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# Enhancing Fairtrade for Women Workers on Plantations: Insights from Kenyan Agriculture.

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## Abstract

The growth in the market for Fairtrade certified agricultural exports from Africa has been rapid, promising empowerment for workers and communities through the Fairtrade Premium. Increasingly the Joint Bodies that administer the premium and the kinds of projects funded have been the subject of mounting criticism. Drawing from two empirical studies on Kenyan flowers and tea that explored pathways to empowerment, it compares and contrasts the practices of two standards mechanisms operating on the farms: Joint body and the Gender Committee. This analysis draws out examples of good practice that could help to improve practice in Fairtrade in plantation agriculture, particularly the importance of appropriate training for members and non-members alike, organisational and spatial structures, the nature of representation and mechanisms for strengthening voice.

Key Words: Fairtrade, Joint Bodies, Gender, Agriculture, Empowerment, Women Workers and Kenya

## Introduction

An important part of fair trade is Fairtrade International's Hired Labour model. Fairtrade International (hereafter known by the acronym FLO) has two standards for

fair trade, one focused on small producers and, our concern here, one for 'conditions of hired labour' pertaining to plantations or large-scale commercial agriculture. There are 168,000 workers involved in fair trade, predominantly in Africa and Asia and Fairtrade is the dominant model for some crops such as flowers and is important in tea. In 2012, 100% of flowers and plants were under the hired labour model and workers account for 60% of the combined workers and small producers involved in Fairtrade tea (FLO 2012).

In Kenya, the Fairtrade standard has become increasingly important in the cut-flower sector. Whilst some Kenyan flower farms were certified to Fairtrade standards before 2005, more farms were certified when the UK's Fairtrade Foundation began to issue licences for retailers to sell Fairtrade certified roses. Fair trade flowers were first sold in the UK in March 2004 but Fairtrade certified flowers had been available in Switzerland through Max Havelaar since around 2000. By 2008, there were 20 FLO certified companies, 18 producers and two traders in Kenya, (FLO-Cert, 2008). Whilst Fairtrade was regarded as the benchmark standard for the sector by our interviewees, there are several standards in Kenyan floriculture, with growers certified according to membership of particular bodies (e.g. the Kenya Flower Council) or their target markets (e.g. German buyers may require the Flower Label Program or the Dutch auctions require MPS)(Riisgaard, 2009, 2011, Tallontire, et al., 2005).

In the tea sector, Fairtrade certification has been sought after by certain brands and, particularly in the UK, retailers. However, growers are starting to engage with Rainforest Alliance certification, which is becoming a more widespread requirement as a result of commitments by major buyers like Unilever (Ochieng, et al., 2013). Many tea companies also follow the Ethical Tea Partnership's code of labour practice.

Whilst standards proliferate throughout export agriculture, there is relatively limited understanding of the mechanisms by which impacts emerge (Nelson and Martin, 2012). It is clear moreover, that impact is profoundly affected by context (Center for Evaluation, 2012, Nelson and Pound, 2009). Standards may be enacted in different ways and in practice, they are embedded with local context which may affect their implementation practices, often leading to unintended outcomes (Fisher, et al., 2013, Loconto, 2010, Ouma, 2010).

Increasingly, concerns have been raised with respect to the impacts of the Fairtrade standard on workers (particularly women) (Nelson and Martin, 2012, Tallontire and Said-Allsopp, 2013). More specifically, questions have been raised about whether the Joint Body (JB) is adequate to deliver the Fairtrade International's core objective of Hired Labour standards, i.e. the empowerment of workers rather than minimum worker rights (FLO, 2010:12). In a hired labour context, Fairtrade may be no more empowering than labour codes of conduct which do 'little to challenge existing commercial practices or embedded social relations that underpin poor labour standards in global production systems,' (Barrientos and Smith, 2007:713) and may even 'weaken local workers' ability to bargain on their own behalf' (Seidman, 2008:991).

