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LEARNINGS FROM THE GENDER AUDIT IN THE WORKPLACE – MALAWI

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ABOUT THIS REPORT

This ICReport is based on the Gender Audit in the Workplace Report – Malawi which the ICR Facility produced as part of technical assistance to the *Employers' Consultative Association of Malawi* (ECAM). It aims to highlight the key learnings from this ICR Facility intervention which will be useful to other countries, organisations and consultants that are examining issues relating to gender inequality in the workplace.

Accompanying this ICReport is a training manual for facilitators planning to deliver gender auditing training for organisations, businesses, HR professionals and anyone interested in creating gender-sensitive workplaces. The training guide can be found here on the ICR Facility website.

Please provide us with a link

EXECUTIVE SUMMARY

Tackling gender equality issues in the workplace improves the business environment and boosts productivity. Understanding this, ECAM, which represents employers across Malawi, requested technical assistance from the ICR Facility to carry out a national gender audit to help address issues relating to gender inequality in the workplace. This would also contribute to the socio-economic growth of Malawi. Gender inequality is acknowledged to be one the challenges that must be tackled, as outlined in the *Malawi 2063 Vision*.

METHODOLOGY

Through desk research, the team examined the regulatory and policy environment in Malawi that affects gender issues in the workplace; looked at international reports; reviewed examples of case studies; explored national statistics and mapped relevant stakeholders.

Primary data collection involved information sessions, focus group discussions and key informant interviews with stakeholders including government institutions, non-governmental organisations and private sector representatives. Additionally, a survey of human resources professionals, a survey of micro and small enterprises, and a survey of employees was undertaken.

For full details of the methodology, readers can contact the authors.

KEY FINDINGS

Women's participation in the workforce

- There are fewer women employed in Malawi's labour force than men.
- Women experience more unemployment than men.
- There are fewer women than men in managerial and decision-making positions in both the public and private sectors.
- There is low participation of women as top managers, directors and business owners.
- Women are more likely to be self-employed, in precarious employment or in the informal sector than men.
- Women are time poor as they are responsible for the majority of unpaid care work and domestic responsibilities.[1]
- Women are estimated to earn less than men (USD1.16 compared with USD1.85), partly because men occupy more senior positions, but also because there is pay-related discrimination in some workplaces.
- An estimated 37.5% of women are subject to gender-based violence in their lifetime; a significant minority of women experience this in the workplace.

Gender-based issues in the workplace

- One-third of women respondents to the employees survey experienced sexual harassment or assault in the workplace, ranging from lustful stares and unwelcome comments to more serious issues.
- Just under half of respondents to the employees survey had been subject to discrimination in the workplace, although workplaces appear to under-estimate the prevalence of gender-based discrimination, harassment and abuse that exist. This might be due to under-reporting.
- Employees were more likely to highlight discrimination accessing promotion rather than being hired.
- Only 21% of employees surveyed who had experienced discrimination reported it to their workplace, and 8% reported it outside their workplace. For those that had experienced harassment, 17% reported it to their workplace, and 13% reported it outside their workplace.
- At least 40% of women who had experienced discrimination or harassment took no action or left their job.
- One quarter of complaints were investigated, and more than 20% of incidents that were reported were not acted upon.
- Less than one in ten workplaces highlighted lower pay for women as an issue. However, one third of the women from the employees survey highlighted a problem

1 For more detail about the impact of caring responsibilities on women, see the ICReport, *Business Environment Reforms and the Care Economy: The Case of Childcare and Parental Leave Policies*

with pay. This is a particular concern in the agricultural sector, according to the desk research.

- Around 5% of employees and workplaces highlighted discrimination due to pregnancy.

Workplace responses to gender-based issues

- One-third of mid to larger sized companies, and 14% of micro and smaller enterprises had undertaken some kind of gender audit; the majority of these were internal audits.
- Larger companies are more likely to have policies for gender equality and to target sexual harassment and gender-based violence.
- Some of the mid to larger companies surveyed offered flexible working for women employees but this was much less common in the micro and small enterprises.
- The majority of workplaces surveyed, irrespective of size, felt they were doing a good job in dealing with gender issues. But only a minority of respondents to the employees survey had confidence in their workplace's ability to deal with gender issues, with 17% indicating they felt unsafe at work. 40% of instances of harassment were perpetrated by a superior at work, according to the employees survey.
- Despite some innovative actions to combat sexual harassment, there is still a significant lack of clarity about how to recognise and deal with this issue in many workplaces.

The impact of gender inequality in the workplace

- Gender inequality has a negative economic impact on companies, communities and countries.
- Sexual harassment has a negative psychological impact on those who both experience and witness it.
- The most significant organisational impacts identified by the mid-to-larger companies surveyed were cost increases and higher levels of staff turnover.
- The micro and very small enterprises surveyed found gender-based discrimination and harassment had an impact on work climate, absenteeism, staff turnover and profitability.
- Employees perceive an impact on work culture.
- It is possible that companies underestimate the impact of gender inequalities and inappropriate behaviour in the workplace, as only limited systematic analyses of the consequences have been carried out.

KEY RECOMMENDATIONS

RECOMMENDATIONS FOR POLICYMAKERS

Accompany legal and regulatory changes with commitment, capacity and resources

Malawi has a sound legal and regulatory basis for establishing and maintaining gender equality and for eliminating gender-based discrimination, harassment and violence, grounded in Malawi's ratification of a number of international and regional conventions, the incorporation of gender equality within the constitution of Malawi and the creation of the Gender Equality Act. Nonetheless, additional efforts are needed.

Review the currently ending policy cycle and create a future-proof action plan

The period covered by most of Malawi's gender-specific national strategies and programmes has recently ended, so there is a need to evaluate the impact of past policies and programmes and develop new ones to take Malawi into the future.

Address socio-cultural issues that shape education and career choices of girls and women

Cultural norms are often unconscious, and in Malawi, largely considered to be a patriarchal society, this has led to some deeply entrenched inequalities, which in turn have influenced the current patterns of women's employment as well as a range of inequalities and presence of harassment.[2]

While these recommendations are specific to Malawi, they could be adapted for many other African, Caribbean and Pacific countries.

RECOMMENDATIONS FOR WORKPLACES

Recommendations for business centre on the implementation of the right policies and practices in order to ensure that gender equality becomes the norm and that gender-based violence is eliminated from the workplace.

Foster greater equality in the workplace

- A strong commitment to gender equality by leaders is key to success.
- Top-level commitment must be accompanied by assigning responsibility and ensuring accountability throughout organisations.
- Organisations extending gender policies beyond organisational boundaries can become multipliers for change.

Eliminate harassment and gender-based violence

- Accompany awareness and understanding with a zero-tolerance stance towards harassment and gender-based violence.
- Understand how to recognise sexual harassment.
- Foster an open culture to raise awareness of harassment and gender-based violence.
- Support victims throughout the process of making a complaint about harassment or gender-based violence.
- Improve data collection relating to allegations of discrimination and harassment.

2 *Gender Equality, Social Inclusion and Resilience in Malawi*, 2021, BRACC

INTRODUCTION

A national gender audit is an important tool to assess the level of gender equity in a country. The resulting evidence can be used to create a plan of action to address key areas of improvement.

Specifically, a national gender audit enables:

- key gender gaps and disparities to be identified, drawing on key evidence about existing challenges and providing a basis for potential changes in legislation, regulations and policies
- the identification of any laws, regulations or policies that have a differential impact on women in the workplace as well as pinpointing any issues related to their implementation or enforcement
- guidance to be provided to government bodies and policy makers to enable them to formulate gender-responsive laws, regulations and policies.

Furthermore, a gender audit:

- sets a baseline if this does not already exist
- enables the formulation of SMART (specific, measurable, achievable, relevant and time-bound) goals that can be translated into meaningful targets
- fosters greater accountability among the key actors.

A gender audit that is participative and engages stakeholders:

- creates a public-private dialogue that brings the various actors together and fosters the development of a more cohesive plan of action
- can contribute to strengthening the institutional capacity of key stakeholders
- enables evidence-based, data-driven decision-making
- provides a platform from which to engage in both advocacy and resource mobilisation.

DEFINITIONS OF KEY TERMS

In this report, these key terms are used: discrimination against women, harmful practice, domestic violence, economic abuse, emotional or psychological abuse, physical abuse, sexual harassment, sexual abuse, and non-monetary contribution.

The definitions are the same as used by *Convention on the Elimination of All Forms of Discrimination against Women* by UN Women, the Malawi Gender Equality Act 2013, the Malawi Prevention of Domestic Violence Act 2006, and the Malawi Marriage Divorce and Family Act 2015.

ANALYSIS OF THE POLICY CONTEXT AND THE BUSINESS ENVIRONMENT

This section covers four key areas, drawing conclusions from the desk research that was carried out. Following an introductory overview of the Malawian context, the national legal and regulatory as well as the national policy frameworks are reviewed, before closing with an overview of the key stakeholders that make up the Malawian ecosystem.

The desk research drew upon several key pieces of research, including:

- *Global Gender Gap Report 2022*, World Economic Forum
- *Malawi Country Gender Profile*, 2020, African Development Bank (referring to National Statistics Office data from 2013)
- *Eighth periodic report submitted by Malawi under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), 2021, United Nations
- *Malawi Labour Force Survey 2013*, 2014, National Statistical Office of Malawi
- *Malawi National Gender Statistics Assessment*, 2021, UN Women
- *Women, Business and the Law 2023*, The World Bank
- *Demographic and Health Survey 2015-16*, published 2017, National Statistical Office of Malawi
- *The cost of the gender gap in agricultural productivity in Malawi, Tanzania and Uganda*, 2015, UN Women, UNDP, UNEP and the World Bank Group
- *Factors driving the Gender Gap in Agricultural Productivity: Malawi*, 2018, Akram Lodhi A.H., UN Women, UNDP and UN Environment
- *Human Development Index 2022*, UNDP
- European Commission (2021); Gender Action Plan III – 2021-2025 Implementation plan – CLIP Malawi
- *Malawi Violence Against Women and Girls Prevention and Response*, Social Development Direct
- *International Women and Girls Strategy 2023-30*, 2023, FCDO
- *Feminist Development Policy*, 2023, BMZ

COUNTRY CONTEXT

This looks at women's participation in income-generating activities, gender parity and women's rights in the workplace, and the prevalence of gender-based violence and harassment.

