



An Analysis of Women Workers' Experiences of Rights Violations in Kenya's Tea Sector

STUDY REPORT-July 2024

Study Conducted by: Emmanuel Siakilo

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Abbreviations and Acronyms

CBA:	Collective Bargaining Agreement
CEDAW:	Convention on the Elimination of All Forms of Discrimination Against Women
CHV:	Community Health Volunteer
CSO:	Civil Society Organization
DOSHS:	Directorate of Occupational Safety and Health Services
FGD:	Focus Group Discussion
FKE:	Federation of Kenya Employers
GBV:	Gender-Based Violence
HR:	Human Resources
ILO:	International Labour Organization
ISO:	International Organization for Standardization
KTDA:	Kenya Tea Development Agency
KPAWU:	Kenya Plantation and Agricultural Workers Union
M&E:	Monitoring and Evaluation
NGO:	Non-Governmental Organization
OSHA:	Occupational Safety and Health Act
SEAH:	Sexual Exploitation, Abuse and Harassment
UN:	United Nations
UNGPs:	United Nations Guiding Principles on Business and Human Rights

Executive Summary

Background: Kenya's tea sector, the third largest globally after China and India, is a critical component of the country's economy. Producing an average of 480,000 metric tons annually between 2015 and 2023, the industry contributes significantly to foreign exchange earnings and employment, accounting for about 23 percent of Kenya's total foreign exchange earnings and contributing approximately two percent to the agricultural GDP. The industry is structured around both smallholder farmers, who produce 60 percent of the tea under the Kenya Tea Development Agency, and large estates controlled by multinational companies and large-scale growers. The sector supports around 6.5 million people directly and indirectly, with one million directly employed, including about 350,000 informal workers, 70 percent of whom are women.

Despite its economic importance, the tea sector is plagued by serious human rights issues, particularly concerning sexual exploitation, abuse, and harassment (SEAH). Women, often employed in precarious and informal work arrangements, are highly vulnerable to SEAH, exacerbated by cultural norms and structural power imbalances that protect perpetrators. Male supervisors frequently exploit their authority to coerce female workers into sexual activities, leveraging job security and favorable work conditions as bargaining tools. The normalization of SEAH, coupled with inadequate labor laws, weak enforcement, and ineffective reporting mechanisms, leaves many women unprotected and fearful of retaliation. This pervasive issue not only severely impacts the physical and psychological well-being of female workers but also perpetuates a cycle of exploitation and abuse within the sector.

The Coalition Against Sexual Violence (CASV) convened by Wangu Kanja Foundation with the support of Oxfam commissioned this study to document these human and labor rights violations, understand the cultural and workplace dynamics that perpetuate them, and assess the capacity of stakeholders to address and prevent these issues. The study aimed to provide actionable recommendations based on the firsthand accounts of affected women, focusing on advocacy interventions and reform to ensure women's rights in the tea industry are protected and upheld.

Methodology: A combination of desk review and qualitative interviews was employed to gather comprehensive insights into the violations of women's human and labour rights in Kenya's tea sector, with a specific focus on their lived experiences of SEAH. Phenomenological, ethnographic, and narrative inquiry methods were utilized to capture a nuanced understanding of the women's personal and collective experiences. A total of 18 focus group discussions and interviews with 15 key informants, including workers, supervisors, and community members across multiple regions, were conducted to ensure diverse perspectives were captured and analysed through thematic, narrative, and emergent theme coding techniques.

Key Findings:

Human and labour rights violations experienced by women tea workers: Women workers in Kenya's tea sector face multiple forms of human and labour rights violations highlighted below:

- a. **Poor working conditions:** Women work under unsafe and precarious conditions with long hours, heavy physical labor, and inadequate benefits. Many lack proper contracts, face irregular payments, and work beyond the legal limit of hours without breaks or adequate compensation.

- b. **Inadequate living income/wage:** Women tea workers earn insufficient wages, often below the basic living standards, struggling to afford necessities like food, housing, and healthcare. They lack in-kind payments and are frequently rehired on short-term contracts to avoid providing permanent employment benefits, leaving them economically vulnerable.
- c. **Violation of right to health:** Women workers face health risks due to unsafe working conditions, lack of medical coverage, and exposure to hazardous environments. Coercive sexual encounters and physical assaults further compromise their physical and mental health, with many unable to access necessary healthcare.
- d. **Gender rights violations:** Women experience significant gender discrimination, gender-based violence, and harassment in the workplace. They are underrepresented in decision-making roles, face unresolved grievances related to sexual harassment, and lack access to maternity leave and support for nursing mothers due to casual employment contracts.
- e. **Violation of right to freedom of association:** Fear of retaliation and job loss prevents women workers from reporting abuse or organizing for their rights, infringing on their freedom of association and expression. This suppresses their ability to seek help and advocate for better working conditions



Women workers lived experiences of SEAH: The lived experiences of sexual exploitation, abuse, and harassment among women in Kenya's tea industry are deeply influenced by cultural contexts that enforce traditional gender roles and power imbalance. Personal narratives reveal a grim reality where women are coerced into sexual activities under threats of job loss, suffer physical violence, and endure significant psychological trauma. Below are the key highlights of women's lived experiences of SEAH.

- a. **Manipulation of power imbalance:** Women in tea plantations frequently face sexual exploitation by managers and supervisors who exploit their authority. These figures promise job security, promotions, or lighter duties in exchange for sexual favors, taking advantage of the women's need for employment and economic stability.
- b. **Transactional nature of employment:** The work environment often becomes transactional, where women's job security or professional advancement depends on acquiescing to sexual demands. This coercive dynamic forces women to choose between their dignity and livelihood, with many feeling they have no choice but to comply.
- c. **Coercive tactics:** Perpetrators employ a range of coercive tactics, including threats of job loss, intimidation, and even physical violence, to force women into submission. This creates an atmosphere of fear and powerlessness, leaving women vulnerable to exploitation and unable to refuse demands.
- d. **Psychological trauma:** The persistent abuse and harassment lead to significant psychological trauma among women, including chronic anxiety, depression, and a diminished sense of self-worth. This trauma profoundly impacts their mental well-being, affecting their ability to function in daily life and maintain personal relationships.
- e. **Social stigma and isolation:** Women face severe social stigma associated with SEAH, which often manifests in blame and shame, discouraging them from seeking help. This stigma, along with fear of being judged or ostracized, leads to social isolation, further compounding their trauma and sense of helplessness.
- f. **Lack of redress:** There is a significant lack of effective reporting mechanisms and support systems for SEAH victims in the tea sector. Women fear retaliation and often perceive that perpetrators face no consequences, leading to a culture of impunity and continued exploitation.
- g. **Cyclical nature of exploitation and abuse:** Women experience repeated cycles of exploitation and harassment, with ineffective interventions and economic dependency trapping them in abusive situations. This cyclical nature of abuse is perpetuated by a lack of systemic change and support, making it difficult for women to escape these environments.

Risk factors that shape women tea workers experiences of SEAH can broadly be categorized in community level and workplace factors. Community level factors are rooted in traditional gender roles, cultural norms, and economic vulnerability. These community-level factors include expectations for women to be submissive and compliant, which reinforce power imbalances and make it difficult for women to resist exploitation. A pervasive culture of silence and stigma around SEAH further discourages victims from speaking out, while the normalization of such behaviors allows perpetrators to continue unchecked. Economic dependence on their jobs exacerbates these issues, as women often tolerate mistreatment to maintain their livelihoods in an environment with limited alternative employment opportunities.

Workplace factors also play a critical role in influencing women's experiences of SEAH. The predominantly male supervisory and managerial staff create a significant power imbalance, allowing them to exploit female workers who perform low-wage, labor-intensive tasks. The lack of living wages, inadequate enforcement of labor laws, and insufficient accountability mechanisms perpetuate a culture of impunity. Many tea companies lack comprehensive SEAH policies, and there are few effective reporting mechanisms, leaving women without recourse. Isolation and lack of advocacy further compound these issues, as women working in remote or isolated conditions have limited access to support systems and union representation, making it difficult to collectively address and resolve issues of mistreatment and exploitation.

Conclusion:

The study concludes that sexual exploitation, abuse, and harassment in Kenya's tea sector is both pervasive and systemic, rooted in deep-seated gender inequalities, structural power imbalances, and entrenched corporate and community silence. Despite the presence of some protective policies, their weak implementation, coupled with normalized exploitation and impunity among supervisors and estate managers, leaves women workers exposed and unsupported. The tea sector's current model prioritizes profits over protection, often at the cost of women's dignity, safety, and rights.

The path to transformation must be holistic—encompassing stronger legal enforcement, community-driven prevention strategies, inclusive and gender-responsive corporate practices, and survivor-centred support systems. Addressing SEAH in the tea industry is not only a matter of legal compliance but a moral and human rights imperative. This moment calls for courageous institutional reforms, ethical sourcing, gender equity, and collaborative action across state, corporate, and civil society actors.

Proposed Actions:

The findings illustrate a critical need for systemic reform within the tea industry to protect women from SEAH. These abuses not only violate individual rights but also adversely affect the sector's productivity and global reputation. Addressing these issues is imperative for promoting gender equality, ensuring safe workplaces, and enhancing economic development. The following actions are proposed:

- a. **Strengthen legal and policy frameworks and enforcement:** The government should enhance legal and regulatory frameworks by enacting or amending legislation to mandate comprehensive SEAH prevention policies in tea estates. This includes setting clear guidelines for compliance, conducting regular audits, and implementing a rating system for transparency. Additionally, financial incentives should be offered for compliance, and significant penalties imposed for non-compliance.
- b. **Institutionalize zero-tolerance SEAH policies in tea estates:** Tea companies must develop and implement clear zero-tolerance policies on SEAH, with defined disciplinary procedures and protections for whistleblowers. These policies should be widely disseminated, supported by regular staff training, and backed by independent oversight to ensure adherence and reduce impunity among supervisors and management.
- c. **Develop gender-responsive workplace systems and practices:** Tea estates should revise human resource systems to promote gender equity in recruitment, shift allocations, promotion, and grievance handling. Women workers must have equal access to leadership opportunities, and all staff should undergo mandatory SEAH training tailored to their roles and levels of responsibility.