A JB is instituted on Fairtrade certified farms under the 'hired labour' standard for Fairtrade. Its role is to receive and use the Fairtrade Premium (the 'extra' part of the Fairtrade price designated for the development of producers), which accrues to producers through trade. We acknowledge that the Fairtrade Hired Labour model does not solely hinge on the JB as a mechanism for empowerment, some aspects of the Fairtrade Hired Labour standard are linked to empowering effects through enhanced job security and promoting freedom of association. However, the JB is the most tangible mechanism, particularly for workers, and an aspect on which FLO has dedicated considerable attention.

In this paper we consider how in practice the JB could become more empowering, especially for women workers. We draw on two related studies of Kenyan agriculture which sought to understand worker experiences of plantation employment and the operation of standards and through this compare the workers' experience of Fairtrade through the JB with Gender Committees (GCs) which were also established on the farms studied.

The Kenya Flower Council (KFC) began to promote the use of 'Gender Committees' on Kenyan flower farms in the wake of labour rights campaigns in 2002-3. Whilst GCs existed on some farms prior to 2002 (Dolan, et al., 2003), this practice became more widespread through the decade, especially as a result of the short-lived multi-stakeholder initiative, HEBI (Horticulture Ethical Business Initiative), which developed a code with relatively strong gender content (ETI, 2005). The KFC explicitly refers to the establishment of GCs in its Silver Standard (KFC, 2013). The chief executive officer of KFC says that they were 'borrowed from HEBI'. They were instituted, says the CEO to enable the voice of women to be heard in the auditing of the KFC code, because previously, she says, 'the women were shy to talk' (interview

20 May 2008). GCs play an important role in the audit process – facilitating interviews with female workers who represent the bulk of the workforce – but also providing a tool through which the gender-related recommendations from audits could be implemented and monitored. While the mechanism originated within floriculture, the tea company in our study, which also engages in floricultural production, has implemented the mechanism across their operations.

In this paper we compare these two committees and explore how they work and could be improved in order to deliver empowerment, particularly for women workers. The definition of empowerment used here was developed by examining women workers' experiences both at the workplace (Said-Allsopp, 2013) and is:

***“The process of empowerment is one whereby women gain an increasing awareness of their capabilities and rights and use them to challenge existing gender structures both within the workplace and at home. It is also one where women are able to have a greater level of self-reliance and independence that gives them the freedom to be able to act in their own best interest and have a greater level of control over their lives.”***

Through our analysis of the JB and the GC, we aim to draw out lessons that can help to improve the outcomes, including empowerment, for women workers in Fairtrade certified agriculture. In the next section we outline our methodological approach and the empirical data. We continue by comparing experiences of women workers with respect to the two committees before drawing out the lessons that JBs can learn from GCs.

## **Capturing Workers' Perspectives**

In this paper we draw on interviews and focus groups with workers, farm managers, standard setters and other industry spokespeople. We draw from the findings of a study (Study A) that analysed empowerment within two (related) companies that supplied horticultural and tea products to the UK (Said-Allsopp, 2013). For contextual purposes, we also drew on the findings of a second related study (Study B) that investigated a wider sample of 11 floriculture firms in Kenya who were also involved in the same Kenya-UK value chain in order to explore workers' understanding of social and environmental standards (Tallontire, et al., 2011). The operation of standards was part of the wider context of the first study, but the second

more explicitly examined how standards were being developed and applied in the value chain.

In Study A, women workers were interviewed in two phases. Phase I (2008) comprised 14 focus group discussions (FGDs) with 163 women workers in Nairobi (vegetables), Naivasha (flowers) and Kericho (flowers and tea), in which they were asked about the changes (at work and at home) that they had experienced during their employment, their aspiration for the future, and plans for achieving these. Phase II (2009) involved semi-structured interviews with 78 women workers which examined their experiences in more depth. The sample included general workers and supervisors as well as GC members.

In Study B there were 29 focus groups with both male and female workers on eleven flower farms. The sampling framework for farms was based on ensuring a range of experience with standards. The FGDs with workers were stratified by gender and production section (e.g. greenhouse or packhouse) and included some discussions with shop stewards.