In summary:

- Women's participation in the labour force is lower than that of men.
- The number of women in managerial and decision-making positions in both the public and private sector, as well as female directors and business owners, lags even further behind.
- Women's unemployment is higher than that of their male counterparts.
- Women who participate in the economy are more likely to be self-employed, in precarious employment, and in the informal sector.
- Women are also time poor as they are responsible for the majority of unpaid care work and domestic responsibilities.
- Women are estimated to earn less than their male counterparts, partly due to men occupying more senior positions in organisations, but there is also a degree of pay-related discrimination in some organisations. Efforts are still needed to redress these imbalances.
- An estimated 37.5% of women in Malawi are subject to gender-based violence in their lifetime. The employees survey carried out for this report also showed a significant minority of women experiencing this in the workplace. While many companies concede that gender-based discrimination, harassment and abuse in the workplace exist, respondents to the human resources professionals survey appear to under-estimate the degree to which it is present, especially when we compare their responses to those of the employees survey.

NATIONAL LEGISLATIVE FRAMEWORK

The focus here is on the evolution of the relevant national legislative framework, covering the legal basis for gender equality in Malawi and, in particular, provisions for gender equality in employment, as well as legislation to counteract violence and other legislation that may have an indirect effect on women's experience in the workplace.

In summary:

- Malawi has a sound legal and regulatory basis for establishing and maintaining gender equality and for eliminating gender-based discrimination, harassment and violence, within the country as a whole and in the workplace in particular.
- This is grounded in Malawi's ratification of a number of international and regional conventions, the incorporation of gender equality within the constitution of Malawi and the creation of the Gender Equality Act.
- The Malawian legislative framework combines standalone legislation focused on gender with the inclusion of gender as a cross-cutting component in other legislation. Furthermore, legislation also tackles issues such as domestic violence, inheritance and child marriages, which have an indirect impact on equality in the workplace.
- Additional work is needed, such as the ratification of a number of international conventions and an overhaul of the Gender Equality Act, but key stakeholders are aware of these issues and are working towards addressing them.
- One key aspect of the legal and regulatory framework that needs to be addressed is implementation and enforcement, which is where progress is less uniform, often due to a lack of resources.

NATIONAL POLICY FRAMEWORK

This provides an overview of the national policy framework that governs women's participation in the workplace, including broad-ranging policies that provide an overarching framework, policies focusing on gender and women's empowerment, policies developed to combat gender-based violence, sector-specific policies addressing gender issues and policies and programmes that are focused on addressing socio-cultural norms that continue to have both a direct and an indirect impact on women in the workplace.

In summary:

- Some of the major policies and strategies fostering economic development in Malawi, including the National Resilience Strategy and the Malawi Vision 2063, explicitly include a cross-cutting gender dimension, although only the International Labour Organization Decent Work Country Programme appears to be specifically directed at women in the workplace.
- These are complemented by specific policies and programmes that are designed to tackle gender issues with general or specific elements related to gender equality.
- Some policies and programmes, such as the National Strategy on Ending Child Marriages, also focus on addressing some of the socio-cultural norms surrounding the roles of men and women in Malawian society that potentially impede progress towards gender equity and the elimination of harassment and violence against women.
- There are also donor-funded programmes, such as the Gender Action Plan, from the EU, which complement and support national policies.
- With the notable exception of the Gender Action Plan, which runs until 2025, many of the national strategies and programmes have come to the end of the period they were intended to cover. There is therefore a need to review the current situation, evaluate the impact of past policies and programmes and take the learning forward into planning for the next three to five years.

NATIONAL ECOSYSTEM

The key actors involved in the national ecosystem include the following.

Ministries and other government bodies

- The Ministry of Gender, Community Development and Social Welfare (previously the Ministry of Gender, Children, Disability and Social Welfare)
- The Public Procurement and Disposal of Assets Authority
- The Technical Entrepreneurial and Vocational Education Training Authority (TEVETA)

Non-governmental organisations and the private sector

- Employers' Consultative Association of Malawi (ECAM)
- Malawi Congress of Trade Unions
- Malawi Human Rights Commission
- Malawi Legal Aid Bureau
- Institute of People Management of Malawi
- NGO Gender Coordination Network Malawi

International organisations

- UN Women (which also cooperates with other development agencies in Malawi, which are the International Labour Organization, UNDP, UNICEF, UNAIDS, UNHCR, the Food and Agriculture Organization of the United Nations, UNDAF, and the International Organization for Migration)
- Gender and Human Rights Donor Group
- International Labour Organization
- UK Foreign Commonwealth and Development Office
- British Council
- The German Federal Ministry for Economic Cooperation and Development (BMZ)

Other organisations

There are a number of other organisations that were identified during the research for this report, but which didn't take part directly in the research. They include the Ministry of Education, the Legal Aid Bureau, the Institute of People Management of Malawi, the Malawi Women's Association, the National Women's Lobby and Rights Group (NAWOLG) and the Association of Women Lawyers.

In summary:

- There is an existing ecosystem of organisations for whom gender issues are of direct relevance, and many of them were not only present during the stakeholder sessions carried out in the research for this report, but also work together on a regular basis.
- Although many organisations in this space clearly communicate and work together, the creation of a specific task force with a coordinated action plan would facilitate more effective communication and collaboration.

ASSESSMENT OF GENDER EQUALITY IN THE WORKPLACE

OVERVIEW OF THE SURVEYS

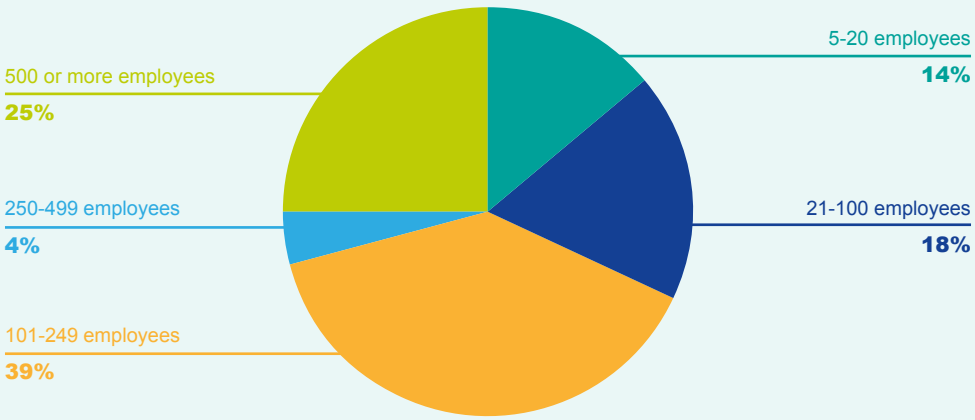
Although some of the data that is highlighted in this section comes from previous reports and the grey literature, most of the findings have been drawn from the analysis of the primary research that was undertaken as part of the intervention. To provide a context for the analysis of key themes, we briefly present the demographics of the samples of respondents for each of the three surveys.

Survey of human resources professionals from mid-large sized companies

28 responses were received to the survey of human resources professionals from the ECAM membership:

- Awaiting response from Yolanda
- 36% of respondents were from women and 64% were from men.
- Just over two thirds of the companies were from the service sector (68%), followed by an equal proportion of businesses in agriculture and retail (11%). Manufacturing companies made up percent of the sample, with the remainder being from "other" sectors.
- More than four in five companies represented the private sector, the remaining 20% were public sector organisations.
- In terms of size, a quarter of respondents represented organisations with more than 500 employees, with a further 29% employing 250-499 employees and 39% employing 100-249 employees. In other words, 93% were large enterprises (as per Malawi government definitions[3]); 18% of respondent companies were medium, with 21-100 employees, and the remaining 14% were small. (Given that the majority of the respondents to the micro and small enterprise survey were at the bottom end of this classification, the overlap in size among companies from the two surveys is insignificant.)

Sample of mid-large companies by size



3 *Micro, small and medium enterprises (MSME) Policy Strategy for the Republic of Malawi*, 2012, Ministry of Trade and Industry, Malawi

- **Women made up the minority of the workforce in most companies, but were more likely to have a permanent contract.** The survey distinguished between employees with casual or seasonal contracts and permanently contracted staff. In over 85% of companies surveyed, fewer than 20% of the casual and seasonal workers were women. Although women tended to account for a larger proportion of permanently contracted staff, they were still in the minority overall. In over half of the companies (57%) surveyed, women represented 40% or less of the company's total permanent labour force. In a quarter of the companies, the gender split was reasonably balanced between 40-60%, and in 18% of the companies, women accounted for over 60% of the permanent/contracted workforce.
- **Women were even less represented in positions further up the organisational hierarchy, representing less than 20% of employees in these categories in the majority of companies surveyed.** Over 85% of respondent companies had fewer than one in five women in owner/director positions. In three quarters (75%) of the companies surveyed, fewer than one in five senior management positions were occupied by women. 71% of the companies indicated that fewer than one in five women were employed in junior management roles. Similarly, in almost 79% of respondent companies, fewer than one in five women held supervisory roles.

Survey of micro and very small enterprises

158 valid responses to the survey of micro and very small enterprises were received:

- 53% of responses were from women and 47% were from men.
- **A greater proportion of the businesses surveyed were owned by men.** 37% of the respondents indicated that they were also the owner of the company, so we followed up with a question to identify the sex of the owner of the company for the remaining 99 respondents. 57% of respondents indicated that the business owner was a man, 27% that the business was owned jointly by a man and a woman. Only 16% of the respondents were working in a business owned exclusively by a woman. This is, however, slightly more than the 11.4% of firms with majority ownership by women that was highlighted by the Global Gender Gap Report[4].
- **Retail and service sector predominated among the companies surveyed.** 46% of the micro and very small enterprises surveyed were from the retail sector, with a further 37% operating in the services sector. The agricultural sector accounted for just under one in ten of the respondents, with the remainder being manufacturing businesses.
- **The vast majority of the companies surveyed were micro enterprises.** Although the size of the companies ranged from the self-employed to companies with 50 employees, the mean was 10 employees and the median six employees.

