes place in the accommodation area, the appointed focal point will be the Social Department representative of the GM committee.

When a GM focal point receives a complaint, they review it and categorize it according to the type of grievance. In the case of a

**“The support of my bosses
has been fundamental in
my career. I have improved
myself day-by-day,
both professionally and
personally.”**

**Erica Guzman Campos,
Field Safety Coordinator**



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sensitive incident such as sexual harassment, the committee members meet in person to review and discuss it.

HR is responsible for carrying out a review of grievances each month to identify and understand if and where there are recurring issues that need to be mitigated in a more strategic manner.

Grievance Investigations

When a grievance requires investigating, the following steps are taken:

- Workers involved in the incident are informed about the timeframe of the investigation. In sensitive cases, the investigation usually takes place immediately.
- GM focal points gather information about the grievance. The appointed GM focal point may engage with a social worker to carry out the investigation.
- The information is presented to the other members of the GM committee, who are also informed on the progress of the investigation.
- Decisions in response to the grievance are made at the committee level. The GM committee is responsible for determining what disciplinary actions are required, if any.
- For certain types of grievances, including cases involving sexual abuse, the GM committee is required to report on the case to local authorities. This is mandated by law and does not require the consent of the affected workers.

GBV Support Services

During and after any investigation involving GBV or sexual harassment, multi-sectoral support is provided to the survivor

based on their need and wishes. Each accommodation complex has a team of social workers, psychologists, medical doctors, and sexual harassment focal points ready to provide immediate support. A case worker or psychologist provides assistance in accessing relevant services (medical care, counselling etc.), and maintains communication with both survivors and service providers. In some cases, Bioparques provides the survivor with access to a psychologist, who can help design a tailored response.

The company provides these response services in cases of intimate partner violence, domestic violence, or any other form of GBV perpetrated against its workers. The support is offered to survivors regardless of whether the violence is perpetrated by another worker or not. The company also offers similar support to any local community member who experiences sexual exploitation and abuse perpetrated by one of their workers.

It is important to note these support services are offered in addition to any support provided by government. Bioparques social workers assist workers to identify and access relevant government services and accompany them to make a report, if such support is requested by the worker.

On-Site Social Workers

Each company housing complex has dedicated university qualified social workers who are responsible for:

- liaising with and managing all persons residing in the housing complex (including workers and their families);
- ensuring compliance with the company's rules and codes of conduct;
- developing linkages with government schemes that benefit the welfare and wellbeing of workers and their families; and,



The company provides free worker accommodation close to its operations. The vast majority of workers choose to stay in company-provided housing and around 80 percent renew their employment at the end of each six-month contract.

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- coordinating and supervising all activities that take place at the schools, day care centers, store, and other facilities owned and operated by Bioparques, including transportation needs, maintenance and cleaning of facilities and public areas, and safety and security arrangements within the complexes.

Social workers and psychologists also provide immediate and ongoing on-site support to workers who have experienced incidents of GBV.

Training and Awareness Raising

All workers are informed about the Code of Ethics, Grievance Mechanism, and available reporting channels during their induction training. This training is reinforced by annual communication campaigns which cover these topics.

Rules and regulations are posted in worker accommodation to inform workers on how to manage any type of incident that happens in an accommodation complex. The regulations explain the benefits, rights, obligations, and available support for people living in worker accommodation.

The company's social workers conduct regular awareness-raising sessions on GBV prevention. Many of Bioparques' workers come from traditional rural communities in which certain forms of GBV (such as child marriage and domestic violence) are commonplace. In recognition of this, the company organizes meetings and awareness-raising initiatives to inform employees, especially women, about their rights. They also help develop workers' knowledge of sexual and reproductive health. Awareness raising channels used by the company include radio, newspaper, annual campaigns, and social media.

WOMEN IN BIOPARQUES

Bioparques recognizes that within Mexico, women have almost exclusive responsibility for family care and household chores. In addition, women are more vulnerable to GBV, harassment, and employment discrimination. These factors have resulted in a gendered division of labor in terms of access to full-time paid employment. The company has therefore worked to ensure:

"The creation of discrimination-free work environments and the implementation of corporate policies that promote equal opportunities and the development of women during all stages of their lives, as well as to achieve a balance between the professional and personal spheres of all employees."

The company employs 4,360 workers in Jalisco. The majority of the workers are migrants, who reside with their children and/or parents in one of three large housing complexes owned by the company. The complexes are 97 percent managed and operated by female staff. And housing is provided free to all workers.

These housing complexes operate as self-contained communities, within which Bioparques provides a range of free services that help address systemic barriers for women to participate in the workforce. These include childcare facilities, sports and recreation options, education, healthcare, and transportation. Workers who live outside the housing complexes in local communities have access to the same level of services as those who live in employer-provided accommodation. Due to the comprehensive range of free services offered by the company, and the provision of a secure environment in which to work and live, women – including married women, single women and sole mothers – are empowered to engage in meaningful paid employment.



Within its three housing complexes, the company provides free access to education, healthcare, sports facilities, and social activities for workers and their children. It also provides a free dining room service for children using daycare facilities.