- d. **Strengthen survivor-centered response and support services:** Survivors should have access to trauma-informed, confidential support services including psychosocial counselling, legal aid, and medical care. Tea companies, in partnership with CSOs and health providers, should establish safe and accessible survivor support hubs within communities and estates, and ensure referral pathways to justice and protection systems.
- e. **Promote community–company partnerships for prevention:** Joint SEAH prevention campaigns should be launched by tea estates and community actors using local radio, theatre, and dialogue forums to challenge harmful gender norms and normalize reporting. Male allies and community champions should be trained to advocate for respectful workplace behaviour and gender equality.
- f. **Expand access to safe, confidential reporting mechanisms:** All tea estates must introduce multiple anonymous and accessible reporting channels—such as hotlines, digital platforms, and trusted community liaisons—with assurances of confidentiality and protection against retaliation. Reports must be investigated by independent bodies and feedback provided to complainants.
- g. **Establish inclusive and accountable governance structures:** Tea companies should establish multistakeholder liaison committees comprising estate managers, women workers, union representatives, and community stakeholders to oversee SEAH prevention and redress. These committees should hold quarterly public forums and publish estate-level compliance data to promote transparency.
- h. **Link ethical sourcing and buyer accountability to compliance:** Buyers should require compliance with SEAH prevention standards as a condition of supplier contracts, with independent audits and public disclosure of performance. Certification schemes must include gender rights criteria and reward estates that demonstrate leadership in protecting women workers.
- i. **Enhance state and non-state capacity for enforcement and support:** The government should strengthen labour inspectorates and fund SEAH training for inspection officers. Civil society actors should receive support to scale up legal awareness, community monitoring, and direct survivor support, especially in remote tea-growing regions.
- j. **Advance women's economic empowerment and leadership:** Tea estates and development partners should invest in vocational training, financial literacy, savings groups, and livelihood diversification initiatives for women. Economic independence will reduce vulnerability to coercion. In parallel, leadership training and mentorship programs should prepare women workers for management and union roles.



A vibrant photograph of a woman in a tea plantation. She is wearing a colorful patterned headscarf with a blue band, a yellow and black striped shirt, and a blue apron. She is smiling and holding a pair of pruning shears, working on a tea bush. The background is a lush green tea plantation with a woven basket visible on the right.

1.0 Introduction



1.1 Background

Kenya is the third largest tea producer globally, after China and India and a leading exporter, averaging 480,000 metric tons annually between 2015 and 2023¹. The tea sector is a major contributor to Kenya's economy, providing significant foreign exchange earnings and employment. Tea accounts for about 23 percent of the country's total foreign exchange earnings, ranking third after tourism and horticulture². Annually, tea exports average around 120 billion Kenyan shillings, with an additional 22 billion from local sales³. The tea industry contributes approximately two percent to Kenya's agricultural GDP, underscoring its national economic importance⁴.

Tea cultivation is concentrated in the highlands across 19 out of the 47 counties of Kenya. The industry's structure includes both smallholder farmers and large estates (multinational companies and large-scale growers). Smallholder farmers, managed under the Kenya Tea Development Agency (KTDA), produce about 60 percent of the country's tea, while large estates account for the remaining 40 percent¹. Major players in the large estate sub-sector include James Finlay, Unilever Tea Kenya Ltd., Williamson Tea, George Williamson & Co., Eastern Produce Kenya Ltd., and Sasini PLC. The tea industry supports approximately 6.5 million people directly and indirectly, including about 834,000 smallholder tea growers⁴. It directly employs about one million people, 70 percent of whom are women, with around 350,000 being informal workers⁵. Additionally, the industry provides indirect employment to another 3 million people through various support services and related industries.

Despite its significant contribution to the country's economy, Kenya's tea sector faces serious human rights challenges, particularly concerning women's rights violations. Sexual violence and harassment are pervasive, often exacerbated by non-standard work arrangements like temporary and informal employment, which create power differentials that perpetrators exploit^{6,7}. Supervisors and senior workers frequently commit these violations, leveraging their authority to offer or deny work, manipulate pay, and create hostile working conditions. Women are particularly vulnerable due to cultural norms that tolerate such behaviours and structural environments that distance perpetrators from accountability. The lack of effective preventative policies, limited labour law coverage, and inadequate labour inspection services further compound the issue, leaving many women unprotected and hesitant to report incidents due to fear of retaliation and job loss. The combination of these factors leads to widespread abuse, with severe short and long-term psychological, physical, and economic impacts on the victims.

1 <https://www.statista.com/statistics/1154187/tea-production-in-kenya/>

2 <https://www.teaboard.or.ke/images/downloads/manuals-handbooks/2023-KENYA-TEA-BROCHURES.pdf>

3 <https://www.teaboard.or.ke/kenya-tea/history-of-kenyan-tea>

4 Tea industry Performance Report for 2023 by the Tea Board of Kenya: <https://kilimonews.co.ke/general-news/tea-industry-performance-report-for-2023-by-the-tea-board-of-kenya/>

5 Tea is critical to Kenya's economy, accounting for nearly a quarter of its foreign exchange: <https://etp-global.org/where-we-work/kenya/>

6 The Roots of Sexual Violence on Tea Farms: <https://www.rainforest-alliance.org/insights/the-roots-of-sexual-violence-on-tea-farms/>

7 ETI responds to evidence of sexual abuse in Kenya's tea sector reported by BBC Panorama: <https://www.ethicaltrade.org/insights/blog/eti-responds-to-evidence-sexual-abuse-kenyas-tea-sector-reported-bbc-panorama>



1.2 Sexual Exploitation, Abuse and Harassment

Sexual exploitation, abuse, and harassment (SEAH) in the workplace represent significant breaches of trust and abuses of power, impacting the most vulnerable workers. These acts encompass a range of behaviours, from coercing sexual favours in exchange for work to physical intrusions and persistent unwelcome sexual advances in the workplace. Sexual exploitation, as defined by UN Women⁸, involves the abuse of a position of vulnerability, differential power, or trust for sexual purposes, including profiting from such exploitation. An example is an aid worker demanding sexual favours from a beneficiary in exchange for aid. In the tea industry, a similar instance would be a supervisor demanding sexual favours from a worker in exchange for job security.

Sexual abuse, on the other hand, is characterized by the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions⁸. An example provided by UN Women is an individual forcing another to engage in sexual activity against their will. In the tea industry, this could be a worker being physically coerced into sexual activity under the threat of job loss. Sexual harassment includes any unwelcome conduct of a sexual nature that might reasonably be expected or perceived to cause offense or humiliation⁸. This conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive work environment. While typically involving a pattern of conduct, it may also take the form of a single incident. An example from UN Women is persistent unwelcome advances or comments of a sexual nature by a colleague. In the tea industry, it could be similar unwelcome advances or comments by a supervisor.



1.3 Sexual Exploitation, Abuse and Harassment in the Tea Sector

Women seeking employment in Kenya's tea sector often face economic hardship and limited job opportunities. Their decision to work in tea plantations stems from the need to support themselves and their families financially. However, this employment comes with significant challenges, including the pervasive culture of SEAH. Within the tea plantations, there exists a clear power imbalance where male managers and supervisors hold authority over female workers' employment opportunities. This power dynamic enables them to coerce women into engaging in sexual activities in exchange for job security or favourable treatment. Women often feel pressured to comply with these demands due to the fear of losing their jobs and the economic consequences it would entail.

Shockingly, sexual exploitation and abuse have become normalized within the tea sector, perpetuating a culture where such behaviours are accepted or overlooked. Female workers recount instances where they have been subjected to unwanted advances, coercion, and harassment by male supervisors. These experiences are often brushed aside or dismissed by the relevant management, further reinforcing the notion that such abuse is an inherent part of the work environment. Fear of retaliation and stigma

8 <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Discussion-paper-Sexual-exploitation-abuse-and-harassment-SEAH-en.pdf>

prevents many women from speaking out against SEAH. They are aware of the potential repercussions, including job loss, victim-blaming, and social ostracism. As a result, women often suffer in silence, enduring mistreatment and exploitation to avoid further harm. Experiences of SEAH take a significant toll on women's physical and emotional well-being. The constant fear and anxiety surrounding their safety and livelihoods contribute to high levels of stress and mental health issues among female workers.

Despite the existence of labour laws and policies aimed at protecting workers' rights, the reality on the ground reveals a lack of effective mechanisms for addressing SEAH in the tea sector. Women face numerous barriers to seeking redress, including inadequate reporting mechanisms, lack of trust in management, and fear of reprisals.



1.4 Overview of Legal Landscape on Kenya's Labour Rights

The legal landscape on Kenya's labor rights is framed by various statutes and regulations designed to protect the rights and welfare of workers. The Constitution of Kenya, 2010, serves as the supreme law and provides fundamental rights and freedoms, including labor rights. Article 41 specifically guarantees every worker the right to fair

labor practices, fair remuneration, reasonable working conditions, and the right to form, join, or participate in the activities of a trade union. It also ensures the right to go on strike and collectively bargain.

The Employment Act, 2007, is the primary statute regulating employment relationships. It sets out the terms and conditions of employment, including provisions on contracts, protection of wages, leave entitlements, and termination procedures. The Act prohibits discrimination in employment and provides special protections against child labor and forced labor. It also mandates employers to provide written contracts and maintain employment records. Complementing this is the Labor Relations Act, 2007, which governs the formation, registration, and regulation of trade unions, employer organizations, and federations. This Act provides for the recognition of trade unions by employers and the process for collective bargaining, addressing dispute resolution mechanisms, including conciliation, mediation, and arbitration, and outlines procedures for lawful strikes and lockouts.

The Occupational Safety and Health Act, 2007, aims to ensure the safety, health, and welfare of workers in the workplace. It sets standards for workplace safety, including the provision of safe working environments, proper maintenance of equipment, and adequate training for employees. The Act establishes the Directorate of Occupational Safety and Health Services (DOSHS) to oversee compliance and enforcement, requiring employers to conduct regular risk assessments and report workplace accidents and diseases. Furthermore, the Work Injury Benefits Act, 2007, provides a framework for compensating employees for injuries and diseases contracted in the course of employment. It outlines the procedures for reporting work-related injuries and diseases, the calculation of benefits, and the process for filing compensation claims, mandating that employers insure their employees against work injuries and occupational diseases.