The fieldwork from both studies highlighted that workers were more aware of Fairtrade than any other standard. Further, it was the one in which they felt most involved, largely because of the Fairtrade premiums and the JB. Nevertheless, knowledge of Fairtrade was limited to workers from only four firms, despite six of the firms in our collective sample being currently Fairtrade certified and another two expressing an interest in Fairtrade at the time of the fieldwork. The data on GCs relies on the in-depth research at the farms investigated in Study A.

Our approach to the comparative analysis of the two standards mechanisms is to examine how they operate on the ground, drawing on the perspectives of the actors using the standards mechanisms, rather than focusing on compliance with the requirements of the standards (Loconto, 2010, Ouma, 2010). We explore worker perspectives and identify practices related to the standards, particularly what may be considered 'best practice' with respect to empowerment outcomes. We are interested in how the standards are embedded with local context, including how different standards may become 'entangled' with each other and inform each other through practice (Aasprong, et al., 2013). Thus our analysis of the workers' testimonies was largely an inductive process, through which we identified three areas as being crucial for women's empowerment through standard mechanisms, which we discuss in the following section. These are: the gender composition of the committee; project selection and the processes surrounding this; and training and education. These

areas of concern are analysed in turn below with respect to each of the two standards mechanisms.

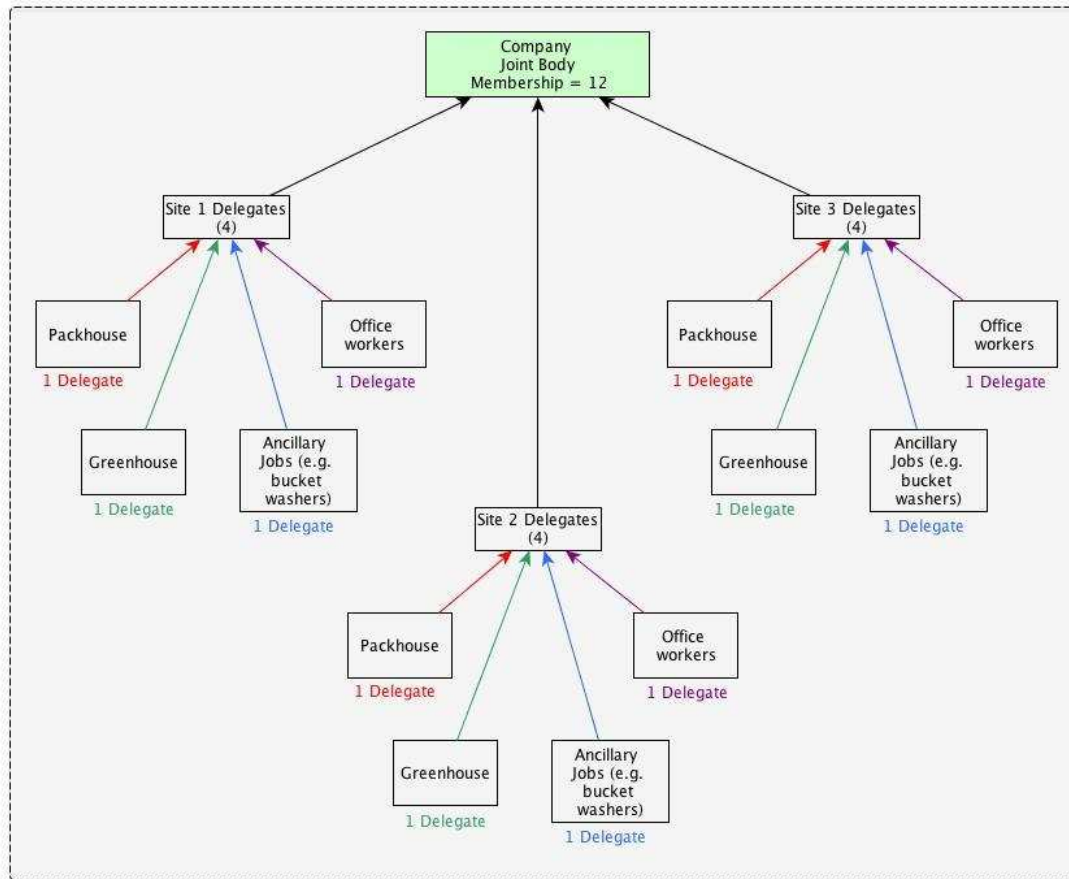
## **Comparison of practices in the Joint Body and Gender Committee**