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Childcare Facilities

The company provides free childcare facilities – known as estancia infantil (child stays). These facilities ensure the workers' children have access to early childhood learning and development opportunities, including interactive games, songs, sports and recreational activities. Each childcare facility is equipped with teaching equipment, a playground, kitchen area, and a children's dining room. The facility is run by qualified managers, teachers, and caregivers.

Children attending any of the childcare facilities are provided with a meal plan that has been approved by a nutritionist as appropriate for their age and stage of physical development. Breakfast, lunch, and snacks are provided to all the children free of charge.

Bioparques invests around 2.4 million pesos each year to fund its childcare services, and an additional 6 million pesos per year on its free nutrition program. This substantial investment by the company supports women with childcare responsibilities to participate in and benefit from full-time paid work.

Sports and Recreation

Bioparques recognizes that "recreational areas and sports are fundamental for the quality of life of our workers because they promote social cohesion, generate opportunities for social interaction, and provide entertainment and physical exercise – all of which contribute to a positive impact on their health." There is a full-sized football pitch with stadium seating in each of the housing complexes. This reflects the fact that football is Mexico's most popular sport. And the company actively encourages women's football teams.

Education

The company provides free preschool and primary education to all children living in the housing complexes. This education is delivered by qualified teaching staff. Bioparques also supports students to attend secondary education and university by providing free transport to educational facilities located outside the housing complexes.

Many of Bioparques' workers and their children participate in a public education program administered by the Instituto Estatal para la Educación de Jóvenes y Adultos (INEEJAD) – the State Institute for Youth and Adult Education. INEEJAD is a public body in the State of Jalisco that aims to provide basic education services, including literacy, primary and secondary education, as well as vocational training. The program is targeted towards people aged between the ages of 15 and 40 who have received primary education but have not completed secondary education. Many of the Bioparques' adult workers have only received a primary school education at the time they commence employment.

The INEEJAD program has been very effective in reducing illiteracy rates among the adult population. The percentage of illiterate female workers at Bioparques' has decreased by 80 percent since these workers have had access to the program. Since 2014, with the financial support and participation of the company, women's enrolment in the program has also increased by 80 percent.

In addition, the company encourages workers and their children to attend upper secondary education at the Colegio de Bachilleres del Estado de Jalisco (College of Baccalaureates of the State of Jalisco). This college offers general education and vocational training via open learning, distance education, and classroom modalities.



Bioparques encourages its workers to complete secondary education and upper secondary college and provides free transportation to attend classes. Many women have graduated from these programs, providing them with lifelong opportunities.

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Healthcare

There is a doctor's office located in each of the company's three housing complexes. All workers and their families have access to free medical care and medicines. Children are vaccinated according to the recommended government schedule at no cost to the families. The company also employs social workers and psychologists in each housing complex to meet the mental health needs of their workers.

Transportation

For migrant workers, the company provides free transportation to and from the housing complex at the commencement and completion of their employment contract. The company also provides free daily transportation to and from the work site for workers who live in local communities.

Leading Practices

Bioparques has been independently audited and certified as SA8000 compliant. SA8000 is an international, auditable certification standard that encourages organizations to develop, maintain, and apply socially acceptable practices in their workplaces. The certification process has helped the company in its efforts to provide a safe and healthy environment for its workers, including taking actions to prevent and respond to GBV.

The company has also been recognized by the Federal Ministry of Labor and Social Provision as a *Distintivo "Empresa Agrícola Libre de Trabajo Infantil"* (DEALTI) agricultural company. A DEALTI designation certifies a company to be free of child labor and recognizes the implementation of proactive policies for the care and protection of children and farm workers, and their families, in order to support their full development.

"The best place to work and develop is called Bioparques de Occidente. I dare to walk, even barefoot. I dare to smile, even when I have no reason. I dare to help others, without receiving applause. I work with freedom and passion for migrants."

Guadalupe Navarro Sandoval, Coordinator of Labor and Social Management



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References

- 1 Católicas por el Derecho a Decidir (CDD) and Comisión Mexicana de Defensa y Promoción de los Derechos Humanos (CMDPDH), *Report presented before the Committee on the Elimination of all forms of Discrimination Against Women, CEDAW*, (2012)
- 2 National Institute of Statistics and Geography (INEGI), *Partner violence data from the National Survey on the Dynamics of Household Relationships*, (2016)
- 3 Cámara de Diputados del Congreso de la Unión, *Ley General de Acceso de las Mujeres a una Vida Libre de Violencia*, (2017)
- 4 World Bank Group, *Mexico Gender Assessment*, (2019)
- 5 See: <https://www.hrw.org/news/2020/03/03/mexican-government-paralyzed-face-wave-femicides>
- 6 (n 1)
- 7 See: <https://www.latimes.com/opinion/story/2020-03-03/opinion-mexico-government-femicides>
- 8 See: <https://www.bbc.com/news/world-latin-america-50601975>
- 9 See: <https://www.ipu.org/news/news-in-brief/2018-07/mexican-parliament-achieves-gender-parity>
- 10 See: <https://www.oecd.org/about/secretary-general/gender-equality-and-empowerment-of-women-for-inclusive-growth-mexico-january-2020.htm>

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