The Industrial Court Act, 2011, established the Employment and Labor Relations Court, which is tasked with resolving disputes related to employment and labor relations. This court has jurisdiction over cases involving unfair dismissal, wage disputes, discrimination,

and other employment-related conflicts, aiming to ensure timely and fair adjudication of labor disputes and uphold workers' rights. Additionally, the Kenyan government periodically issues minimum wage orders that set the minimum wage rates for various categories of workers, intended to ensure fair compensation and adjusted based on economic conditions, inflation, and the cost of living. Employers are legally required to adhere to these minimum wage rates.

Various laws, including the National Gender and Equality Commission Act, promote gender equality and non-discrimination in the workplace. These laws ensure that all employees, regardless of gender, race, disability, or other status, are treated fairly and have equal opportunities in employment, addressing issues such as equal pay, sexual harassment, and workplace diversity. The Regulation of Wages and Conditions of Employment Act provides for the establishment of wages councils tasked with setting minimum wage rates and regulating conditions of employment for different sectors. The councils consider factors such as the cost of living, economic conditions, and the needs of workers and their families, ensuring that wages and working conditions are fair and reasonable.

The legal framework in Kenya supports collective bargaining through registered trade unions. Workers have the right to form and join trade unions, which represent their interests in negotiations with employers. Collective bargaining agreements (CBAs) cover various aspects of employment, including wages, working hours, benefits, and dispute resolution. The law ensures that trade unions operate freely and that workers can engage in collective action, such as strikes, to protect their rights. These laws and policies collectively aim to create a fair, safe, and equitable working environment for all employees in Kenya, ensuring their rights are protected and upheld.



1.5 Protection of Women's Labour Rights in Kenya's Legal and Policy Frameworks

Kenya has put in place a combination of legal and policy frameworks to protect women's labour rights, drawing from international protocols that the country has ratified and domesticated, as well as its own national laws. At the international level, Kenya is a signatory to several international human rights treaties that mandate the protection of women's rights in the labour sector. These include:

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): This international treaty, often described as an international bill of rights for women, was ratified by Kenya in 1984. Adopted by the UN General Assembly in 1979, CEDAW defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination, including in the workplace. CEDAW calls for the enactment of national measures to protect women from discrimination in employment and other areas of life. In ratifying CEDAW, Kenya committed to implement its provisions through legislation, policies, and measures to ensure women's rights and gender equality in the workplace.

The International Covenant on Economic, Social and Cultural Rights (ICESCR): Adopted by the UN General Assembly in 1966, the ICESCR

ensures the protection of economic, social, and cultural rights, including the right to work and favorable conditions of work for women. By ratifying ICESCR in 1972, Kenya committed to the safeguarding of economic and social rights, including labour rights such as the right to fair wages, safe working conditions, and equal opportunity for employment.

The International Labour Organization (ILO) Conventions: Kenya has ratified various ILO conventions that are relevant to women's labour rights, such as Convention 100 on Equal Remuneration and Convention 111 concerning Discrimination in Employment and Occupation. ILO Convention No. 100 on Equal Remuneration mandates equal pay for men and women for work of equal value, ensuring gender pay equity by requiring member states to promote and implement this principle through national laws, regulations, and practices. It emphasizes the elimination of wage discrimination based on gender, supporting women's rights to fair compensation. ILO Convention No. 111 concerning Discrimination in Employment and Occupation prohibits discrimination on various grounds, including sex, in employment and occupation. It obligates member states to adopt measures to eliminate discrimination and promote equality of opportunity and treatment for women in all aspects of employment, from hiring and training to working conditions and advancement. These conventions collectively strengthen women's labour rights by addressing wage equity and workplace discrimination.

The ILO's Convention No. 190 (ILO C190) addresses violence and harassment in the world of work, emphasizing women's labour rights. It defines violence and harassment broadly, covering physical, psychological, sexual, and economic harm. The Convention mandates inclusive, gender-responsive approaches for prevention, protection, and redress, ensuring safe and respectful workplaces for women. It requires member states to establish legal frameworks, support mechanisms, and enforceable measures to protect all workers, with special attention to women who face disproportionate risks. Despite its comprehensive framework to enhance women's rights and workplace safety, Kenya has not yet ratified ILO C190, though there are ongoing discussions and advocacy efforts pushing for its adoption as part of the country's commitment to improving women's labour conditions.

The United Nations Guiding Principles on Business and Human Rights (UNGPs): The UNGPs provide a framework that significantly impacts women's rights in the business sector. States are required to enact and enforce laws that protect workers from human rights abuses by businesses, including gender-based discrimination and violence in the workplace. Businesses must actively prevent and address adverse impacts on workers' rights, implementing gender-sensitive due diligence processes to ensure non-discrimination, equal pay, and safe working conditions for women throughout the value chain. Additionally, states and businesses must provide accessible and effective remedies for workers who experience business-related human rights abuses, ensuring grievance mechanisms can address issues such as sexual harassment and other gender-specific concerns. These principles mandate that businesses integrate women's rights

into their core operations, promoting gender equality and creating an inclusive work environment while being transparent in reporting their impact on women's rights and providing robust channels for addressing any violation.

Kenya has adopted the UNGPs through the development of a National Action Plan, which integrates the principles into the country's legal framework. This plan aims to ensure that businesses respect human rights and address adverse impacts related to their operations. The implementation of these principles in Kenya is part of broader efforts to promote human rights compliance in business practices, although more work remains to be done to fully realize these commitments.

On the national front, Kenya has developed several frameworks to enforce these international commitments:

The Constitution of Kenya (2010): The Constitution guarantees all individuals the right to fair labour practices, the right to reasonable working conditions, and the right to be free from discrimination, which by extension applies to women in the labor force. It also includes provisions for affirmative action. Article 27 guarantees equality and freedom from discrimination, explicitly including gender as a protected characteristic.

The Employment Act (2007): This Act provides for the basic conditions of employment in Kenya. It includes provisions that specifically protect women, such as maternity leave and protection against discrimination in employment on the basis of sex or marital status. The Act addresses sexual offences in the workplace comprehensively, providing definitions, preventive measures, and punishments. The Act defines sexual harassment as any unwelcome conduct of a sexual nature that makes an employee feel offended, humiliated, or intimidated, and which is either explicitly or implicitly a condition of employment or affects employment decisions or the work environment. Specifically, Section 6 of the Act mandates employers with more than 20 employees to have a written sexual harassment policy in place, which should include measures to prevent such conduct, and procedures for reporting and dealing with complaints.

The Act also outlines strict penalties for sexual harassment. Employers are required to investigate any complaints of sexual harassment promptly and take appropriate disciplinary action against offenders. Failure to address complaints adequately can result in legal action against the employer. Additionally, the Employment Act allows victims of sexual harassment to seek redress through the Industrial Court, which can award compensation or reinstate the employee if they were unfairly dismissed due to reporting harassment. These provisions ensure a framework for protecting employees from sexual offences in the workplace, emphasizing the responsibility of employers to maintain a safe and respectful work environment.

The Labour Institutions Act (2007): This Act establishes various labor institutions, such as the National Labour Board and the Industrial Court (now the Employment and Labour Relations Court), which are critical in the enforcement of labor rights and standards.

The Occupational Safety and Health Act (2007): It is designed to secure the safety, health, and welfare of people at work, and it also protects others from risks to safety and health in connection with the activities of persons at work. This is particularly important for women who might work in hazardous conditions.

The Sexual Offences Act, 2006: is a pivotal piece of legislation in Kenya that addresses various forms of sexual offences, including sexual harassment. Section 23 of the Act specifically criminalizes sexual harassment by persons in positions of authority, including supervisors and managers, who persistently make unwelcome sexual advances or requests. The law defines such behaviour as an abuse of power and mandates a penalty of not less than three years' imprisonment or a fine of not less than one hundred thousand shillings, or both, upon conviction.

The Act offers a strong legal foundation for holding perpetrators accountable, but without parallel investments in workplace-level implementation—such as awareness campaigns, independent grievance mechanisms, and protection from retaliation—the law's potential remains underutilized. Incorporating the Sexual Offences Act into internal workplace policies, training, and accountability frameworks within tea plantations could play a transformative role in safeguarding the rights and dignity of women workers.

The National Policy on Gender and Development (2019): The National Policy on Gender and Development (2019) in Kenya addresses women's labour rights by promoting gender equality and the empowerment of women in all sectors. It outlines strategies to eliminate gender-based discrimination and enhance women's participation in the workforce. The policy mandates equal opportunities for women in employment, ensures safe and conducive working environments, and calls for the implementation of gender-responsive practices across national and county government policies. This policy supports the enforcement of existing laws and international conventions, like CEDAW and ILO conventions, to protect women's labour rights effectively.

While these legal and policy frameworks exist, their effectiveness is hampered by inadequate enforcement, lack of resources, and structural barriers. Issues such as gender discrimination, sexual harassment, and unequal pay persist, necessitating continued advocacy and reform efforts to ensure that women's labour rights are fully protected and realized in Kenya.



1.6 Purpose and Objectives of the Study

The primary purpose of the study is to generate an understanding of the challenges faced by women tea workers in Kenya through firsthand accounts, providing them an opportunity to share their stories. The objectives of the research study are to:

- i. Document the various types of human and labour rights violations experienced by women workers in Kenya's tea industry.
- ii. Document the lived experiences of sexual exploitation, abuse, and harassment (SEAH) among women workers in Kenya's tea industry, examining the cultural contexts and personal narratives that shape such experiences within workplace settings.
- iii. Identify external (community) and internal (workplace) factors that influence women workers' experiences of SEAH within Kenya's tea industry.
- iv. Examine how women workers navigate violations of their human and labour rights, particularly in resisting instances of SEAH within the workplace as well as coping mechanisms and strategies for seeking support.
- v. Assess the capacity of stakeholders within the Kenyan tea sector to effectively address and respond to human and labour rights violations affecting women workers
- vi. Synthesize the findings into actionable recommendations for advocacy and strategic programming interventions to prevent and respond to violations of women's human and labour rights, particularly SEAH within Kenya's tea sector, grounded in the voices and experiences of those most affected.