We discuss the practices of the JB and the GC on the farms studied in this section. Of course, these are not the only organizational structures on the farms concerned with worker affairs. The farm management had also established welfare committees, the remit of which was to deal with worker disputes. In contrast to the GC, they were not seen as spaces where workers could exert their voice: “The Welfare Committees are on the side of the company. They get paid K.Shs 200 extra and the chair gets paid K.Shs 500 extra, so they don't want to lose this. When a problem goes to them, they decide in favour of the company not the worker” (GC member and Supervisor, August 2009, farm B).

In addition, many workers were represented by the Kenya Plantation and Agricultural Workers Union (KPAWU). Out of the 100,000 workers employed in the flower sector, an estimated 60% are members of KPAWU (KHRC, 2012). For one company the welfare committee was a substitute for negotiating terms and conditions through trade unions, although some workers were members of the local trade union (TU). Despite the relatively high union coverage, there has been widespread critique of compliance with labour laws (which was related to poor enforcement and governmental capacity) and weaknesses of the TU in practice (Dolan, et al., 2003, Kiai, 2003, Women Working Worldwide, 2008). NGOs have argued that the TUs are not doing their job in representing workers, especially female workers, and highlight a gulf between the high politics of the general secretary's office and under-resourced regional organisers (KHRC, 2012). This was the reason for the creation of Kenya Women Workers Organisation, (KEWWO). Workers' ability to organise has been limited by two main factors: employers' practices of discouraging TU membership and in some cases, dismissing known TU members (ETI, 2005) and the efficacy of the TUs themselves (KHRC, 2012).

In a context where mixed gender groups such as TUs and welfare committees continue to be dominated by men, from an empowerment perspective it is crucial that women have a neutral space over which they have ownership