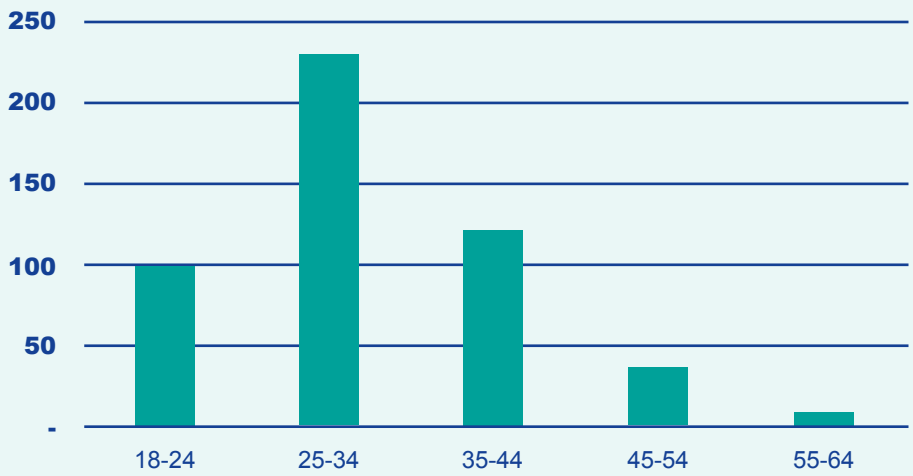
4 *Global Gender Gap Report 2022*, World Economic Forum

Survey of employees

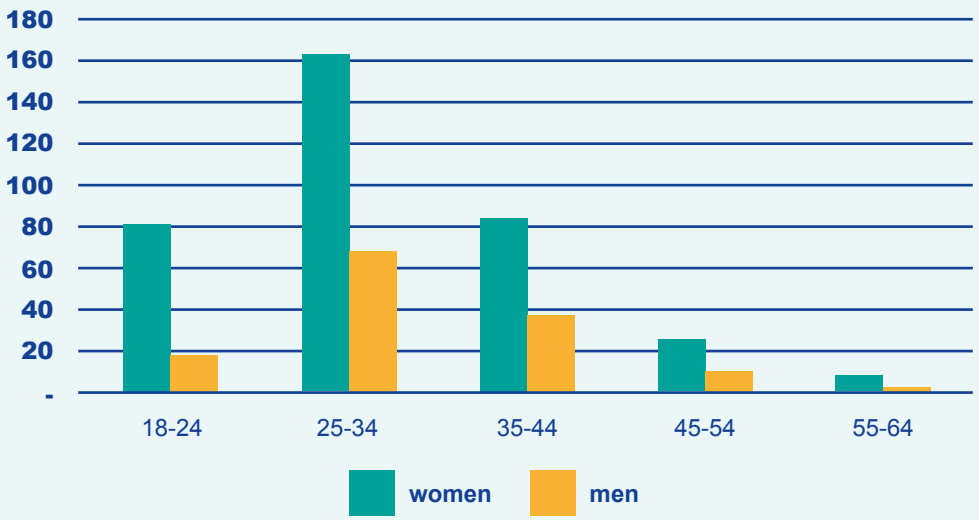
The total sample of employees for this survey was 496:

- 73% of the sample were women and 27% were men. It was a deliberate choice to include more women in the sample, due to the nature of the issue under investigation.
- The urban/rural split was approximately two-thirds to one-third (65%/35%), with women making up a comparatively larger proportion of the urban respondents (68%) and a smaller proportion of the respondents (59%) from rural areas.
- Although the majority of respondents were employed in the formal sector (71%), the sample included a significant minority (29%) employed in the informal sector. The proportion of men and women employed in the formal and informal sectors was very similar.
- The majority of respondents were employed in the retail and service sectors, with the proportion of women in both of these sectors slightly higher.
- A further 5% of women were employed in the agricultural sector. A higher proportion of men worked in agriculture (8%).
- The remaining respondents were employed in manufacturing, with a higher proportion of men (4.4% versus 2.5% of female respondents).
- Nine out of ten respondents were employed by the private sector, while the remaining 10% of respondents worked in the public sector. A higher proportion of women respondents (11%, versus 6% for male respondents) worked in the public sector.

Sample of employees survey by age category

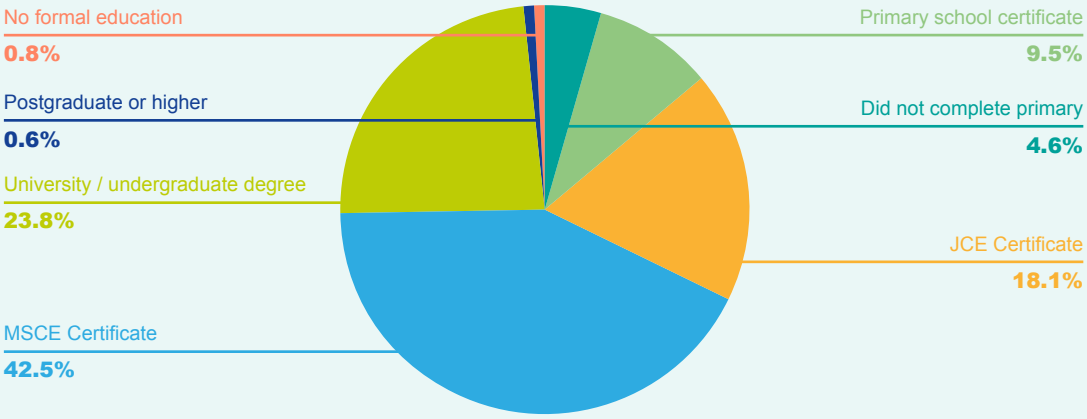


Sample of employees survey by age and sex



- **The age range of the entire sample displays a typical bell curve, slightly skewed towards the left.** Overall, there was a wide range of ages represented, between 18 and 64 with the largest proportion of respondents falling into the 25-34 age bracket (46%) and the 35-44 age group (25%). There were some slight differences between the sexes. A higher proportion of the women respondents were in the youngest age category of 18-24 years (22.4% versus 13.3% of male respondents). In contrast, a lower proportion of the women respondents were aged between 25 and 44 (68.1% versus 78.5% of their male counterparts).

Sample of employees survey by education level



- **The education levels of respondents also follow a typical bell curve, although women respondents appeared to be slightly better educated.** The largest group of respondents (43%) were in possession of an MSCE Certificate, with a further 24% having gained a university or undergraduate degree. 18% of the sample had a JCE certificate and a further 10% had completed primary school. At the two extremes of the spectrum, only 0.6% had gained a postgraduate or higher qualification, and just over 5% either had no formal education or did not complete primary school. Women respondents appeared to be slightly better educated and a higher proportion of women respondents had a university degree or above (26% of women vs 22% of men).

FINDINGS: GENDER EQUALITY

Flexible work

Flexible working arrangements offered by the mid-to-large size companies surveyed were slightly better for women employees. Almost two-thirds of the companies we surveyed (64%) offered their employees the possibility to work from home. This may be a consequence of the post-pandemic era. It is also important to remember in this context that the majority of the companies surveyed were from the services sector. Just over one-third (36%) offered part-time work to both men and women, with one additional company offering part time work to women only. Just under one-third of respondents (32%) offered flexible working flexi-time to men and women, with a further two companies offering flexible working to women employees only.

Flexible working arrangements were less common in micro enterprises than in larger companies. Flexible working arrangements among these respondents were less prevalent than was the case for mid-to-large size companies. Only 15% permitted working from home, although more than one-third (37%) offered part-time work or flexible working.

Childcare facilities

Childcare arrangements offered by the mid-to-large sized companies surveyed were slightly better for women employees. Just over one in five companies (21%) offered all of their employees either childcare facilities or subsidies for childcare, with a further 18% offering this to women employees only. The vast majority of this group of companies offered all employees some form of paid or partially paid time off to care for children and family members, and over two-thirds also allowed all employees to take extra unpaid time to fulfil care duties. When asked about the type of policies already in place within their companies, 93% of respondents indicated that they had a policy on parental leave (although it is important to highlight that we did not distinguish between maternity and paternity leave, so the details of these policies cannot be explored).

Childcare facilities are much less common for the micro and smaller companies. Although childcare facilities or subsidies for childcare was only offered by around 18% of the respondents, more offered ad-hoc time off to care for children or family members, with just over half (53%) offering paid or partially paid time off and 35% offering it on an unpaid basis. Women were slightly more likely to be offered these options than their male counterparts.

Equal pay

Fewer than one in ten respondents from all companies surveyed considered paying women less for equal work an issue. Earning lower wages or getting less support from a supervisor was highlighted by 7% of respondents from the mid-to-larger sized companies. In the case of the micro and very small enterprises, 9.5% of respondents indicated that paying women lower wages than their male counterparts was prevalent, while 7% indicated women were less likely to receive support from their supervisors.

In contrast, a much larger proportion (39%) of respondents from the survey of employees felt that they had been discriminated against by being paid lower wages, though this was not specifically related to gender discrimination. This seems to point to a more general concern about the level of wages rather than gender discrimination. The proportion of male respondents complaining about their wages was much higher (54%) than that of women (33%). In the case of supervisory support, the results of the survey of individuals were closer to that of the company surveys, with 13.5% of respondents claiming lack of support. Again, the proportion of men highlighting less supervisory support as an issue was higher (20%) than was the case for women (11%).

More broadly, the Malawi National Review on the Beijing +25 (published to mark the 25th anniversary of the Beijing Declaration and Platform for Action in 1994) confirmed the presence of a gender gap in wages across all economic sectors, though the issue was considered particularly problematic in the agricultural sector[5].

Equal access to opportunities

Generally, gender-based discriminatory practices were not common in the companies surveyed, with results broadly similar independent of company size. Most prevalent among the mid-to-larger companies was the assignment of less demanding tasks based on gender (identified as very or somewhat common by a quarter of respondents). This was less common for the micro and very small enterprises (14%). An even lower proportion of respondents from the individual survey perceived this to be an issue (8.5%), although the proportion of men (13%) mentioning this issue was greater than the proportion of women (7%).