1.7 Summary Methodology

The methodological approach adopted for the study aimed to provide a nuanced understanding of women's experiences of SEAH in Kenya's tea industry, informing policy and advocacy efforts to improve conditions for women workers. The study was conducted through desk review and qualitative interviews. Desk review examined literature, policies, and reports on SEAH within the tea industry. Qualitative

interviews focused on women's lived experiences and perspectives on prevention and response. Documents on labour rights violations and SEAH in the tea industry were reviewed, including policies, organizational practices and research studies, with the aim of providing context to the primary findings.

Phenomenological, ethnographic, and narrative inquiry methods were utilized to explore women's experiences of rights violations with a focus on SEAH. Phenomenology captured personal experiences, ethnography provided context, and narrative inquiry uncovered historical and personal dimensions. Women workers from tea plantations and smallholders in South Rift, Limuru, and Mount Kenya regions were involved. Participants included field workers, factory workers, supervisors, and community members.

The sampling approach employed various methods tailored to different components of the study. In the phenomenological component, purposive sampling was used to select women workers with significant experiences of rights violations, aiming for diverse experiences across various demographics. Specifically, female workers from small and large plantations were selected in the targeted regions, conducting six focus group

discussions (FGDs) at each plantation size. Additionally, samples were taken from three catchments for female workers on smallholder farms, with two FGDs held in each.

A total of 18 FGDs with 10 participants each were conducted. For the ethnographic study, a total of 15 key informants were included across the three regions, encompassing a range of participants from female workers to policy makers and civil society members. The narrative inquiry component utilized criterion sampling to select 18 women workers with notable stories in the tea sector, with three participants sampled from two small-scale plantations, two large-scale plantations, and two smallholder catchments in the targeted regions, using expert and snowball sampling methods.

The data collection methods employed captured personal stories, collective experiences, and contextual observations. Thematic analysis was conducted for phenomenology, narrative analysis for ethnography and narrative inquiry, and coding for emergent themes across approaches. This ensured consistency and depth in analysing qualitative data.

In selecting the personal narratives of women's lived experiences of SEAH highlighted in this report, a rigorous criteria-based approach was employed to ensure the relevance, depth, diversity, consent, confidentiality, intersectionality, and representativeness of the narratives. Stories were chosen based on their direct alignment with the research objectives, offering detailed and comprehensive accounts of women's lived experiences with SEAH in the tea sector. Efforts were made to include a diverse range of perspectives, considering factors such as age, geographic location, job role, and socioeconomic status to capture the breadth of SEAH experiences. Furthermore, the informed consent of participants was obtained, and measures were taken to protect their confidentiality and anonymity.





2.0 Findings



2.1 Human and Labour Rights Violations Experienced by Women Tea Workers

2.1.1 Structural Issues

Poor Working Conditions: The management of tea plantations is responsible for ensuring safe and humane working conditions.

This includes providing adequate safety gear, enforcing proper work hours, and maintaining fair contractual practices. Management is responsible for ensuring that work environments comply with safety regulations, workers' hours do not exceed legal limits, and contracts are upheld to protect workers' rights. They are also responsible for preventing the exploitation of legal loopholes in contract renewals. Accountability measures are often weak due to poor enforcement of labour laws and regulations by local labour authorities. Companies frequently go unchecked unless specific violations are brought to public attention or scrutinized by NGOs or media investigations, as illustrated in reports and documentaries like the BBC Africa Eye documentary.

Women reported working under poor and precarious conditions that violate their basic labour rights. Unsafe working environments, excessive hours, lack of proper contracts, inadequate benefits, unpaid sick leave, and irregular payment schedules were the most complained about issues in all the FGD sessions conducted. Most women worked as tea pickers and complained about carrying heavy baskets on their backs on uneven terrains, often in harsh weather conditions such as scorching sun. The tea pickers work long hours, sometimes without breaks, six days per week. Despite regulations stipulating a 45-hour work week, many women exceed this limit, often working up to 52 hours per week. One of the FGD participants stated: *"Ukiingia kazi kwa shamba unasahau mambo ya lunch. Mpaka urudi nyumbani ndio uweke kitu kwa tumbo. Wakati mwingine unafika nyumbani usiku kabisa, umechoka hata unashindwa kula, hata kupika saa ingine hauwezi"*. (*"When you start work on the farm, you forget about lunch. It's only when you return home that you put something in your stomach. Sometimes you get home very late at night, you're so tired that you can't even eat, and sometimes you can't even cook"*.)

Although they have written contracts, the tea pickers are mostly hired on short-term contracts to avoid providing employment benefits, making their employment highly precarious. Companies exploit legal loopholes by either rehiring workers before they complete three months or sending them away for several months before rehiring, thus denying them permanent employment that attracts benefits. Consequently, benefits such as lunch breaks, rest days, and sick leave are not provided to the casual workers. This cycle is repeated continuously, as described by one FGD participant: *"Mimi nimefanya kazi kwa hizi kampuni za chai kwa miaka ishirini sasa, na sijwai pata namba. Nimekua nikipata contract ya miezi mitatu, wakati mwingine sita, ninapumzishwa miezi kadhaa tena ninapata. Hivyo hivyo na Maisha inasonga, hadi nimeshazoea"*. (*"I have worked for these tea companies for twenty years now, and I have never been made permanent. I have been getting three-month contracts, sometimes six months, then I'm laid off for a few months before getting another one. That's how life goes on, and I have gotten used to it"*). As a result, women tea workers lack access to benefits such as sick leave (*"Not reporting to work due to illness means one does not get paid"* – said an FGD participant), maternity leave, paid holidays, and pension schemes. This legal loophole is ruthlessly exploited, leaving women tea workers in a state of constant insecurity and vulnerability.

Unsafe Work Environments: Many women face physical risks without adequate protective equipment, leading to injuries and long-term health issues. This neglect points to a systemic disregard for worker safety, particularly in hazardous weather conditions and demanding physical tasks.

Violation of Right to Health: Plantation management and health and safety officers are directly responsible for ensuring that workers have access to medical facilities and that the work environment does not pose health risks. They are tasked with implementing health and safety protocols, providing access to medical care, and addressing any health issues arising from workplace conditions. Similar to other areas, the enforcement of health and safety standards is minimal, with violations often overlooked by both local government and company audits. This results in ongoing health issues that are seldom addressed unless external pressure is applied by advocacy groups or international buyers.

The health of women workers in the agricultural sector is compromised due to exposure to hazardous conditions and lack of adequate medical facilities. Sexual exploitation and coercive sexual encounters lead to physical and mental health issues, including the transmission of diseases such as HIV. Women who participated in the study's FGDs reported widespread incidences of coercive sexual encounters for job security and other job-related favours. This, they said, resulted in physical in some cases and mental health issues, hence compromising their right to health and safety. They also mentioned cases of physical assault, highlighting the extreme vulnerability and abuse faced by women in these work environments.

Women casual workers also reported lack of access to regular medical check-ups due to the absence of medical cover and low wages, as noted in the findings on living wage. This lack of health monitoring means many work-related illnesses and conditions go undiagnosed and untreated. According to the women interviewed, the strenuous nature of their work, combined with long hours and harsh weather conditions, exposes them to high incidences of musculoskeletal and physical injuries. The high cost of healthcare and lack of medical cover for casual workers prevent them from seeking necessary medical attention. Reported health problems included work-related injuries such as back injuries, skin rashes, and scratches. Respiratory problems and headaches were common among women working in tea factories due to the lack of proper personal protective equipment and exposure to tea dust.

Sexual Health Risks: The spread of sexually transmitted infections, including HIV, due to coercive sexual relationships with supervisors. These conditions are exacerbated by a lack of sexual health services and education, leaving women vulnerable to further health complications.

Mental Health: Chronic stress, fear, and psychological trauma due to ongoing abuse and exploitation, compounded by a lack of access to mental health support or counseling services, severely impact women's overall well-being.

Gender Equity and Social Exclusion: There is a noticeable lack of gender equity within the workforce. Discussions revealed a systemic bias where women are often excluded from certain job roles and decision-making processes, impacting their overall career progression within the sector.



Sexual Harassment: Poverty and the vulnerability associated with it lead to instances of sexual harassment, particularly affecting female workers. The discussions highlighted that sexual harassment is both a symptom and a reinforcing factor of the existing power imbalances in the sector.

Exploitative Employment Practices: The precarious nature of employment on tea estates places women in vulnerable positions where they face economic exploitation and abuse. Casual contracts, lack of benefits, and inadequate grievance mechanisms contribute to a cycle of abuse and silence.

Intergenerational Poverty: Many women enter the tea industry following familial patterns, perpetuating cycles of poverty and limited social mobility. The lack of alternative employment opportunities and educational access underscores this structural trap.

2.1.2 Management Issues

Human resources departments and senior management at tea plantations are responsible for creating and enforcing policies that protect women from gender-based violence and harassment. These include developing clear policies, training staff, and enforcing rules that protect women from discrimination and abuse. The enforcement of these policies is often flawed, with many cases of harassment and discrimination going unpunished. Accountability is hindered by a culture of silence and fear of retaliation against victims who speak out. External pressure and audits by certification bodies sometimes lead to temporary improvements, but sustainable change is rare without continuous oversight.

Women in Kenya's tea face significant violations of their gender rights, including gender discrimination, gender-based violence or harassment, absence of policies on gender and sexual harassment, unresolved grievances related to sexual abuse, exploitation and harassment, and lack of maternity leave and child-nursing support for lactating mothers. They are often subject to sexual exploitation, abuse, and harassment by supervisors and managers who leverage their positions of power to coerce women into sexual activities in exchange for job security and other work-related benefits. This pervasive issue is compounded by cultural norms that tolerate such activities and structural environments that distance perpetrators from accountability.

Gender discrimination: The FGDs revealed that female workers face significant gender discrimination in the tea sector. Participants shared experiences of being denied equal access to employment opportunities based on their qualifications, skills, and merit. Instead, they observed that nepotism and favouritism based on sexual compliance are prevalent, undermining a meritocratic system. The economic vulnerability of women, often living in impoverished conditions, makes them more susceptible to discrimination. Women discussed how the threat of job loss or non-payment coerces them into compliance with discriminatory practices. Furthermore, this discrimination creates a hostile work environment where women feel unsafe and undervalued, impacting their overall well-being and job satisfaction. Regrettably also, despite comprising over 60% of the labour force in tea sector, women are underrepresented in decision-making positions as the leadership and management positions are male dominated. Women occupy the lowest-paying and most physically demanding positions, such as tea pickers. Their contributions are undervalued, and they are denied equal opportunities for advancement compared to their male counterparts.