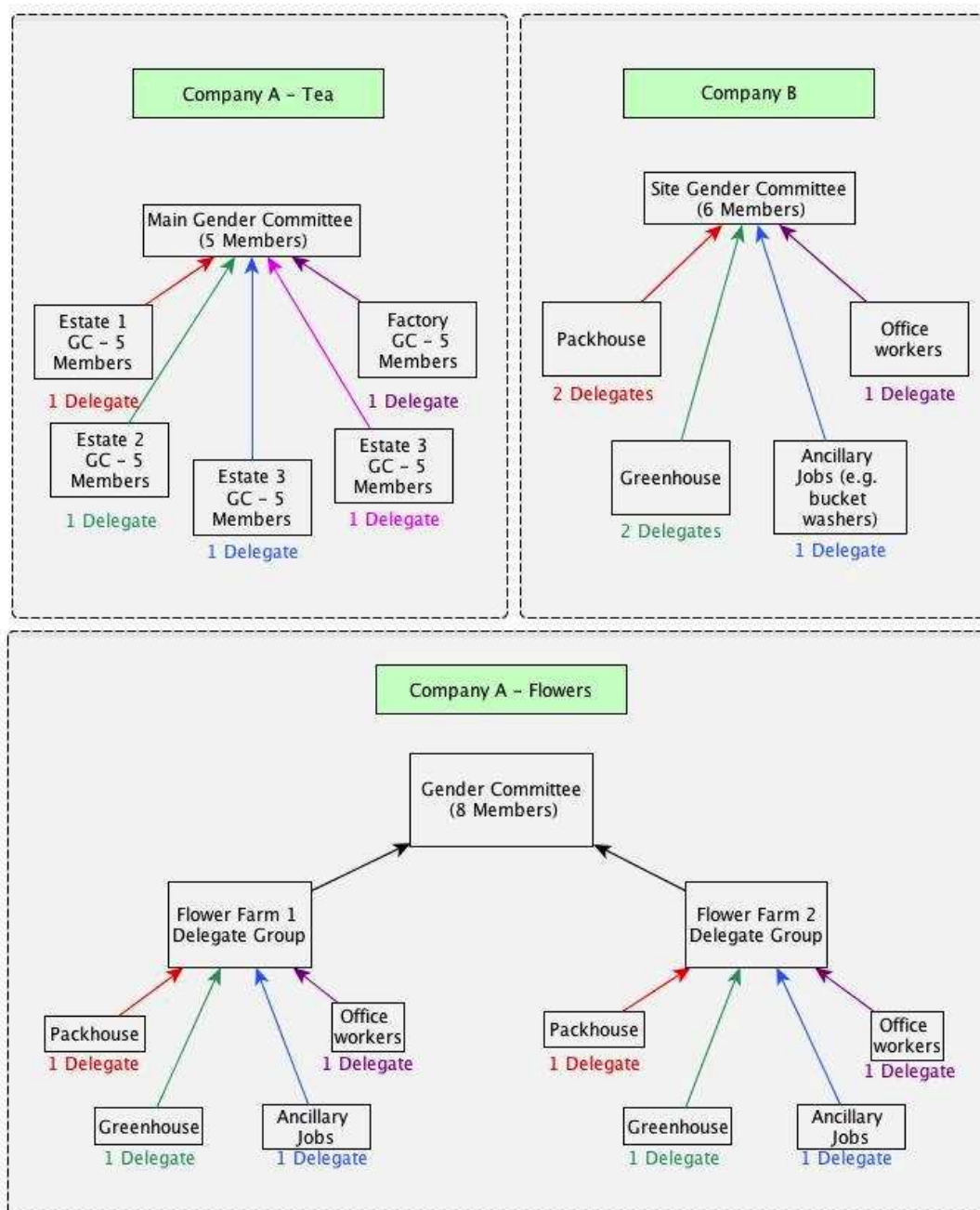
independent of men and the management. As shall be demonstrated below, the GCs provide such a space, and the JB's also have potential for worker voice to be heard but as we show, there are some challenges in practice, especially for women workers.



**Figure 1 - Structure of the Joint Bodies**

Figure 1 shows the structure of the JB's. Company B has three flower farms in Naivasha, Company A has two flower farms in Kericho, and one Fairtrade Certified tea plantation that contains one factory and three tea gardens. Each of these sites elects delegates to sit on the central JB who decides on projects for all the farms. While in the flower operations the workers are located within a relatively short distance, workers in tea are spread out over several hectares. During project selection, delegates are expected to be able to consult with all the workers to ask them for suggestions for the projects to take back to the JB. This process is hampered within tea due to the logistical challenges.





**Figure 2 - Structure of the Gender Committees**

The structure of each of the three sites' GCs (Company A flowers and tea and Company B flowers) are substantially different from each other. In Company B, each farm has its own GC (with three in Naivasha) comprised of women who are elected from all production areas. The site GCs do not meet the GCs from the company's other two flower sites. In Company A (flowers), each of the two farms elect members for the GC but there is only one committee that serves both farms. In Company A (tea), there are five separate GCs – one at each of the four tea gardens

and factory – but there is also one central GC that comprises one delegate from each of the site GCs.

## Gender Composition

The Fairtrade Hired Labour standards indicate that the Joint Body is comprised of elected workers, and must be legally independent from the company, but there must also be representatives of the company on it, in addition to democratically elected worker representatives. This democratic aspect is crucial to the second objective of the JB, its link to empowerment, through the capacity building impacts of decision-making and project planning. A training manual highlights: “Capacity building, one of the requirements repeatedly found in the Fairtrade standards, is all and above about empowerment.” (FLO, 2007b:10).

Fairtrade’s strong ethos of gender equality means that the rules regarding the Joint Body highlight the need for equal representation of men and women (FLO, 2007a). However, it has proved tricky to ensure sufficient female participation on the JBs, as women have been reluctant to stand for election due to cultural norms.