5 *Republic of Malawi National Review on the Beijing +25*, 2019, Ministry of Gender, Children, Disabilities and Social Welfare

A minority of respondents from the micro and very small enterprises were aware of instances of discrimination against women in their organisation. Although a minority, 16%, of respondents felt that significant factors made it difficult for them to support women's employment or advancement in their company or industry. 15% of respondents from the micro and very small enterprises and 14% from the mid-larger companies observed that women were less likely to be hired or promoted in their organisation because of their gender.

Employees are more likely to note discrimination in promoting rather than hiring, though this tendency is more prevalent among men. Compared with the organisational responses, a smaller proportion of the respondents in the individual survey felt that they had been discriminated against by not being hired (7%), although a larger proportion of men (12%) than women (5.5%) indicated that this was the case. The proportion of respondents perceiving discrimination through not being promoted was similar to the proportion of respondents from the companies reporting this at 15.5%, although here too the proportion of men (24%) was significantly higher than the proportion of women (12.5%) highlighting this issue. Additional instances of discrimination reported included not being invited to join leadership boards or groups despite being qualified for the position, reported by 4.5% of the respondents to the individual survey, with no difference between men and women in this case.

Over half of respondents to the individual survey had not experienced any type of discrimination. Overall, it is important to note that over half of respondents (53.5%) indicated that they had not been subject to any type of discrimination. That said, the proportion of women indicating that they had not been subject to discrimination (58%) was significantly higher than that of male respondents to the survey (40%). Companies generally perceived there to be fewer problems with discrimination or inhibiting access to opportunities when compared to the responses from the employed individuals.

Facilities and provisions

Around 5% of respondents from companies highlighted discrimination due to pregnancy, with no significant difference depending on company size, and figures coincide with reports from employees. Least common of all among respondents from the mid-to-larger companies was the prevalence discrimination due to pregnancy, highlighted by only 4% of respondents. The proportion was only slightly higher amongst the respondents of the micro and very small enterprises at 5%. These figures are very similar to the proportion of women respondents to the individual survey (4.5%). 6% of respondents to the individual survey indicated that they had experienced discrimination due to childcare responsibilities. Unsurprisingly, the proportion of women reporting this was higher (7.5%), but a small proportion of men had also experienced this (2%).

A minority of mid-to-larger sized companies were not prepared for the employment of women or disabled workers. Just under three-quarters of the companies (71%) had the necessary physical infrastructure and facilities to permit the employment of women, and a similar proportion had policies and support in place for disabled staff members.

Gender differences by sector and type of work

The gender split among employees varies by sector and by type of work. This was highlighted by several of the companies. One company with some 1,700 workers operating in the food sector indicated that although women are employed in the offices, very few women are employed in the factories, with the exception of those that carry out light duties. Women are more likely to be employed to grade eggs and in sales, for example. The company pays attention to what is happening on the farms that supply it; although it struggles to get an equal balance of male and female workers. It has established small local committees to deal with any gender issues, including harassment, with the objective of trying to solve issues locally. At head office, women have been brought into the human resources department in order to make it easier for women employees who want to speak to someone of the same sex. In the administration department, the gender split is currently almost 50:50. There is also a reasonable representation of women at middle manager level, but at the highest management level men still predominate.

Universities extend efforts to secure a gender balance among both staff and students, but results are patchy across subjects and job levels. As far as staff are concerned, as public bodies, Malawian universities are subject to the required quotas as laid down in the Gender Equality Act (no more than 60% of either sex as a proportion of total staff). Furthermore, the articles governing the constitution of the University of Business and Applied Science proscribe the ratio of no more than 60% of either sex for participation in all committees, including both staff and students. There is often a problem in bringing in enough women professors in certain subjects, such as engineering and applied science. There are clear criteria laid down for the recruitment of academic staff at different levels, making it difficult to find enough suitably qualified women candidates in certain disciplines. Nonetheless, the university practices positive action where it can. There are also some difficulties in getting enough women into leadership positions. That said, there are some examples of women in top administrative positions in Malawian universities.

FINDINGS: GENDER POLICIES

Prevalence of gender policies in companies

Larger companies are more likely to have gender policies and to track some indicators than smaller companies. In most cases, the companies engaged with during the key informant interviews had a combination of gender strategies, gender policies and mainstreamed elements of gender in their different human resources policies. Awareness-raising and training were generally practised, and in some cases written guidelines were provided and the employee was required to formally acknowledge awareness. Key performance indicators were usually limited to tracking quantitative targets for the gender balance among employees, sometimes further broken down by level of hierarchy or department or type of job. Depending on the activity of the organisation, these metrics were extended to students, suppliers and beneficiaries. This focus is reflected in the types of actions that are undertaken by organisations to address the balance, create opportunities for women, etc.

Company approaches vary from implementing formal gender strategies to mainstreaming gender across all policies. Not all companies with a high-level commitment to gender equity had a formal gender strategy in place. In one company, the issue of gender had been generally directly included in the different policies and processes within the human resources function, and built into any other areas where it was thought to be relevant. Recently, the board had asked for a dedicated gender strategy, following which the managing director began working on it with the human resources department. Another company already had a gender strategy in place, built on the four core values of Diversity, Inclusion, Equity and Belonging. Interestingly, this company had also focused on articulating what it calls the Employee Value Proposition (EVP), in other words, answering the question "what are the benefits to the employee?"

Policies for gender equality and targeting sexual harassment and gender-based violence were quite common in the mid-to-larger sized companies surveyed. Over four in five company respondents (86%) had a gender policy or an equal opportunities policy as well as a fair remuneration policy in place. Slightly fewer (79%) had anti-retaliation or whistle-blowing policies to protect employees. Policies specifically targeting sexual harassment and gender-based violence had been developed in just over four in five of the companies (82%). Most widespread was the number of companies (89%) that had guidelines on how to report and seek redress for harassment or gender-based violence. In our questions about the different policies and practices, respondents were offered the option to indicate that they were planning to introduce them, but there were very few responses in this category. Generally, respondents from the mid-to-larger sized companies tended to indicate that they either had the policies/actions in question or they did not. This suggests that, on the current trajectory, we can expect limited change to occur in the short term.

A minority of the micro and very small enterprises have formal written policies or written guidelines related to gender issues in place, with a significant additional group having informal policies. Most prevalent are organisational gender strategies and equal opportunities policies: just under two thirds have either formal written (25%) or informal policies (41%). Just under three in five respondents have fair remuneration policies, though again fewer (22%) have formal policies compared to those that have informal ones (37%). One in five have formal policies around flexible work covering issues such as working hours and locations (21%), with a further third having informal policies (32%).

Only half of micro and very small enterprises have formal or informal policies or guidelines for issues related to gender-based issues. Generally, less than one in five have formal written policies related to anti-sexual harassment and anti-gender-based violence projects, clear guidelines on how to report and seek redress for victims, or policies to protect employees against retaliation for whistleblowing. Around a further third of companies have informal policies for all of these issues. The remaining half currently have neither.

These results are not dissimilar to the findings of the Malawi Country Gender Profile, where interviews with private sector companies revealed that four out five of the companies interviewed "had no specific gender policy, had no gender focal points, were not aware of the government national gender policy and had no specific gender programmes"[6].

Supplier diversity policies were relatively uncommon in the mid-to-larger companies surveyed. The policy which was least well developed was a supplier diversity policy, as only one in five companies (21%) had this in place. Such a policy would normally encourage sourcing from companies owned by disadvantaged or minority groups, generally including women-owned enterprises. From our key informant interviews, it was also highlighted that some companies are trying to pivot to suppliers that have gender-responsive policies in place and may refuse to source from companies where gender-based harassment and violence has been demonstrated.

Individuals are less likely to report the existence of formal or informal policies, suggesting that they may not always be aware of policies when they are in place. We also asked individuals whether their organisation had clear policies related to gender equality, discrimination, harassment and abuse. Less than one-third (31%) of respondents indicated that their organisation had such polices, while over half (56%) said their organisation did not have them. It is interesting to note that the proportion of women who did not know (15%) was higher than that of male respondents (10.5%).

6 *Malawi Country Gender Profile*, 2020, African Development Bank

Awareness of the national legislative and policy framework

In contrast to the micro and very small enterprises, almost three in five respondents in the mid-larger companies were aware of national strategic initiatives or policy reforms. 57% of respondents indicated that they were aware of at least some.

Less than a quarter of respondents from micro and smaller enterprises were aware of national policies or initiatives. It was important for the study to establish the extent to which companies were aware of national strategic initiatives or policy reforms supporting women's economic participation or seeking to eliminate gender-based discrimination and harassment. Fewer than a quarter of respondents (23%) had any awareness of the national legislative and policy framework.

Activities to foster gender equality and reduce discrimination and harassment

Three in five of the mid-to-larger sized companies are raising awareness of gender issues and/or providing women with training and mentoring. Almost four in five companies (79%) indicated that they had a training policy in place to ensure equal treatment of men and women, and a similar proportion. Drilling down, we found that three in five (61%) implemented specific activities to raise awareness of gender inequality, discrimination and harassment, while just over half (54%) disseminated leaflets or guidelines on these same issues. 57% of the companies had specific initiatives to support women in place, including mentoring programmes, leadership training and the like. An overwhelming majority of the companies surveyed carried out exit interviews (93%) and sometimes these can reveal whether someone has decided to leave a role because of discrimination, harassment or violence.

Micro and very small enterprises implement significantly fewer activities related to gender issues compared with their larger counterparts. In order to make the distinction between policies and activities, we probed further. 30% of respondents had implemented activities to raise awareness of gender inequality, discrimination and harassment, with a further 17% planning to do so. Just over half of the companies (53%) were not engaging in this type of activity. Only one in ten of the respondents had implemented any kind of dissemination of leaflets or guidelines on issues of gender inequality, discrimination and harassment, with a slightly lower number planning to engage in these activities. Almost 80% appear to have no intention of implementing dissemination activities. 9% of respondents highlighted that they were engaging in activities such as mentoring or leadership training for women, with a similar number planning to do so; but again, the majority showed no intention of carrying out such activities. Finally, only just over 5% of respondents were carrying out exit interviews, with a similar number planning to do so in the future. This last figure is in complete contrast to mid-to-large sized enterprises.