Gender-based violence or harassment: The FGDs brought to light severe issues of gender-based violence and harassment. Female workers shared distressing accounts of facing sexual advances, coercion, and abuse from male supervisors, who leverage their positions of power to exploit female workers. This includes pressure to engage in sexual activities in exchange for job security, opportunities, and favourable treatment. Participants detailed how they are often coerced and threatened by supervisors, where refusal to comply with sexual demands leads to termination of employment or further abuse. The threat of job loss creates a coercive atmosphere, forcing women to endure exploitation to secure their livelihoods. The women emphasized how their right to dignity is severely violated when they are treated as objects for sexual gratification. The power imbalance between supervisors and female workers perpetuates this exploitation, undermining their autonomy and respect.

Unresolved grievances related to sexual harassment: During the FGDs with women tea workers, it was highlighted that there is a significant lack of effective reporting mechanisms and support systems for survivors of sexual abuse within the tea sector. Participants revealed that this inadequacy leaves many grievances unresolved, as women are unable to report incidents safely or receive adequate support when they do. Moreover, the women expressed a pervasive fear of retaliation, including job loss, if they report sexual harassment. This fear perpetuates a culture of silence and unresolved grievances. Additionally, cultural attitudes and practices that normalize sexual violence and exploitation further contribute to the unresolved grievances. The participants noted that these attitudes often view such abuse as commonplace or acceptable, further dehumanizing women and treating them as objects for gratification.

Absence of comprehensive policies on gender and sexual harassment: The women tea workers decried the absence of comprehensive policies addressing gender and sexual harassment during the FGDs. They highlighted that this lack of comprehensive policies exacerbates the exploitation and abuse faced by female workers. Without clear policies, there is no framework to protect women or address grievances effectively. Even where policies do exist, their enforcement appears to be weak, as indicated by the participants. This weakness allows supervisors and managers to exploit women without fear of repercussions, perpetuating a culture of impunity.

Lack of maternity leave and support for nursing mother: Most women workers are employed on casual contracts, which do not include benefits such as maternity leave. This lack of maternity leave forces women to continue working under strenuous conditions during pregnancy and return to work immediately after childbirth, negatively impacting their health and that of their infants. In addition, women casual workers are generally denied basic entitlements such as lunch breaks. Consequently, nursing mothers do not receive sufficient breaks to nurse their children, which further disadvantages female workers and affect their ability to balance work and childcare responsibilities.

Systemic Discrimination and Exploitation: There is a deeply ingrained culture of discrimination that not only limits women's opportunities for advancement but also perpetuates a cycle of abuse and exploitation. Coercion into sexual relationships under the threat of job loss or other negative job-related consequences remains a significant barrier to gender equality.

Lack of Accountability: There is a notable failure of management to effectively address or prevent abuse, often protecting perpetrators due to a culture of silence and complicity within the organizational hierarchy. This lack of accountability is particularly evident in cases where abusers are in positions of power.

Salary Delays and Inequality: Women participants expressed concerns over delayed salaries and apparent wage disparities between male and female workers for similar roles. This financial instability disproportionately affects women, who often bear a greater burden of domestic responsibilities.

Lack of Representation: Women are underrepresented in managerial and decision-making roles. This lack of representation at higher levels perpetuates a cycle where women's issues are not adequately addressed in management decisions.

Inadequate Representation and Support: Despite some female presence in leadership roles, the management often fails to address or actively perpetuates the exploitation of women workers. The existing power dynamics within the tea estates discourage reporting and facilitate the continuation of gender-based violence and discrimination.

Cultural and Institutional Barriers: The testimonies reveal a culture of silence and fear, where women are discouraged from speaking out against injustices due to threats of retaliation, job loss, and social stigma.

2.1.3 Employability Issues

Inadequate Living Income/Wage: The payroll department and senior management are responsible for ensuring that wages are fair and comply with legal standards. They must oversee wage distribution and ensure that compensation is fair and timely, adhering to legal and ethical standards. Often, there is little to no accountability for wage exploitation in the tea industry. External audits and pressure from trade unions or NGOs can sometimes result in wage adjustments, but these are not consistently applied across the sector.

The interviews revealed that women tea workers suffer severe living income/wage violations. According to the women tea pluckers, their pay is typically based on the quantity of tea picked, which means that even with long hours, many of them struggle to earn enough to cover basic living expenses. For the factory workers, the average income is around 600 Kenyan shillings per day, which is approximately equivalent to 5 US dollars. This level of income is below what is required to meet basic living standards, highlighting the economic struggles faced by women tea workers. The women lamented that their wages are insufficient, and that they struggle cover costs of necessities such as food, shelter, clothing, clean water, health care, education for their children, and transport. For most casual women workers, in-kind payments like food rations, housing, and medical facilities are non-existent. These women also lack pension schemes due to the exploitative practice of rehiring them on short-term contracts to avoid providing permanent employment benefits.

They women complained that their standard of living is extremely poor. Many of them spend nearly all their income on food, often managing only one meal a day. Housing conditions are substandard, with many renting small, overcrowded rooms in nearby villages lacking basic amenities and adequate sanitation, leading to high rates of water-borne diseases. The rise in living costs, particularly food prices, has further strained their already tight budgets, making it nearly impossible to improve their living conditions. One of the women said: *"Ukiangalia bei ya kila kitu inapanda kila uchao, na pesa ni ile ile tu ama hata saa ingine inapungua kwa sisi ambao tunachuna chai. Sasa hata mtu unashindwa utanunua nini kwa nyumba uwache nini. Saa ingine inabidi Watoto wakule lakini shule was ahau kwanza"* ("When you look at the price of everything, it's rising

every day, and the money is the same or even sometimes it decreases for us who pick tea. Now even a person fails to decide what to buy for the home and what to leave out. Sometimes you must choose between feeding the children or sending them to school.”).

Violation of Right to Freedom of Association: Plantation management and Human Resource departments are responsible for respecting workers' rights to organize and express their concerns through unions or other collective bodies. They are tasked with facilitating a fair environment where workers can freely associate and voice their grievances without fear of retaliation. There is typically minimal accountability for violations of these rights, as suppression of union activities and worker organization can be rampant. Intervention by international human rights groups or exposure by the media is often required to bring about change.

The fear of retaliation and repercussions prevents women workers from speaking out or reporting instances of abuse, thus infringing upon their right to freedom of association and expression. Women workers are often silenced by the threat of losing their jobs, which suppresses their ability to organize or seek help from trade unions and other support systems.

Limited Career Advancement: The discussions pointed out that there are limited opportunities for career advancement for women in the sector, often due to biased promotional practices and a lack of professional development programs targeted at women.

Educational Opportunities: The need for more educational programs specifically aimed at women was discussed as a way to enhance their employability. This includes training in diverse aspects of tea production, leadership, and rights awareness to empower them to take on more significant roles.

Health and Reproductive Rights: Women face significant challenges related to sexual and reproductive health, exacerbated by the demanding physical labor and lack of maternity benefits. Cases of forced pregnancy testing and discrimination against pregnant workers further violate their reproductive rights.

Mental Health: The pervasive climate of fear and abuse on the estates leads to significant mental and emotional harm, yet there is a lack of effective mental health support and counseling services for the workers.



2.2 Women's Lived Experiences of Sexual Exploitation, Abuse, and Harassment

Women in both small and large tea plantations often face sexual exploitation, abuse, and harassment as they strive to secure jobs in the sector. They are pressured by some managers and supervisors to engage in sexual activities in exchange for work opportunities, favorable treatment, or lighter duties. This coercion leaves them with little choice but to comply to maintain their income. The power imbalance allows male supervisors to exploit their authority, using threats and intimidation to force women into submission. The fear of job loss, essential for their livelihood and family support, further exacerbates their vulnerability. Women who resist such advances risk termination, perpetuating a cycle of exploitation and reinforcing unequal power dynamics within the tea sector.

The following sections provides a detailed description of these women's accounts and testimonies of their lived experiences of SEAH.

2.2.1 Manipulation of Power Imbalance

Some managers and supervisors exploit their authority over female workers, using promises of job security, promotions, or lighter duties as bargaining chips for sexual favours. This manipulation takes advantage of women's vulnerability as they seek employment and economic stability. Below is a summary of the testimony of one interviewee regarding her experience of sexual exploitation by a manager.

There was a day when I went to seek a job at one of the plantations [name withheld] following their announcement of a recruitment drive. I arrived slightly late, about five minutes behind schedule, to find a male manager already addressing all the candidates at the assembly point. I believe he noticed my tardiness, as I was the only one who arrived late. Upon concluding his address, which emphasized a zero-tolerance policy towards sexual exploitation in the workplace, he publicly singled out the latecomer-me-to remain behind. He stated that due to my lateness, I had missed important information and would require a separate session to ensure I fully understood everything an employee needed to know. He then requested my phone number and instructed me to await his call for further guidance. Later that evening, he phoned me and instructed me to meet him at a specific hotel in town. Upon meeting him, he informed me that he could influence my employment without revisiting the missed sections of the induction, but only if I played my cards well. When I sought clarification on which cards he meant, he openly stated that I needed to become closer to him by being his sexual partner so he could also protect me from the challenges associated with working on the farm. It became clear to me that work wasn't the only thing on his mind, deepening my confusion about my potential future at the farm if I were to be employed. [A female tea worker in the South Rift region of Kenya]

The script vividly depicts the opportunistic nature of sexual exploitation through manipulation and power imbalances within the context of employment in Kenya's tea plantations. Initially, the woman seeking employment arrives slightly late for a job recruitment event, where a male manager is addressing the candidates. The manager publicly singles out the protagonist for being late and instructs her to stay behind after the others leave, isolating and humiliating her in front of her peers. Subsequently, he offers her a chance to bypass missed sections of the induction process, implying his ability to influence her employment, but this favouritism is conditional upon her compliance with undisclosed demands. The manager arranges a private meeting in a hotel, suggesting secrecy and intimacy, where he explicitly states that the protagonist needs to be his sexual partner to secure his protection and influence, intertwining her employment prospects with potential sexual exploitation. Consequently, the woman experiences confusion and uncertainty about her future on the farm, recognizing the manager's intentions extend beyond professional matters, highlighting the blurred lines between workplace expectations and personal boundaries. Overall, the woman's lived experience underscores the pervasive nature of power imbalances in employment settings within the tea sector and their profound impact on women's autonomy and well-being.