Workers cite a lack of information and education as the problem; managers on farms and several key informants concur. However, the solution remains elusive. One option farms have pursued is to try and ‘assist’ committees to become more gender balanced. JB election processes have evolved so that increasingly, workers are trained on the purpose of the JB, and in the words of a FLO official, how such representatives differ from TU officials. In some cases, seats on the committee may be reserved for women, but this is a very tricky balance to maintain: ‘If you leave it too laissez faire – you can end up with it all men. But you cannot impose it...If you impose it will come out that there were ‘not elections but selections’. If you let it go, during the inspection they [FLO] will say that there is not enough women,’ a consultant supporting producers told us (interview 9 September 2008). Women’s ability to perceive themselves as agents of change was limited; regardless of whether they propose ideas for projects that would benefit them during the consultation phase, the projects selected were not those they suggested, nor do they have any idea of how these decisions were reached.

At the time of the study, the GCs at Companies A and B were comprised exclusively of women. GCs have been arguably the most important tool in the fight against sexual harassment of women workers on farms in Study A, both as a vehicle for disseminating education and training, as well as through sensitization of workers.

GCs were introduced first in flower farms, but also operated in Company A's tea plantations. Farm managers at Company B explained that they established gender committees to be a voice for women workers and help them to fight against 'women's problems', particularly sexual harassment which at the time was both widespread and prolific.

The strength of the committee lay in the level of support they received from management as well as their clear mandate upon creation – to tackle sexual harassment. Interviews in both studies found no instances of sexual harassment. However, a recent study (KHRC 2012) found that some cases persist. As sexual harassment was a crucial issue for companies, considerable power was put into the hands of the committee and any worker found guilty was summarily dismissed. By the time the issue had been dealt with, the power of '*wamama gender*' (the Gender Mamas) had been cemented in the eyes of both male and female workers. Interestingly, no additional prestige was accorded to GC chairs over members in the eyes of other workers, all were *wamama gender*. "The gender committee has been given responsibility, they are very highly respected here" said one woman worker.

Women workers had confidence in the GC as a forum where women could defend the rights of fellow women workers without being under the control of men: 'The gender committee is important because if a male worker does something to a female worker like sexual harassment, he is reported to the gender committee and the male worker will be answerable for his actions' (FGD, Company A). By being a neutral space over which women have ownership independent of men and the management, the GCs were able to affect far reaching changes on a variety of issues that have evolved along with women's changing needs (e.g. developing from a body specifically tasked with dealing with sexual harassment issues, to organizing demonstrations at the community level and establishing rotating savings and credit organisations). While we would not argue for the JB to become an exclusively female domain, indeed in 2011 female GC members on some sites requested they be allowed to choose sympathetic males to join the committees in order to be able to better tackle *gender* issues, it is important for women's voices to be guaranteed within the JB so women do not continue to be the largely silent and marginalised members they were found to be.

## Project Selection

Despite the great potential that Fairtrade has for contributing to women's empowerment, women workers in Study A who spoke of Fairtrade, all talked of how they had *previously* had high hopes that the premium money would change their lives. Much of the discussion of Fairtrade in the focus group discussions centred on the investments made through the premium fund. The JB and the premium projects present opportunities for workers to build up their skills (e.g. short courses for workers to improve their skills – like tailoring, IT, driving, carpentry) and to develop social infrastructure (a housing project; community water; construction of schools; a bus for hire), as well as to deal with more immediate welfare needs. There were a number of examples where premium funds had funded childcare facilities, which would meet the practical gender needs of women. At Company A, female workers told us 'there is a Fairtrade project [a day-care centre] here where children are provided with food, pampers and clothes; all of which have been paid for by Fairtrade'.

However, the projects mentioned above were seen in only four of the thirteen farms investigated in the two studies. Stories abound in Naivasha about how premium money has been spent on galvanised tin roofing sheets, Fairtrade branded baseball caps and T-Shirts, TV sets and aerials, and other similarly individualistic projects that fail to meet many of the ideals set out in the standard (FLO, 2007a). The majority of workers in Study A were under the impression, at least initially, that the premium would be distributed to workers as a form of a bonus. The result of people not understanding the purpose of the premium manifested itself in the sorts of projects that were then proposed.