The perception of respondents to the individual survey differed in terms of activities to address gender issues organised by their company. Only 22% responded in the affirmative to the question "Does your organisation provide awareness raising or training related to gender equality, discrimination, harassment and abuse?"

FINDINGS: GENDER AUDITS

Gender audits are useful for companies to assess the current state of gender equity within their organisations, identify where they are performing well and where there are challenges. From this, they can develop more gender-responsive policies and processes.

Around a third of the mid-to-larger sized companies have undertaken some kind of gender audit. Only 7% of respondents had undertaken an independent gender audit, but a further quarter of respondent companies had implemented an internal gender audit. One of the companies had undertaken both an internal and an external audit. The remaining two-thirds of the companies have not implemented any type of audit. This is an interesting finding given the fact that many of these larger companies surveyed do have gender-focused policies and actions in place.

14% of micro and very small companies have carried out some kind of gender audit in the past. Just over 70% of the companies in this size category surveyed indicated that they had never undertaken a gender audit. There appears to be some confusion or lack of awareness about this issue among respondents, since 15% of the company respondents indicated that they did not know whether the company had carried out some kind of gender audit. Only 2% of the micro and very small companies had carried out an independent gender audit, with a further 12% having implemented an internal one.

FINDINGS: PREVALENCE OF HARASSMENT AND VIOLENCE

A minority of respondents from the mid-to-larger sized companies indicated that instances of harassment were "somewhat" common. Given the discrepancy between the prevalence of harassment and violence in companies and the instances where such events are reported, we phrased the question in such a way as to get the views of key staff rather than seek to obtain statistics from companies. The majority of respondents did not think that harassment was a common occurrence. Unwanted physical contact was mentioned as being common by the highest number of respondents (29%), followed by gestures and/or unwanted invitations of a sexual nature (21%), and spoken or written remarks of a sexual nature, including messages, calls and social media (18%), to be an issue. Sexual assault and sexual coercion (defined as enhancing career prospects in return for sexual favours or an adverse impact on one's career if requests for sexual favours were refused) were highlighted as somewhat prevalent by 14% of the respondents, significantly more than was the case for the micro and very small enterprises. 11% highlighted that physical or online stalking was "somewhat common". None of the companies identified offensive images in the workplace, such as calendars, desktop screens and posters. (Note that the numbers do not add up to 100% as multiple responses were permitted.)

5% or fewer respondents in the micro and very small enterprises survey feel that instances of gender-based harassment were common in their organisation. Overall, very few respondents felt that harassment was common in their organisation. 5% felt that spoken or written remarks of a sexual nature, including messages, calls or social media, were common. Just under 4% felt that unwanted physical contact, online or physical stalking and sexual coercion (defined as the offer of enhanced career prospects in return for sexual favours or adverse career impact for refusing requests for sexual favours) were common in their organisation. 3% responded in the affirmative as far as gestures and/or unwanted invitations of a sexual nature and offensive images such as calendars, desktop screens and posters in the workplace were concerned. 2% of respondents felt that sexual assault was common.

The employees survey highlighted a significantly higher proportion of respondents who had witnessed or experienced sexual harassment or abuse when compared with the company responses. For women employees, the most prevalent forms of this were lustful staring (witnessed, experienced or both by 33.5% of respondents), followed by verbal remarks of a sexual nature (33%) and psychological or emotional abuse (32%). 28% of respondents indicated they were exposed to inappropriate or offensive comments. Slightly less than a quarter of respondents (23.5%) reported messages of a sexual nature, and just under 20% unwanted physical contact. Although less prevalent, a significant minority of women witnessed and/or experienced sexual coercion (16%), persistent and unwanted sexual invitations (16%) and sexual gestures or exposure (15.5%). 7.5% were exposed to stalking, 8.5% to physical abuse and 5.5% to sexual assault.

40% of the instances of harassment were perpetrated by a superior at work. We asked the 116 women who had personally experienced any of the types of harassment or assault mentioned in the survey who had been the aggressor. Within the organisation, over a third (36%) had been harassed by a co-worker or colleague, 21.5% by a supervisor or manager, and 21.5% by a director, company owner or member of the board. Over a quarter (26.5%) had been harassed by someone outside the organisation, and 16.5% by someone they did not know. (The percentages in this case do not add up to 100% as in some cases respondents had been subject to harassment or assault by more than one person.)

Reporting and consequences

Only 21% experiencing discrimination reported the case to the human resources department, with a further 8% reporting the incident outside the company. We asked 150 women respondents to the employees survey what action they had taken in response to discrimination. By far the most common response among women who had been discriminated against was that the individual in question had taken no action (38.5%). 31% told a co-worker or colleague, and a smaller proportion (14%) told a friend or family member. Only one in five (20.5%) reported the issue to the human resources department or management. 12.5% confronted the person involved directly. 8% reported the issue outside the organisation, and 7.5% simply left their job. (The percentages in this question do not add up to 100% as in some cases respondents responded by taking several different actions.)

Only 17% of women experiencing harassment reported the issue to the human resources department, with a further 13% reporting the incident outside the company. The same question was asked of 83 women respondents to the employees survey who had been harassed. In this case, a larger proportion had told a co-worker or colleague (40%), while 18% had told a friend or family member. Compared with those that had experienced discrimination, a slightly lower proportion opted to take no action (33.5%). Compared with discrimination, a lower percentage of respondents reported incidents of harassment to the human resources department or management (17%). 17% confronted the person directly. A higher proportion of women reported the incident outside the company (13%), and 7% left their job. (The percentages in this question do not add up to 100% as multiple responses were permitted.)

At least 40% of women experiencing discrimination or harassment took no action or left their job. The reasons for this vary. The three most important reasons were that the individual did not know what to do (30.5%), that the harasser, as a boss or supervisor, was in a position of power in the organisation (30.5%), and that the individual was concerned about the potential negative impact on her career (30%). A quarter of respondents did not want to cause trouble (25.5%). Just over one in ten respondents were concerned that they would not be believed (11.5%) or that they would be blamed (11.5%). A slightly lower proportion did not think that the human resources department or management would take any action. A small proportion (7%) were worried that the harasser might retaliate. (The percentages in this question do not add up to 100% as multiple responses were permitted.)

Only a quarter of complaints were investigated while over 20% of incidents reported were not acted upon. Just under half the respondents reporting an issue were not satisfied with the outcome. We asked those 31 respondents who had reported discrimination, sexual harassment or abuse to a member of management what happened next. The majority confirmed that their complaint was acknowledged (58%), and just over a quarter (26%) that the complaint was investigated. It is worrying to note that in the case of more than one in five women who reported an incident (22.5%), nothing happened as a result. In some cases, the guilty party was disciplined (16%) and/or re-located or reassigned to another position (3%), in other cases the respondent was relocated or reassigned (3%). None of the respondents suffered any kind of disciplinary action as a result of bringing the issue to management. It is telling to note that although just over half of the women who had reported an issue were happy with the outcome (55%). This still leaves a significant proportion of women who were not satisfied.

Over two-thirds of individual respondents are aware of where to report incidents outside of the workplace. Recalling that the proportion of women who had reported discrimination or abuse outside the organisation (8% and 13.5% respectively), we asked respondents to the individual survey whether they were aware of places outside their organisation where they could report issues. Over two-thirds of women responded in the affirmative (70%). Overwhelmingly, respondents named the police, followed by local labour offices and police victim support units. Other organisations cited by a minority included human rights organisations, Ministries of Labour and Gender, and the Malawi Congress of Trade Unions. Five respondents highlighted the possibility of making an anonymous tip-off.

Company responses to discrimination and harassment

The majority of respondents from the mid-to-larger companies feel that their organisation was doing a good job in dealing with gender related issues overall. 79% of respondents "strongly agreed" that their organisation made efforts to ensure that employees felt safe in the workplace, indicating that they had confidence in the policies and processes related to dealing with inappropriate gender-related behaviour at work. A slightly lower percentage (64%) strongly agreed that the company overall was doing a good job in both preventing and dealing with inappropriate gender-related behaviour, with an additional 25% generally agreeing with this statement.

There was less agreement on the degree to which leadership of the mid-to-larger companies was actively dealing with inappropriate gender-related behaviours. Three-quarters of respondents strongly agreed that there were clear policies at work about inappropriate gender-related behaviours and that they knew what action to take if they experienced or witnessed such behaviour, with a further 11% somewhat agreeing with the statement. 57% of respondents strongly agreed that gender inclusion, equity and prevention of harassment were on the top management agenda, with a further 32% somewhat agreeing with the statement. Over two-thirds of respondents strongly agreed that there was a zero-tolerance policy for sexual harassment and that it was effectively enforced, although a lower percentage (46%) strongly agreed that managers or leaders who were disrespectful, hostile or abusive faced adverse consequences (again, a further 25% somewhat agreed with this statement). Set against this, only 18% agreed that managers tolerate or ignore inappropriate sexual behaviour. Only around one in five of the respondents had witnessed reduced productivity or stress due to inappropriate behaviours in the workplace and only four percent were aware of cases of promotion or other opportunities offered in return for sexual interactions.

Despite the perceived lack of clear policies related to gender-based harassment, generally, respondents from the micro and very small enterprises felt their organisations were doing a good job of managing gender-related harassment in the workplace. 89% felt that efforts were being made to ensure that employees felt safe in the workplace. 74% felt that gender inclusion, equity and the prevention of harassment were important to the organisation. And 72% were of the opinion that, overall, the organisation was doing a good job of preventing and dealing with inappropriate gender-related behaviour. Just under three in five (59%) indicated that managers or leaders in their organisation who

were disrespectful, hostile or abusive would face adverse consequences. This contrasts with the fact that 70% of respondents did not feel that there were clear policies in the workplace about inappropriate gender-related behaviours, and they thought that staff did not necessarily know what action to take if they experienced or witnessed such behaviour. A minority (10%) were aware of cases where promotion or other opportunities had been offered in return for sexual interactions.