2.2.2 Transactional Nature of Employment

Women are forced into transactional relationships where their professional advancement or even basic job security depends on acquiescing to sexual demands. This dynamic transforms the workplace into an environment of exploitation, where women must choose between their dignity, safety, and livelihood. In effect, most women find themselves without a choice but to comply. A 45-year-old female employee who has worked in the tea plantations for 23 years described this experience in the narrative below.

"A typical day for most of us starts by waking up at around 5:30 AM or 6:00 AM at the very latest. Arriving at work even a minute late can mean being sent home; this is challenging because missing a day's work means my children may go hungry. Sometimes, after spending the entire day picking tea, when you return to the shed, you are told that the tea isn't of the required quality. When this happens, you question why your tea, which appears to be of higher quality than others', isn't accepted. It turns out that sometimes, the person inspecting the tea, or the supervisor, has a personal issue with you or perhaps harbours feelings for you but hasn't expressed them. They might want to trouble you first before admitting, 'You know, I really like you, but I don't know how to say it.' If you refuse their advances, the harassment worsens, or you are assigned to work at a far location, requiring you to wake up at 3:00 AM and begin a long journey to work. Waking up at that hour means that you won't reach until 7:00 AM. Walking alone at such odd hours, sometimes through the tea farms, can be dangerous as you might encounter thieves or worse, risk being attacked or raped."

"I've observed situations where women, employed as factory workers, tea pickers, or weeders, report to their initial assignments only to be told by their supervisors the next day that they have been reassigned to different stations. Often, these new workstations are far away that reaching them involves hours of walking. As a result, they might work fewer hours and earn significantly less, sometimes only Ksh 200, compared to the Ksh 600 to 800 they would have earned at their original location. At times, the distance is so great that they arrive too late to work at all, or they feel unsafe traveling to these remote stations. In these circumstances, supervisors may demand bribes for better assignments. These bribes can take the form of money or, disturbingly, sexual favours. Without money for bribes, or if they refuse sexual advances, women are frequently sent to distant locations where they earn little by month's end. Typically, a monetary bribe could be around Ksh 500 mid-month, and even more, like Ksh 1000, by month's end, leaving them with scant funds for family needs. Alternatively, agreeing to a sexual relationship might secure less laborious tasks like running errands to the supervisor's house, which counts as a day's work. Without yielding to these demands, the exploitation continues until many women feel compelled to quit." [A 45-year-old female tea worker in the South Rift region of Kenya]

This narrative illustrates the transactional nature of women's employment in Kenya's tea sector especially in large plantations, where their ability to secure better working conditions or assignments is often contingent upon complying with supervisors' demands,

which can include sexual favours or monetary bribes. Women face the dilemma of either submitting to these demands to improve their circumstances or enduring exploitation and unsafe working conditions.

The narrative also reflects the power dynamics at play, where supervisors wield authority over job assignments and exploit women's vulnerability to extract compliance with their demands. Additionally, the narrative highlights how refusing advances or bribery requests can result in retaliation, such as reassignment to remote and less lucrative workstations. The risk of physical harm, including the threat of rape while commuting to distant locations, further underscores the precarious position of women in the tea industry and the urgent need for systemic reforms to address SEAH and ensure safe working environments.

2.2.3 Coercive Tactics

Perpetrators utilize a variety of coercive tactics to pressure women into compliance, including threats of job loss, intimidation, and even physical violence. This creates an atmosphere of fear and powerlessness, where women feel they have no choice but to submit to the demands of their superiors.

"I was born here and have worked in the tea plantations for 22 years, starting as a seasonal worker during school holidays until I completed my education. Initially, we were employed by another major plantation firm named in investigative reports. Back then, we were restricted to picking 9 kgs per load and reminded daily to pick only two leaves and a bud.

One day, after delivering my tea alongside a colleague's at the weighing shed, it was evident that mine, meticulously free of impurities, surpassed hers in quality. My batch weighed 10kg, and I was advised by the weighing clerk to reduce it by 1kg, which I did. The tea was accepted without any issue. This validation motivated me to work harder, and I promptly delivered another batch 9kg. However, upon my second delivery, I was unfairly criticized by my supervisor for poor quality, despite my role as a leaf inspector. In fact, he threatened me that my tea would not be accepted even if I waited at the shed until the following morning. I spent the entire day watching as others' tea was accepted, leaving me sidelined until evening. Frustrated and alone, I discarded my tea and went home. That was a lost working day.

The following evening, I was informed that I needed to report to a different workstation, Kerenga, by 6:30 am the next day. Traveling from Chelimo to Kerenga involved a considerable distance, necessitating that I wake up at 4:00 am to prepare my infant child's food before leaving at 4:30 am, equipped with my tea harvesting basket and job tools. As a woman, traversing the bushy, quiet paths and crossing streams in the early hours was very unsafe and frightening. This routine persisted until one day when the same supervisor who had occasioned my transfer to Kerenga approached me, questioning, "When you fail to talk and express yourself, what does that mean?"

Confused, I told him I didn't understand his question. At that moment, he began to inappropriately touch me. I resisted and protested that his actions were against company policy. He scowled, commanded me to be silent, and dismissively said that even if I shouted, it would be futile. Facing numerous challenges as a single mother, I felt powerless and let him continue his advances. He even threatened to come to my house at 7 pm that evening. Reflecting on his actions, persistent harassment and the distress of him following me to Kerenga, I found it deeply troubling. After much reflection, I decided not to yield to his demands, uncertain of his health status. I reported him to the manager, but no action was taken.

I think lack of permanent employment exacerbated my situation. I have always been a seasonal worker and never been employed on permanent terms. Had I been, I believe I would not have been subjected to such experiences. Occasionally, those who issued the seasonal contracts would ask me to go to their homes at 9 pm to discuss the contract, leaving me to question the propriety of such invitations. This issue persisted, and I never got to be employed on permanent terms because of my refusal to yield to demands for sex in exchange for employment. I persevered until my six-month contract expired and then left. Recently, when the company changed ownership, I returned to try my luck and found that while some of my former colleagues were employed on permanent terms, others were not. After several attempts to secure employment, facing repeated demands for sexual favours in return for a job, I resigned myself to the situation and decided to start a small business to complement income from the seasonal employment whenever I am lucky to get. These are just some of the challenges I and other women have endured.” [A 38-year-old female migrant tea worker in the South Rift region of Kenya]

Women's experiences of coercion in the tea sector highlight the pervasive challenges they face in their quest for work to earn an income, impacting their labour rights, socioeconomic empowerment, and livelihoods. Women workers in the tea sector face discrimination, exploitation, and safety risks, which lead to reduced productivity, emotional distress, and compromised well-being. The absence of permanent employment further exacerbates women's vulnerability to coercive tactics, resulting in many succumbing to and engaging in unwanted, risky sexual relationships. This reflects deep systemic issues within labour practices and organizational structures in the tea sector. Despite facing repercussions and being denied justice, women's resilience in resisting sexual advances underscores the entrenched power imbalances and impunity that perpetuate sexual exploitation and abuse. Such conditions not only undermine women's economic stability and dignity but also erode the sector's productivity, reputation, and sustainability. Furthermore, the normalization of sexual exploitation and abuse perpetuates a culture of silence, fear, and impunity, deterring women from reporting incidents and perpetuating cycles of exploitation. This undermines efforts to address gender-based violence and promote gender equality in the workplace within the sector.

2.2.4 Psychological Trauma

Women working in Kenya's tea sector often endure profound psychological trauma due to persistent abuse and harassment. Many express a constant state of fear and anxiety,

as evidenced by one FGD participant's account of her experience: *"I constantly feel uneasy whenever I get at my workstation. I am always tensed, feeling like someone is watching me, biding their time for the perfect moment to make a move on me."* This perpetual anxiety creates a tense environment where the threat of abuse is ever-present, leading to a sense of insecurity and dread.

The emotional toll of such experiences is deeply damaging. Women described enduring long-term emotional impacts, struggling with feelings of shame and worthlessness. As one FGD participant shared, *"Some of the women I know have been sexually harassed or abused are unable to shake off the feeling of shame after these experiences. I have a close friend who was sexually abused by her supervisor. She always tells me that her life will never be same again as she continues feel her heart is heavy to bear the everytime she recalls her experience."* The trauma often manifests in depression and anxiety disorders, with another FGD participant recounting, *"I can't sleep at night. Every time I close my eyes, I see the face of this guy that harrassed me for over a year, following me to all the places I would be transferred to with the hope that I he would never access me again. Whenever this happens, I feel the panic all over again."* This persistent emotional strain undermines their mental well-being and quality of life.

Furthermore, the trauma profoundly affects women's self-esteem and identity. The abuse they suffer leads to a degradation of their self-worth, as reflected in one woman's statement: *"These things have made us feel like we are just objects for men's pleasure in the workplace. It is so difficult to recogize ourselves as human beings with our own rights and deserving of respect."* The internalization of the abuse contributes to a belief that they are somehow at fault, with one survivor noting, *"Sometimes I blame myself thinking that I did something wrong by coming to look for work in this plantations because had I not, I wouldn't have experienced these things. But then, I was simply looking for work to earn an income so that I could fend for my children."*

The psychological trauma also severely impacts daily life and personal relationships. Women often find it challenging to maintain connections with their families and manage daily responsibilities. One survivor admitted, *"It's hard to be around my family. They don't understand why I'm so distant and withdrawn,"* while another expressed, *"I struggle just to get through the day. Everything feels like it's too much to handle now."* The strain of these experiences disrupts their ability to function normally and enjoy life.

These accounts vividly illustrate the severe psychological trauma experienced by women in Kenya's tea sector, highlighting the urgent need for systemic change and better support structures to address and alleviate their suffering.