Women workers often viewed the projects as being more beneficial for men than women. The skewed gender balance for beneficiaries of these classes was corroborated by a consultant supporting producers who said that 'At [one flower farm] they asked for driving classes; there are 62 men and 4 women having lessons. This year we will talk to the women; some of them want to do hairdressing and tailoring, ' (interview 9 September 2008). When talking of these projects, one woman stated, "We women feel like we have been left behind". The gender bias in project selection can be linked to a lack of transparency in how the JB operates on these farms (see Figure 1) and secondly, the dominance of men within these committees that means that women, who are constrained by cultural norms, bow to the wishes of male committee members. It was often the case on Company A's flower farm that projects

of benefit to women were outvoted by the male majority. For example, a crèche using the premium funds was repeatedly vetoed by male committee members who felt that the project would benefit women not men. It was only when this project was rephrased as being a project for children and not their mothers, and using arguments surrounding child nutrition and care that the project was finally approved.

## Training and education

Training and education are crucial for empowerment as they help to build the capacities of women to act both in their own best interests and in those of their fellow women. Other than the purchasing of things (from T-shirts to crèches), the Fairtrade premium has also been used to fund various courses for workers at certified farms. These have included IT training, establishing a kitchen garden, nutrition and driving lessons. For these women courses were significant: “You know this job is not forever,” said one woman, “they can come to you one day and say you are fired. But if we have received these courses, like hairdressing, I know that I can sit down and braid someone’s hair and that will give me the 20 shillings I need to buy milk for my child”. However, only a few workers at a time are able to benefit from them, and as pointed out above, this is often men.

Training funded by the premium is not just limited to courses, but also member training on the purpose of the premium as well as numeracy and literacy explicitly geared towards improving their ability to carry out their roles. However, at the time of this study, many members had not yet received this training, with one stating: “Maybe once we go for this training, is when we will be able to come back to the farm with new ideas and teach the others that projects do not just have to be sleeping materials.”

While training provided through the premium only benefitted the trainees themselves, the GCs act as a peer education tool, with management using committee members to disseminate training and information to the workforce at large. At meetings, GC members are taught by the company or by NGOs about a wide variety of issues including problem solving, conflict resolution, starting a business, budgeting, and health. After the meetings, they talk to their co-workers and teach them what they have learned, thereby sharing knowledge with each other. While no time has been set aside for GC members to act as peer educators, they carry out these duties alongside their paid ones.

Given low levels of educational attainment, training plays a crucial role in fostering empowerment. Training can help workers gain greater levels of self-confidence and knowledge about their rights and health issues, as well as practical skills, all of which are crucial in facilitating empowerment. At the workplace, “*Gender wame neutralize wanaume* [the gender committee has neutralized the men]” said one worker. “It helps defeat traditions and cultures. We too have the right to work here. The women have been taught, we have that freedom”.

The peer educator model used by the GCs whereby the benefits of training trickle down to non-members could also be applied within the context of JB. As the information dissemination within the GCs occurs on a very informal, laissez-faire basis, the greater the proximity of women to each other and the lower the ratio of GC members to workers (e.g. the flower farms versus the tea gardens in Figure 2), the faster the transfusion of ideas between workers and the easier the job becomes. This was especially evident within the tea plantations where one woman could represent hundreds of employees who worked over a large area, rarely in close proximity with each other. There, knowledge of the responsibilities and roles of the GC was low, penetration of the training was limited, and a handful of interviewees did not even know about the GC, showing the importance of adequate representation.

Training provided to GC members also contributes to empowerment by exposing them to new ideas and possibilities with respect to action that they can then use to improve both their own lives and those of their fellow workers. In contrast, the responsibilities of the JB members did not include passing their training on to the non-members and as a result, the JBs were seen as being more closed by non-members.

The training given to the GC members, specifically targeted at issues that women face both in the workplace at home, has contributed significantly to women’s power. Workplace training can raise awareness about issues (such as HIV/Aids or sexual harassment) which impact worker health and wellbeing, while ‘gender’ targeted education can provide women tools to overcome barriers caused by societal norms (e.g. training on how to start a business or be a good leader that are provided to GC members). As a result, the GC has managed to affect broad changes in gendered dynamics between male and female workers.