Despite some innovative actions to combat sexual harassment, there is still a significant lack of clarity about how to recognise and deal with these issues in many companies. A number of the organisations from the focus group discussions and key informant interviews have created policies and processes to deal with sexual harassment. There is evidence of efforts to raise awareness of the existence of these policies and processes and to promote a culture of zero tolerance, to reassure staff that incidents will be addressed without potential reprisals for the victim. We also saw an example of creating innovative mechanisms to preserve the anonymity of victims. In some cases, the introduction of policies and measures has led to a slight increase in reported incidents, but the number of reports is so small that it does not represent what is going on under the surface. This is corroborated by the fact that the Malawi Congress of Trade Unions and the Human Rights Commission of Malawi are registering reports which are bypassing company procedures. There is also a lack of clarity among some of the organisations in terms of the definition of sexual harassment, and how to deal with it in practice. This is an area in which companies appear to require a significant amount of support.

FINDINGS: THE IMPACT OF GENDER INEQUALITY

Gender inequality has a negative economic impact on companies and countries, while sexual harassment has a negative psychological impact on those who both experience and witness it. In addition to the direct impact of sexual harassment in the workplace on victims, a recent study in Italy showed that witnessing sexual harassment also resulted in negative psychological and emotional effects[7]. Gender inequality has a negative impact on economic growth in a county as it deprives the economy of a part of the female workforce[8]. In a study of the economic cost of sexual harassment to business in Australia, Deloitte built a model to estimate of costs over a period of two years (2018 and 2019). Its findings indicated that, based on the average weekly wage, each instance of sexual harassment in the workplace represented an estimated four days of lost output. The same report highlighted that the majority of lost productivity comes at a cost to employers (70%), while the government loses out on revenue (23% of the cost). Loss of income to individuals was estimated to account for 7%[9]. While it is not easy to estimate the impact of sexual harassment, and the examples cited are not specific to the Malawian context, they do highlight the fact that there is a cost, and that it is in the interests of policymakers and company management alike to generate evidence that fosters an understanding of both the monetary and non-monetary effects and to take action to reduce the impact.

The most significant organisational impacts identified by the mid-to-larger companies surveyed were cost increases and higher levels of staff turnover. In terms of consequences of discrimination and harassment on the organisation, these were identified by fewer than one in five of respondents. Most common was an increase in operating or production costs (18%), with even fewer respondents pointing to loss of productivity or profit reduction (14% in each case). Consequences on staff turnover were highlighted more frequently (18%) than absenteeism (11%). 14% of respondents also noted the negative impact on work climate.

In the micro and very small enterprises surveyed, gender-based discrimination and harassment were seen to affect work climate, absenteeism and staff turnover as well as having an effect on the bottom line. 15% of respondents had witnessed stress due to inappropriate behaviours in their place of work. Digging a little deeper into the type of consequences, we found that the most prevalent was the negative impact on the work climate (9%), followed by three related factors that were mentioned by just over 6% of respondents each: reductions in profits, increases in costs and loss of productivity. 5% of respondents noticed that discrimination and harassment had led to higher levels of staff turnover, and 3% to higher levels of absenteeism.

It is possible that companies underestimate the impact of gender inequalities and inappropriate behaviour in the workplace. From the individual survey we note that 21% of respondents agreed that their productivity at work had been negatively affected as a result of inappropriate behaviour

7 Maran, Varetto & Civilotti (2022) Sexual harassment in the workplace: consequences and perceived self-efficacy in women and men witnesses and non-witnesses. Behavioural Sciences Vol. 12

8 Bertay, Dordevic & Sever (2020) Gender inequality and economic growth: evidence from industry level data. IMF working paper (WP/20/199)

9 Deloitte (2019) *The economic costs of sexual harassment in the workplace – Final Report*

in the workplace, while 23% considered that their mental health had been negatively affected by the inappropriate behaviours in the workplace.

Maintaining sex-disaggregated data

In order to be able to measure the impact of gender inequalities, discrimination, harassment and abuse in the workplace, it is critical that companies are able to capture and update sex-disaggregated data.

Keeping sex-disaggregated data is lagging behind policies in many companies surveyed. Two-thirds of the companies surveyed (64%) maintained sex-disaggregated records of recruitment statistics (candidates, interviews, appointments) and staff turnover rates. Just over half (54%) recorded sex-disaggregated data relating to absenteeism from the workplace. Only two in five (39%) maintained records of the percentage of women who return after pregnancy. Surprisingly, despite the prevalence of equal pay policies in companies, only one in five (21%) formally recorded sex-disaggregated information about roles and associated pay. A similar proportion recorded sex-disaggregated data regarding incidents of reported discrimination or harassment and their resolution.

Although, overall, less sex-disaggregated data is tracked in micro and small enterprises than in larger companies, a minority of micro and small enterprises have plans to start. Key sex-disaggregated data currently maintained by this group of companies included absenteeism rates (42%), pay information by type of role (31%) and staff turnover rates and length of employment (29%). Fewer companies tracked the proportion of women returning after pregnancy (22%), or sex-disaggregated recruitment statistics related to candidates, interviews and appointments (17%). Depending on the indicator in question, between 5% and 7% of respondents indicated that they were planning to start monitoring one or more of these indicators. Although only 13% of respondents said their companies were currently tracking incidents of reported discrimination or harassment, and their resolution, one in ten respondents indicated that they had plans to introduce mechanisms to track reporting of any instances.

Employee perceptions of the workplace: the impact on work culture

Independent of the policies and practices reported by companies, it is important to understand the impact of the workplace on employees who come to work every day, since this contributes to the work culture. This section reports the responses of women employees in the workplace.

A significant minority of all employees (17.5%) indicated that they felt unsafe at work due to inappropriate sexual conduct by some individuals at work. A slightly larger proportion of women (19.5%) felt this was the case.

Leaders need to "walk the talk". Although only 17% of respondents agreed that managers or leaders tolerate or ignore inappropriate sexual behaviour, a much larger proportion (45%) felt that managers or leaders who were disrespectful, hostile or abusive did not face adverse consequences in their organisation. Furthermore, a significant majority (20%) had witnessed the provision of promotion or other opportunities allocated in return for sexual interaction.

The majority of individuals surveyed agreed that they know what to do in case of inappropriate gender-related behaviours. Although only just under a third of respondents (32.5%) to the individual survey agreed that there were clear policies at work about inappropriate gender-related behaviours guiding what action to take if they were to experience or witness such behaviour, the proportion of respondents (61%) agreeing that they knew who they can approach at work (supervisor, manager or human resources professional) in case of discrimination, harassment or abuse and were confident the matter will be dealt with fairly and sensitively was much higher.

Only a minority really have confidence in the workplace ability to deal with gender issues. In terms of the response to raising issues, 37.5% of respondents agreed that they had confidence in the policies and processes related to dealing with inappropriate gender-related behaviours in their respective companies, and overall, 43.5% agreed that the company was doing a good job in both preventing and dealing with inappropriate gender-related behaviour.

FINDINGS: EXAMPLES OF GOOD PRACTICE

Based on the qualitative research components of the primary research, it was possible to identify some examples of good practices among the organisations consulted, which are brought together in this final section. They cover companies representing a range of sizes and sectors. They are divided into two key areas of concern: actions to facilitate greater equality in the workplace and to create more opportunities for women; and actions to address the elimination of harassment and violence in the workplace.

Fostering equality and opportunities for women

The following examples drawn from a range of companies highlight two important points. First, they illustrate the importance of changing the culture in organisations in order to ensure the right conditions for change. Second, there is a focus on family-friendly rather than women-friendly policies when responding to the need for employees to deal with family and caring responsibilities.

Set clear gender targets. Targets focus the mind and give the organisation something to work towards. In one company, the senior leadership attempted to introduce policies which promote gender equality in departments and ensure a gender balance in the organisation's hierarchy. In 2020 this organisation set a target of reaching 33% of women in employment and they are currently getting close to that split, although there are still proportionately more men in the higher positions. The head of human resources is leading a drive to improve the ratios as part of the company's stated objectives. Another company has progressed from no women executives in 2018, to a proportion of 20% in 2022. A smaller retail-focused company with 80 employees has developed specific targets for the gender split. The company has set itself a target of a 50:50 split between women and men (though the figure was set as global and not broken down further by type of job or position). Currently, the proportion of women stands at 33.75%.

Find creative ways to achieve those targets. For one company, achieving targets involves bringing in younger people into the company and enabling women to move to different positions and be promoted. Another company has focused on employing women in the retail division as they find them to be better salespeople. A third company realised that women were not employed in certain jobs as they were considered insufficiently physically strong. Since then, consistent efforts have been made to introduce a gradual change in how this company does business, leading to a transition to more skilled labour, greater inclusion and a transformed approach to casual labour. For instance, in agriculture, the introduction of drip irrigation not only gives a better yield, but has opened to women what used to be very physically demanding work. The same company plans to introduce mechanical harvesting in 2023-24, which they also expect to result in an increase in women in this area of work. They also highlighted that there are many skilled jobs in the factory for which women can be trained.

Embed gender policies and targets into organisational consciousness. One company highlighted the combination of a standalone gender strategy and the consistent consideration of gender-specific issues in all policies developed by the organisation. This two-pronged approach can be effective. In this particular case, policies were in place for diversity, equity and inclusion, covering recruitment, the identification of gender balance targets related to different levels of the hierarchy, safeguarding policies for harassment, and a sexual harassment policy. In order to ensure that these policies are really embedded in the organisation, the company conducts both awareness raising and training. During onboarding, new employees are exposed to a code of conduct and the company values, and they are asked to sign and submit a document to confirm that they are not only aware of the values and code of conduct but also committed to upholding them. Additional training and refresher sessions are held with staff on a regular basis to keep awareness levels high.

Encourage a mindset shift. One company highlighted that there is a clear understanding that there is a need to drive a cultural shift in the organisation to achieve its goals. There is a working policy committee which oversees staff training and also works on creating a good environment where women feel comfortable and at ease. In another company men are involved as allies in the process of setting and achieving targets to achieve a better gender balance. Since decisions about promotions and recruitment are generally handled by the line managers, with the support of the human resources department, the emphasis is on influencing the company's 400 managers (the majority of whom are currently men). This is done by continually building and reinforcing awareness, repeating key messages, gaining traction and publishing success stories of women who have joined the company, improved their qualifications, gained experience and been promoted.