2.2.5 Social Stigma and Isolation

Women in Kenya's tea sector face severe social stigma related to their experiences of abuse and harassment. This stigma often manifests in shame and blame, which prevents them from seeking help or disclosing their experiences. For instance, one woman articulated the stigma she faces: *"When these things happen, people will talk behind your back, saying that the survivor must have done something to bring this upon oneself. This can make the suvivor feel like they are the problem."* This stigma is rooted in deep-seated cultural and societal attitudes that blame victims for their own abuse, rather than holding perpetrators accountable. The fear of judgment and being labeled as 'loose' or 'immoral' discourages women from speaking out or seeking support, as highlighted by another FGD participant: *"Despite my protracted experiences*

of harassment in the hands of my supervisor until I quit, I feared telling anyone in my family because some of these things are considered shameful. It was safer for me to keep quiet than to share with anyone and be seen to bring shame upon my family."

The stigma and fear of being disbelieved, judged or ridiculed often lead women to withdraw from their communities and support networks. One woman shared her perception of isolation: *"In most cases, it is difficult for a woman to talk to anyone about what's happening because one is always afraid that she won't be believed. In fact, many people would think that she's making it up. You end up carrying the burden alone as no one understands you."* The sense of isolation is exacerbated by a lack of trusted individuals to confide in. Women feel cut off from their social circles and support systems, as illustrated by another statement: *"The worst thing that happened to me when I was sexually abused was detachment from my coworkers whom I used to be close to. I felt like everyone was avoiding me."* This isolation compounds the sexual violence survivors' loneliness and despair, making it harder to find solace or support.

The impact of social stigma and isolation extends beyond personal distress; it affects women's ability to cope with their trauma and seek justice. The lack of support and the fear of further marginalization create barriers to accessing necessary resources and help. One survivor's comment reflects this predicament: *"Even when I try to get help, I am met with skepticism and silence. It's like my suffering doesn't matter."* This isolation from both community and institutional support systems leaves women feeling powerless and alone, deepening their psychological trauma.

The intersection of social stigma and isolation creates a vicious cycle where women are unable to escape their suffering or find the support they need. The compounded effect of being shamed and cut off from social networks reinforces their feelings of helplessness and despair. As one woman succinctly described: *"The shame and loneliness make everything feel so much worse. I'm stuck in this situation with no way out."*

2.2.6 Lack of Redress

The lack of redress for SEAH in Kenya's tea sector is characterized by ineffective reporting mechanisms, fear of retaliation, inadequate support systems, perceived impunity for perpetrators, and systemic neglect. These factors combine to create a deeply troubling environment where women are left to navigate their trauma with little hope of justice or meaningful change.

Women tea workers frequently encounter barriers when attempting to report incidents of sexual exploitation, abuse, or harassment. The mechanisms in place in the tea estates and plantations are often inadequate, and the process is described as discouraging and unresponsive. One woman detailed her experience with the reporting system: *"There is a day I tried to report the harassment I had experienced, but no one took me seriously. They just told me to keep quiet and avoid the person."* This lack of seriousness from the authorities or management leaves women feeling powerless and unsupported. Another woman's account underscores the futility of the reporting process: *"Every time I have gone to the management with a complaint, they say it's not a big deal. It feels like they don't want to deal with it."* Despite efforts to report their abuse, many feel that their pain is disregarded, as one FGD participant stated, *"I too tried to report an abuse from a manager, but nothing ever happened. I have also heard of similar experiences from other women nothing has ever changed. It's like the pain that we go through as women doesn't matter to anyone in these tea plantations."*

The fear of retaliation is a significant deterrent for women seeking redress for SEAH. They are often concerned about the potential repercussions on their employment or personal safety. One woman expressed this fear vividly: ***“Even when you are abused and knowing very well that nothing will be done about it when one reports, you cannot speak out because knowing very well that you could lose your job or face more harassment. It’s better to stay silent than risk making things worse.”*** This fear is compounded by a lack of protection for those who do report incidents, leaving women vulnerable and isolated.

Even when women do attempt to seek help or justice, the support systems available are often insufficient. Accounting to women tea workers’ accounts, support services are either nonexistent or ineffective. One woman’s experience highlights this inadequacy: ***“There is a time I reached out to one of the local organizations for help, but they were either too busy or didn’t offer the support I needed. It’s really difficult to find someone nearby who genuinely cares about women’s problems.”*** This lack of responsive and accessible support further exacerbates the women’s sense of abandonment and frustration.

Another common theme in the women’s narratives of their experiences is the perception of impunity among perpetrators of SEAH. Women feel that abusers are not held accountable and that justice is rarely served. One woman described her frustration with the lack of consequences for perpetrators: ***“I see the same people who abuse us walking around freely. This so troubling to the women who have been abused by these people, especially when you have to remember that nothing will ever change to punish them.”*** This sense of impunity reinforces the belief that reporting abuse is futile and that the system is rigged against victims.

Women’s accounts also reveal a systemic neglect of the issue of SEAH within the tea sector. Women experience a general indifference to their plight from both employers and relevant authorities. One woman noted: ***“It feels like no one is interested in addressing our problems. The management is more concerned with keeping things quiet than solving them.”*** This systemic neglect contributes to a culture where SEAH is perpetuated and unaddressed, leaving women without recourse or support.

2.2.7 Cyclical Nature of Exploitation and Abuse

Women’s lived experiences of cyclical exploitation and abuse in Kenya’s tea sector are characterized by recurrent patterns of abuse, normalization of exploitation, failed interventions, economic dependence, and significant psychological impact. These factors create a continuous cycle of trauma and vulnerability, leaving women trapped in abusive environments with limited prospects for escape or change.

Women in the tea sector often experience repeated instances of exploitation and harassment, creating a cycle that is difficult to escape. The transcript reveals how these patterns are deeply entrenched within the working environment. One woman shared her experience, saying, ***“I was harassed by one supervisor, and when I tried to report him, another one started abusing me. It’s like they’re all in it together.”*** This repetition of abuse, often by different perpetrators, contributes to a pervasive sense of insecurity and helplessness among the women. The cyclical nature of abuse is compounded by a culture where such behavior is normalized and expected. Women describe how instances of abuse become routine and are often dismissed as part of their everyday reality. One participant recounted, ***“We’ve learned to live with it because we know nothing will change. It’s just how things are here.”*** This normalization of abuse means that women

may come to view these experiences as inevitable, making it harder for them to seek help or envision a different reality.

Attempts to address the abuse often fail, leading to a cycle of repeated victimization. Women find that even when they try to seek help or report their experiences, the interventions are ineffective or non-existent, leaving them vulnerable to further abuse. One woman expressed frustration, saying, *“Every time one complains, nothing changes. The same people who abuse us are still here, and the cycle just keeps going.”* This lack of effective intervention reinforces the cycle of abuse, as perpetrators face no real consequences and continue their behavior.

Economic dependence plays a critical role in perpetuating the cycle of abuse. Women often feel trapped in their situations due to financial constraints, which limits their ability to leave abusive environments or seek alternative employment. One woman explained, *“I can’t afford to lose this job, even though it’s terrible. I have to stay because I need the money.”* This economic dependence binds women to their abusive situations, making it difficult to break free from the cycle of exploitation. The continuous nature of abuse leads to a sense of resignation and diminished self-worth. One woman articulated this feeling of resignation: *“I’ve given up hope that things will ever get better. It feels like no matter what I do, I’m stuck in this endless cycle.”* This resignation contributes to the normalization of abuse and reinforces the feeling that escape is impossible.



2.3 Factors Influencing Women’s Experiences of SEAH

2.3.1 Community Level Factors

Traditional Gender Roles: In Kenyan society, traditional gender roles often dictate that women should be submissive and obedient to men in positions of authority. These cultural expectations fuel power imbalances across various sectors, including the tea industry. In many Kenyan communities, men are typically seen as the primary breadwinners and decision-makers, while women are expected to be compliant and supportive. This societal norm reinforces male dominance and makes it difficult for women to assert their rights or resist exploitation. The cultural backdrop sets a foundation for understanding why women in the tea industry might feel compelled to comply with demands from male supervisors.

Culture of Silence and Stigma: The pervasive culture of silence and stigma surrounding sexual harassment and abuse within the tea estates and plantations further perpetuates these violations. Fear of retaliation, victim-blaming, and societal norms that normalize such behaviour discourage victims from speaking out or seeking redress. This culture of silence allows perpetrators to operate unchecked, as victims fear the repercussions of reporting abuse and may face social ostracization or retribution for doing so.

Normalization of Violence/Abuse: Normalization of abuse within Kenya’s tea sector is evident, where instances of exploitation and harassment have persisted for decades without effective intervention. This normalization further discourages victims from reporting abuse and allows perpetrators to continue their predatory behaviour unchecked. Additionally, this normalization has desensitized women to the severity of sexual exploitation and harassment, making it more challenging for survivors to recognize and report such incidents.

Economic Vulnerability: Women's economic dependence on their jobs in the tea sector shapes their experiences of exploitation and abuse. Many women workers rely on these jobs as their primary source of income, making them highly dependent on their employers. The scarcity of alternative employment opportunities in tea-growing regions, where expansive tracts of land are dedicated to tea bushes and tree plantations, exacerbates their vulnerability. This leaves them with little choice but to acquiesce to abusive demands to retain their jobs and support their families. The fear of losing their livelihoods and the financial security they provide compels women to tolerate mistreatment and harassment rather than risk unemployment.

2.3.2 Workplace Factors

Labour Dynamics and Power Imbalance: Within the tea industry, cultural norms are intensified by specific labour dynamics. The predominantly female workforce performs low-wage, labour-intensive tasks, while supervisory and managerial roles are largely occupied by men. This creates a significant power imbalance, making female workers vulnerable to exploitation and abuse. The structural hierarchy in the tea sector allows male supervisors to exert considerable control over female workers, leading to instances of coercion and harassment. This labour structure fosters an environment where women are particularly susceptible to mistreatment and harassment.

Managers and supervisors wield significant authority over workers' employment opportunities, work assignments, and livelihoods, creating a power asymmetry that enables them to exploit vulnerable women workers. This unequal distribution of power allows perpetrators to manipulate and coerce women workers into engaging in sexual activities in exchange for job security or favourable treatment. Fear of retaliation or repercussions for reporting harassment deters women from coming forward with their experiences, perpetuating a cycle of abuse. The hierarchical structure and centralized decision-making processes in the tea industry enable managers to exert control over hiring, promotions, and work assignments with little transparency or accountability.