## Conclusion

The analysis above has unpacked key issues faced when trying to empower women through standards mechanisms and also highlights some ways in which the JB can learn from the empowering processes identified in the GC. Our analysis suggests it is important for Fairtrade practices to become more embedded in the broader worker community, so that the benefits of Fairtrade can be enhanced, and to limit the potential for these benefits being undermined (e.g. in the cases of project selection presented above).

An irony of our study is that a mechanism developed to assist auditing has demonstrated greater empowerment pathways than a standards mechanism that is explicitly designed to empower workers, especially if gender is considered. Given the embedded gender inequalities in Kenyan society, it is important that Fairtrade recognizes this and develops means to counteract it in standards mechanisms such as the JB. There is potential for standards mechanisms to inform each other, a form of positive 'entanglement' (Aasprong et al., 2013) between standards that draws on local best practice.

FLO has recognized that Fairtrade standards mechanisms for Hired Labour need to interact more positively with social protection measures, including labour legislation, within the supplier countries. Greater dialogue with trade unions to avoid undermining collective bargaining is highlighted as part of the new strategy for the hired labour, agreed early 2012, as well as more flexibility in the use of the premium to reflect local conditions, e.g. to support living wages (FLO, 2012:26). However our analysis suggests that there is a need for Fairtrade to acknowledge the local context, including gender relations, and learn from good practice at the local level.

Firstly, there is a need to enhance representation of women. The limited voice accorded to women workers in the JB hampers its efficacy in providing projects that are equally beneficial for men and women. Given the patriarchal nature of Kenyan society, it is important to acknowledge the gender dynamics within the JB and take measures to build capacities of women workers so that they too can participate fully in the JB. Training should be given to all workers once elected to help challenge the prevailing negative view of women in leadership positions. Secondly, there is a need to ensure that training covers a wider range of topics and is more gender-aware and widespread. The training offered to JB members and general workers through short courses only benefits a small proportion of the workforce. More diverse training should be given to JB members that better equips them to deal with issues both

inside and out of the workplace Further, measures should be put in place to equip JB members to act as peer educators and disseminate their learning more widely so that the benefits do not accrue only to the few, though there may be challenges here given the limited literacy of some workers.

The third key area for action is wider dissemination of principles of Fairtrade and original intentions for premium. Whilst we note that FLO recognizes the need for greater flexibility in premium expenditure, and also that the lack of a living wage means that proposed projects often focus on immediate needs, nevertheless, there was considerable evidence that workers did not understand the purposes of Fairtrade. This contributed to workers proposing short-term, individualistic projects. While representatives of FLO say that they have provided training to workers, there is clearly a need to reevaluate the methods used in order to widen the impact of this training.

Membership of the JB could be a very empowering process for workers. Aside from the member training, JB's can contribute to enhanced women's power through increasing their ability to perceive themselves as agents of change, as well as by increasing members' self-confidence and making them strong role models for their fellow workers. The training and experience accrued by GC members (e.g. providing advice and counseling mediation between injured parties) are useful both in the workplace and in their households and communities, where they are better able to deal with and resolve conflicts. Through these processes, membership of groups such as the GC and JB can be seen to contribute to women's empowerment.

Our analysis shows that the practice of standards differs from the plans and expectations of standards developers and that it is important to recognize that 'the process of interpreting requirements and adapting them to local conditions is far from straightforward, and this may well have consequences in terms of time and resources invested' (Aasprong et al., 2013:94). The outcomes of standards are influenced by 'horizontal governance' processes, such as means of monitoring or promoting compliance as much as the designs of the standard setters (Tallontire et al., 2011).

The main implication of this analysis for standards bodies in terms of enhancing the empowering effects of standards mechanisms is that they need to ensure that all relevant workers are able to shape, benefit from and participate in the JB's, actively building up the capacity of workers to engage so that they can be part of a process of self-empowerment.



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