Create family-friendly policies to address caring responsibilities. Offering greater flexibility can help to encourage women to continue to work. In one company, women have the flexibility to opt for lighter duties during pregnancy and to have greater flexibility at work, especially when they are breastfeeding. For women working in agriculture, they are able to take their babies with them when working in the field (which is not always an ideal solution, but is an alternative to women not being able to work at all). In some cases, provisions have been made for women who have to travel for their work to be accompanied by their child and someone to help take care of the child while they are travelling. In one company, all employees obtain an allowance to permit them to hire a domestic worker. Another organisation goes beyond the governmental requirements when they can. In particular, they have implemented paternity leave.

Use mentoring to help women build networks. One company has a developed programme for women in leadership. The idea behind the programme is to have women role models and to enable women to mentor other women both within and outside the company. As part of this, they are going into schools to highlight women leaders in different disciplines (currently mainly human resources, finance and marketing).

Aim for a systematic approach to gender equality. One large energy company draws its international mandate from the UN Sustainable Development Goals 5 and 7 as well as CEDAW recommendations regarding access to electricity supply. Nationally, it draws on the government's gender policies and the Gender Equality Act. However, the company also highlights that gender equality makes good business sense all round. Following a Social and Gender Assessment carried out in 2014, which identified gender gaps, ranging from general gender blindness to specific gender gaps in human resources policies, procurement processes and customer care services, the company incorporated polices to reduce the gender imbalance within its strategic plan, created a Department of Social and Gender Inclusion, developed a policy for Social and Gender Inclusion and Anti-Sexual Harassment, and implemented a Social and Gender Capacity Building plan, thereby tackling the issue in a systemic fashion. Despite important successes, some persistent challenges are identified: the tendency to push social and gender inclusion aside in favour of other issues deemed to be priority, as well as persistent social and gender blindness due to inherent cultural stereotypes and associated beliefs. This experience provides interesting insights for other companies wishing to follow suit.

- Awaiting response from Yolanda

Eliminating harassment and violence in the workplace

Ensure staff and suppliers recognise harassment and violence in the workplace and know how to respond. In one company, significant efforts have been dedicated to "unpacking" the concept of harassment and setting up systems to prevent this and deal with it effectively when it happens. In this instance, the company also ensures that its network of suppliers adhere to guidelines related to sexual harassment. As a significant customer to many of these suppliers, the company has some weight. As a result of this policy, the company has been approached by men (including those working in supplier communities) who are concerned about how they should deal with harassment. This gives the company an opportunity to provide advice and support its suppliers. One company attempted to segregate its workforce, but abandoned this response as it found that it simply masked the problem and could even have exacerbated it.

Develop policies and processes that will ensure anonymity. Companies are often very careful about protecting the identity of anyone bringing a complaint. This is particularly the case in those companies which have had a culture of silence in the past, which may have prevented victims from reporting sexual harassment and rape. This reinforces the point that the organisation must be very careful about how it reports and deal with cases, as this sets the tone for any future occurrences. One organisation developed a system that enabled reporting to be done anonymously, either using a toll-free number (third party call) or via an online platform. The company also provides feedback on progress of cases to victims using the same mechanism. Since this platform was implemented, it has recorded higher numbers of cases, which suggests that people are beginning to trust the system and are confident they will not face a potential backlash for reporting workplace abuse.

Keep improving and try to learn from other parts of the organisation. One company applied significant creativity to dealing with harassment. The company had previously successfully implemented an anti-fraud policy and had been learning what works from this experience. Following the introduction of the policy and process, the reporting of fraud had increased. Those reporting were able to do so anonymously and care was taken to understand what was putting people off reporting. The organisation hopes that the transfer of this understanding and knowledge will lead to equally good results for the harassment of women in the workplace.

IN SUMMARY

- **Larger companies are more likely to have policies for gender equality and to be targeting sexual harassment and gender-based violence, with company approaches varying from implementing formal gender strategies to mainstreaming gender across all general policies.**
- **Capturing sex-disaggregated data is lagging behind policies in many companies surveyed.**
- **While companies profess to engage in a number of awareness-raising and capacity-building activities around gender issues, the survey of employees highlighted that the latter are not always aware of the existence of polices.**
- **A comparison of the responses of company representatives and employees also suggests that companies are likely to underestimate the problem of gender-based discrimination and harassment in the organisation, although under-reporting of incidents is likely to be an important contributory factor.**
- **Of those that are reported, only a small proportion end up resolved in a satisfactory manner.**
- **A further mismatch of opinion between companies and employees is that while the majority of company respondents felt they were doing a good job in dealing with gender issues, while only a minority of respondents to the employee survey indicated that they really had confidence in their company's ability to deal with gender issues.**
- **Gender inequality has a negative economic impact on companies, communities and countries, while sexual harassment has a negative psychological impact on those who both experience and witness it.**
- **The most significant organisational impacts identified by the mid-to-larger companies surveyed were cost increases and higher levels of staff turnover. The micro and very small enterprises surveyed found gender-based discrimination and harassment to impact work climate, absenteeism, staff turnover and profitability. Employees perceive an impact on work culture.**
- **It is possible that companies underestimate the impact of gender inequalities and inappropriate behaviour in the workplace, as only limited systematic analyses of the consequences have been carried out.**

CONCLUSIONS AND RECOMMENDATIONS

CONCLUSIONS

For a country to achieve gender equality and eliminate gender-based harassment and abuse in the workplace requires the development and enforcement of an effective legal, regulatory and institutional framework. In parallel, it requires companies to design and implement gender-responsive policies and create a company culture in which men and women are treated with equity and respect. Furthermore, employees at all levels in the organisation, men and women, need to be aware of both their obligations and rights in this respect, and act in consequence.

The first set of conclusions focuses on the business environment and is addressed to policymakers and their stakeholders. The second set of conclusions examines on how businesses in Malawi can respond.

A brief review of women's participation in the labour force at country level has shown that it is much lower than that of men, particularly at director/senior manager level in the public and private sector, with the proportion of women-led or owned enterprises also significantly lower.

The corollary is that unemployment among women is higher. Women are also more likely to be self-employed, in precarious employment, and working in the informal sector. They are responsible for the majority of unpaid care work and domestic responsibilities. They earn less than their male counterparts.

An estimated 37.5% of women in Malawi are subject to gender-based violence in their lifetime. Some sectors have been identified as more problematic than others. The agricultural sector has been shown to be one in which women are particularly vulnerable. As the recent high-profile cases of gender-based harassment and abuse in tea companies in Malawi show, there is still work to be done. Companies in traditionally male-dominated sectors, such as construction, have been found to lack basic facilities for women employees which can give rise to harassment.

Meanwhile, women are in danger of potentially losing out in the new, emerging sectors of the future if they are not able to take advantage of education and training opportunities that will allow them to develop the necessary knowledge and skill sets. As pointed out earlier, women in Malawi don't go into secondary education as much as men. Additionally, cultural norms and lack of role models mean that they are less likely to study STEM (science, technology, engineering and mathematics) subjects.

But the examples of discrimination, harassment and gender-based violence that reach the news are only the tip of the iceberg. Our research highlighted that companies appear to underestimate gender-based discrimination, harassment and abuse in the workplace. To an extent, this can be attributed to the fact that many instances of gender-based harassment and abuse go unreported, or are reported outside the organisation. It is also important to highlight that, while a step in the right direction, putting in place gender-responsive policies and processes is insufficient, as these need to be accompanied by a concerted effort to enforce and to track the impact of these policies and process. Tracking requires the collection of comprehensive, gender-disaggregated data, something that has received relatively limited attention so far.

There is also a need to create the conditions that will enable an organisation to identify cases of discrimination or harassment in order to be able to address them. This means making sure that individuals feel comfortable and confident enough to bring issues to the attention of management or human resources departments. In the short term, an increase in reporting of discrimination, harassment and abuse within an organisation may be a positive sign that more victims feel secure enough to come forward. Creating these conditions needs to be matched by appropriate action and follow-through. As the surveys have shown, the attrition that takes place from initial incident, through reporting by an employee and consequent action by the organisation, to the achievement of a fair outcome that the victim is satisfied with is very high. It is therefore important to map this process and identify all the key points where the process is cut short and not carried through to resolution.

There are a number of workplaces in Malawi that have implemented strong policies and practices and achieved positive results. These are excellent examples of good practice that other companies can learn from. However, typically these practices are to be found in larger companies, and therefore may not be considered suitable role models for the micro, small and medium enterprises that have fewer resources and which are less likely to have human resource departments or gender expertise at their disposal. In addition to providing smaller companies with concise information and simple tools to address gender equality, it is also important to seek out and raise the profile of micro and small companies that are successfully addressing the issue, so these can serve as examples for others to emulate.

One important theme that pervaded all aspects of this gender audit was the limited sex-disaggregated data collected. At the national level, Malawi is working on improving the data available. It is important that these efforts include a sound framework of the data points needed to enable evidence-based insights to guide future policy around improving

gender equality and eliminating gender-based harassment and abuse. However, the national database is only as good as the data that is being fed into it. It is therefore critical that all stakeholders involved in work around gender equity become sensitised to the need to collect data and are supported to develop the capacity to identify and track appropriate sex-disaggregated indicators. The survey showed that the data currently tracked by companies, even the larger ones, is limited. Failure to have accurate information contributes to a lack of real understanding of the situation and can lead to complacency. In addition, lack of information also means that companies are unable to calculate the cost of discrimination and harassment to the organisation. Without a baseline, they are also unable to assess the impact of any policies and practices that are introduced.

While much has been achieved in relation to gender equality and the elimination of violence against women in the workplace, significant efforts are still needed to redress persistent shortcomings and imbalances. The Malawi Country Gender Profile[10] echoes our findings in terms of the limited degree of economic empowerment of women, the continued high levels of gender-based violence as well as the limitations of seeking redress. The production of this gender audit is therefore timely, and has the potential to stimulate concerted and cohesive action by all stakeholders.

RECOMMENDATIONS FOR IMPROVING THE BUSINESS ENVIRONMENT AND NATIONAL ECOSYSTEM

Accompany legal and regulatory changes with commitment, capacity and resources

Malawi has a sound legal and regulatory basis for establishing and maintaining gender equality and for eliminating gender-based discrimination, harassment and violence. Nonetheless, additional efforts are needed to ensure Malawi ratifies some outstanding international conventions and updates the Gender Equality Act. Implementation and enforcement lag behind the creation of the legal and regulatory framework, often due to lack of resources. A further potential barrier highlighted by the research is the persistent general lack of awareness of rights among the population. Gender-responsive planning and budgeting is very limited, as a result of which insufficient resources are allocated to implementation and commitments are not being achieved. There is also a need for greater capacity-building to improve gender mainstreaming and implementation of initiatives. Furthermore, monitoring and tracking of actions and results is limited[11].

Key recommendations in order to achieve more effective implementation and enforcement of the legal and regulatory provisions are:

- Update the Gender Equality Act in line with international conventions and good practices elsewhere. Bring any related national legislation in line with the provisions of the updated act. Ensure that the burden of compliance is not disproportionate, particularly for micro and small enterprises.
- Continue the current actions for ratifying the *Violence and Harassment Convention (C190-2019)* and plan for the ratification of *the Equal Remuneration Convention (C100:1951)* and *the Discrimination (Employment and Occupation) Convention (C111:1958)*, and bring any related national legislation in line with the provisions of the ratified conventions.
- Ensure that provisions are made for enforcement and that the mandates for doing so are accompanied by appropriate funds. It is better to have a plan that covers a longer time scale, and move slower in terms of deadlines for conformity in order to ensure that what is put in place can be realistically implemented by organisations as well as monitored and enforced effectively. This will begin to send signals about the determination and consistency of the government in this respect.
- Create a roadmap and plan for the allocation of appropriate budget for implementation, awareness raising, capacity building, enforcing, monitoring and periodic evaluation and review.

Review the currently ending policy cycle and create a future-proof action plan

Malawi combines a cross-cutting gender dimension in key policies with gender-specific policies and programmes where necessary to tackle specific issues. Donor-funded programmes have complemented and supported national policies. Given that the period covered by most of the gender-specific national strategies and programmes has recently ended, there is a need to evaluate the impact of past policies and programmes and develop new ones to take Malawi into the future.

10 *Malawi Country Gender Profile*, 2020, African Development Bank
11 *Republic of Malawi National Review on the Beijing +25*, 2019, Ministry of Gender, Children, Disabilities and Social Welfare

The Malawian ecosystem for gender-related issues includes a wide range of public and private sector actors, international organisations and non-governmental organisations, who not only express a commitment to gender equality and equity, but also engage with one another and collaborate where feasible. However, there is generally a lack of continuity and limited coordination, particularly in terms of developing a common vision about how to address discrimination, harassment and violence in the workplace. Malawi lacks consistent, concerted action based on agreed priorities and backed by the necessary resources.

Despite attempts to spread awareness and foster the implementation of good practices in individual companies, the private sector is still relatively unaware of the legal and policy frameworks in Malawi focused on increasing gender equality and reducing gender-based discrimination, harassment and violence.

Key recommendations in order to achieve more effective development and implementation of cohesive policies that will result in action are:

- Supplement the existing knowledge and the findings of this gender audit with more specific findings related to the specific policies and programmes that have ended.
- Take the opportunity afforded by the need to develop a new agenda and set of policies for the coming years to establish a working group or task force with the right set of members to be able to guide stakeholders towards an overall vision and a set of clear, cohesive, mutually reinforcing policies that also support the planned regulatory changes.
- Begin with a smaller group of committed actors, making sure that key stakeholders that have relevant power or authority form part of the group.
- Build collaboration and coordination into the functioning of the group, incorporating links to other coordinating mechanisms and existing networks.
- Develop a realistic policy roadmap that is guided by priorities established and endorsed by stakeholders.
- Combine “low-hanging fruit” or policies that will bring swift and demonstrated impact with actions that will have longer term impact.
- Develop a clear plan for evaluating impact. This can be simple and focus on one or two key indicators. In parallel, provisions for more effective and reliable data collection must be implemented.
- Ensure that actions to mobilise the necessary resources are included in the road map as without this, results are likely to be minimal.

Address socio-cultural issues that shape education and career choices of girls and women

Companies still tend to highlight continued difficulties in recruiting women for positions that require a background in STEM (science, technology, engineering and mathematics) disciplines. Even more fundamental is the need to address the persistent imbalance in higher and further education. It is vital to complement the creation of specific opportunities for women and girls with actions to address gender stereotypes and foster cultural change, as culture drives decisions and behaviour.

Malawi, largely considered to be a patriarchal society, cultural norms have led to some deeply entrenched inequalities, which in turn have influenced the current patterns of women’s employment as well as a range of inequalities and presence of harassment[12].

The Beijing +25 report[13] highlighted that much still needs to be done to address the power relations between men and women which have been unequal in the past, the culture of silence around sexual harassment and violence against women, and the unequal sharing of family responsibilities. All of these factors impact the experience of women at work, whether directly or indirectly, consciously or subconsciously.

Key recommendations in order to influence norms and bring about behavioural change are:

- Engage with men and women to challenge some of the stereotypes and norms in society around gender roles, power dynamics and girls in education.
- Engage with men and women to redefine existing norms to achieve a more equitable participation of women in the workplace, by ensuring that change begins in the family and educational environment.
- Work with primary and secondary educational establishments to highlight the choices available to girls and to foster greater participation in non-traditional subjects.
- Bring role models from different walks of life to encourage women and girls to consider wider choices for education and career
- Collaborate with existing organisations in Malawi to encourage tackling gender equality in a systemic way, by achieving greater synergies and impact

12 *Gender Equality, Social Inclusion and Resilience in Malawi*, 2021, BRACC
13 *Republic of Malawi National Review on the Beijing +25*, 2019, Ministry of Gender, Children, Disabilities and Social Welfare

RECOMMENDATIONS FOR IMPROVING GENDER RESPONSIVENESS IN THE WORKPLACE

Recommendations for business centre on the implementation of the right policies and practices in order to ensure that gender equality becomes the norm and that gender-based violence is eliminated from the workplace.

Fostering greater equality in the workplace

A strong commitment to gender equality by leaders is key to success. Without real commitment from the top, no real change is likely to take place. Commitment must go beyond lip service and company leaders must be prepared to lead by example and put resources into improving the gender responsiveness or their organisations. ECAM is in a good position to influence both members and the wider business community through their association members. A key message to disseminate is that equality should be a priority because it makes business sense, because it improves productivity and because it is the right thing to do.

Top-level commitment must be accompanied by assigning responsibility and ensuring accountability throughout the organisations. The research highlighted that there was some uncertainty about how best to incorporate gender issues into the organisational structure, who should be given responsibility for the issue (or by extension, lead or champion the issue in the company). ECAM can draw upon good practices from some of the companies that are more gender responsive and use these to help companies still struggling with how to best institutionalise gender responsive practices in their organisation.

Organisations extending gender policies beyond organisational boundaries becomes a multiplier for change. A minority of companies were extending their gender policies beyond staff: for some, this meant extending policies to the beneficiaries of the organisation, or to supplier organisations, or to students in an academic context. To leverage this practice, it has been suggested elsewhere in this report that public procurement could be a good entry point for encouraging companies to have gender and diversity policies, since the public procurement office could introduce the allocation of extra points for specific practices that encourage equality in the tender process.

Eliminating harassment and gender-based violence

Accompany awareness and understanding with a zero-tolerance stance. A number of companies interviewed had a very clear, zero tolerance policy as far as sexual harassment was concerned. It is particularly important that such a zero-tolerance policy is enforced, since examples of action clearly communicate the resolve of the company. For example, one company in our research highlighted examples of the perpetrators being dismissed as a result of their actions. In another case, prosecution resulted in a significant prison sentence. These outcomes give other victims comfort that their claims will be taken seriously and will be pursued.

Understand how to recognise sexual harassment. There was some discussion in our research around what constitutes sexual harassment with companies, particularly since the current definition adopted in the Gender Equality Act only goes so far. It was noted that some individuals may be unaware that what they are doing constitutes harassment, and that women may be afraid to push back if they perceive something to be harassment. This gave rise to agreement that the right sort of awareness raising and training is critical to ensure that sexual harassment is recognised, reported and dealt with. It was also highlighted that sexual harassment occurs in related environments, such as domestic workers and local communities that are supplying the companies (for example, in agriculture/rural areas).

Foster an open culture in the organisation. Many companies recognise that there is a need to go further than announcing a zero-tolerance policy. Harassment needs to be talked about openly in order to raise the awareness of all staff and to influence the company culture. Even where a company has policies and procedures in place for reporting incidents of either discrimination, harassment or violence, it is unlikely that all women feel comfortable with raising them through these channels. They are worried about reprisals, fear losing their job or even prejudicing their career. During our interviews with the larger companies, there was a perception among company representatives that women in seasonal employment were particularly reluctant to come forward. Efforts need to be made to ensure that those who are affected by sexual harassment are comfortable speaking to someone about it early on, before things escalate. That way, immediate action can be taken and issues resolved before they go too far.

Support victims throughout the process. Harassment cases can take a long time to be heard. When a case does go to court, it can take years for the case to be heard. In one company with a project focused business model, the respondent noted that during this time people in the company may change and the organisation loses its institutional memory of the incident. This becomes even more difficult as the case often outlives the project. Our research showed that sometimes the victim loses heart and decides to abandon the case. There is a need to facilitate faster reaction and processing through the courts.

Improve data collection relating to allegations of discrimination and harassment. As can be expected, it is very difficult to get accurate data about the number of allegations of discrimination or sexual harassment and related trends over time. Although some high-profile cases have been in the news in Malawi, most of the cases are not brought out into the open so it is impossible to estimate the scale of the problem. Taking into consideration the results from the three surveys, together with the information gathered through the meetings and interviews in country, it is clear that the proportion of instances of discrimination, harassment and abuse that is actually reported through company channels significantly lags behind the number of occurrences. This underscores the critical need to maintain records in order to understand how patterns are changing and also the need to accept that, once policies have been introduced, if they are effective, the number of cases may increase in the short term.

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