Lack of Living Income/Wage: Women in the tea sector often earn extremely low wages that are insufficient to cover basic living expenses. For instance, some tea pickers earn as little as 250 to 300 Kenyan shillings (approximately 2 USD) per day, making them desperate and more vulnerable to exploitation. They may feel compelled to accept sexual demands in exchange for job security or slightly higher pay. The precarious employment status, where many women work as casual labourers or through contractors without formal employment protections, makes it difficult to report abuse or resist sexual advances from superiors due to the fear of job loss. Low and insecure pay puts women at greater risk of exploitation, as they are forced to consider desperate measures to secure their work and provide for their families.

Inadequate Enforcement and Lack of Accountability: Government agencies responsible for enforcing labour laws and regulations show gaps and weaknesses in enforcement and oversight, which contributes significantly to the perpetuation of abuse in the tea sector. The ineffective implementation of existing regulations and the absence of legal consequences for perpetrators embolden them to continue their abusive behaviour. Additionally, the lack of strong accountability mechanisms within tea companies perpetuates a culture of impunity, allowing perpetrators to act without fear of repercussions. Despite the existence of policies and regulations prohibiting sexual harassment and abuse, companies often fail to enforce and monitor these measures effectively or address complaints in a timely and appropriate manner. Without robust

legal protections and mechanisms for holding perpetrators accountable, women workers remain vulnerable to exploitation and mistreatment.

Lack of Effective Policies and Awareness: Many tea companies lack comprehensive policies and procedures specifically addressing SEAH, or if they exist, they are not being effectively implemented or enforced. Most women workers are not aware of their rights or lack knowledge about what constitutes harassment or abuse, further perpetuating a culture of impunity.

Lack of Reporting Mechanisms: The absence of effective reporting mechanisms within tea plantations contributes to a culture of impunity where perpetrators go unchecked. Women workers fear reprisals or lack trust in existing systems to address their complaints, further perpetuating a cycle of silence and victimization. Workers lack clear and accessible channels for reporting incidents of SEAH, leading to underreporting and a culture of silence surrounding the issue. Fear of retaliation or repercussions for reporting harassment deters women from coming forward with their experiences, perpetuating a cycle of abuse.

Isolation and Lack of Advocacy: The isolated nature of women's work in tea plantations means they often work alone or in small groups, making it difficult to form strong networks or associations. This isolation prevents them from collectively addressing issues of abuse and harassment, as women working in isolation are less likely to share their experiences or seek help, perpetuating a cycle of silence and abuse. Limited access to information about their rights and the mechanisms available to report abuse further exacerbates their vulnerability. These isolated workers are often unaware of existing support systems, such as grievance committees or gender committees.

Without strong union representation, women lack a collective voice to advocate for their rights and protections in the workplace. Unions can negotiate better working conditions, fair wages, and protective measures against abuse, but their absence leaves women vulnerable. For instance, the Kenya Plantation and Agricultural Workers Union has been involved in negotiating collective bargaining agreements, but the implementation of these agreements often falls short, particularly in protecting women workers from exploitation. Limited union representation, advocacy, and support in addressing SEAH highlight significant gaps in unions' capacity to prevent harassment, leaving women with little recourse to address and resolve issues of mistreatment.

Gaps in Support Services: The absence of effective support systems for victims further perpetuates the issue. Women working in isolated conditions with limited access to information and resources are less likely to be aware of their rights or the mechanisms available to report abuse. Even where reporting mechanisms exist, the fear of retaliation and the lack of trust in these systems discourage women from coming forward. Limited access to support services such as counselling, healthcare and legal aid exacerbate women tea workers' vulnerability and the impact of SEAH on women's well-being, leaving them without the necessary resources to seek help and protection.



2.4 Women Tea Workers Navigation of Rights' Violations and Coping Mechanisms

Women tea workers in Kenya navigate violations of their labour rights and resist SEAH through a combination of resistance, silent endurance, seeking alternatives, and various coping mechanisms.

They also employ strategies for seeking support from internal reporting mechanisms, external advocacy, and community justice systems, although each of these approaches comes with its own set of challenges and limitations. Despite the risks, some women attempt to resist instances of sexual exploitation and abuse by asserting boundaries or refusing advances from perpetrator managers and supervisors. However, this resistance often comes with the danger of retaliation, further harassment, or even job loss. As a result, many women silently endure SEAH due to fear of these repercussions and the potential economic consequences. This silent endurance becomes a common coping strategy, especially among women who have few employment alternatives and cannot afford to jeopardize their livelihood.

Some women try to escape harassment by seeking alternative employment opportunities or requesting transfers to different departments. However, these options are often limited due to the scarcity of jobs and the pervasive nature of SEAH across various departments or even sectors. The lack of mobility leaves many women trapped in abusive environments, highlighting the complex and challenging dynamics they face in resisting and coping with SEAH. Additionally, the social stigma and lack of support for victims can further discourage women from speaking out or seeking help, perpetuating a cycle of silence and vulnerability.

Women tea workers also rely on social support networks comprising colleagues, friends, and family members to cope with the emotional toll of sexual exploitation and abuse. These support systems provide a sense of solidarity and shared experience, which can be crucial for emotional resilience. Additionally, engaging in self-care activities such as hobbies, religious practices, or other personal interests helps women manage the stress and trauma resulting from SEAH. These strategies are essential for maintaining mental health and emotional well-being in the face of ongoing harassment. However, some women have unfortunately normalized or rationalized their experiences of SEAH as a means of coping. This normalization perpetuates a culture of silence, as women come to accept abuse as an unavoidable part of their work environment. The lack of institutional support and accountability further exacerbates this issue, making it difficult for women to seek justice or create meaningful change. The combination of seeking social support, self-preservation strategies, and normalization highlights the complex ways women navigate the challenges of SEAH while attempting to preserve their dignity and livelihoods.

Despite the risks, some women utilize internal reporting mechanisms within their workplaces to document instances of sexual exploitation and abuse and seek intervention from management or human resource departments. For example, many FGD participants reported their supervisors' predatory behaviours to company sexual harassment officers. However, the effectiveness of these mechanisms is often undermined by a lack of proper response from management, leading to scepticism about their utility.



2.5 Stakeholders' Capacity to Address and Respond to Human and Labour Rights Violations

2.5.1 Local Government Bodies

Interviews with gender officers from county governments in the study areas revealed significant gaps in the enforcement of labour laws intended to protect women in the tea sector. Although Kenya has established robust legal frameworks—such as the Constitution (2010), the Employment Act (2007), and the Sexual Offences Act (2006)—to safeguard against unfair labour practices and workplace violence, their implementation at the grassroots level remains weak. Gender officers pointed to systemic barriers such as corruption, underfunding, and lack of prioritization of gender-specific concerns as key impediments to meaningful enforcement. Many women remain unaware of their rights under these laws, and those who are aware often avoid reporting violations due to fear of retaliation or loss of employment.

The findings from the baseline survey by FIDA Kenya (2017) reinforce these concerns. Despite the presence of gender officers and legal protections, the horticulture sector, which shares structural and labour dynamics with the tea sector, continues to exhibit widespread violations of women's labour rights. These include sexual harassment, discriminatory hiring and promotion practices, denial of maternity leave, and unequal pay for equal work. Weak institutional frameworks and inadequate monitoring capacity at the Ministry of Labour and Social Protection were cited as major barriers to effective implementation. Labour officers were reported to be understaffed, often unable to conduct routine inspections, and forced to respond reactively to complaints rather than proactively identifying violations. Moreover, coordination between government ministries—particularly Labour and Agriculture—was found to be minimal, resulting in missed opportunities to leverage field-level personnel such as agricultural extension officers for monitoring compliance⁹.

Resource constraints also hamper the ability of county governments to respond adequately to SEAH. Many county offices lack the financial and logistical capacity to implement GBV policies or provide comprehensive support services such as legal aid, psychosocial counselling, and survivor shelters. As a result, victims are often left without redress, contributing to a pervasive culture of silence.

Despite these gaps, there have been positive developments that point to opportunities for strengthening the role of local government agencies. The establishment of county gender offices has created focal points for policy advocacy and awareness raising. Several counties, including Kericho and Bomet, have participated in national gender forums and integrated aspects of the National Policy on Prevention and Response to GBV into their local plans¹⁰. In partnership with civil society organizations such as ActionAid, some counties have piloted community-led grievance mechanisms, held gender sensitization campaigns, and facilitated training of duty bearers on ethical conduct and gender-responsive service delivery¹¹.

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- 9 Federation of Women Lawyers Kenya (FIDA Kenya). (2017). *Baseline Survey on Violation of Women Labour Rights in the Horticulture Sector in Kenya*. Nairobi: FIDA Kenya
 - 10 National Gender and Equality Commission. (2021). *County Leadership Guide: Second Edition*. Retrieved from <https://www.ngeckkenya.org/Downloads/County%20Leadership%20Guide%20Second%20Edition%202021.pdf>
 - 11 ActionAid UK. (2025). *Empowering tea communities in Kenya*. Retrieved from <https://www.actionaid.org.uk/get-involved/corporate-partnerships/Ethical-tea>

Promising best practices have also emerged from initiatives like the Gender Empowerment Platform (GEP), a collaborative project involving UN Women, tea producers, and development partners. Through joint learning and field-level projects, GEP has supported the establishment of gender committees, peer-to-peer education programs, and workplace reforms aimed at reducing GBV in tea estates. The platform emphasizes participatory dialogue and supports both employer and worker capacities to identify and respond to SEAH¹².

Generally, the analysis reveals a dual reality: Kenya has strong legal and policy foundations for protecting women in the tea sector, but the lack of coordinated implementation, resourcing, and survivor-centred accountability mechanisms at the county level undermines these protections. Enhancing inter-ministerial collaboration, increasing budget allocations for GBV programs, and building the capacity of county gender officers to monitor compliance and support survivors are essential next steps. Moreover, scaling up proven approaches—such as multi-stakeholder platforms, joint training, and localized policy enforcement—can help ensure that rights guaranteed by law translate into real protections on the ground.

2.5.2 International Oversight and Buyer Influence

All key informants interviewed emphasized the pivotal role of international certifying organizations—such as Fairtrade International, Rainforest Alliance, and the Ethical Tea Partnership (ETP)—in setting and enforcing labour standards across global agricultural supply chains. These bodies are tasked with promoting ethical labour practices by auditing workplaces for compliance with social, environmental, and human rights standards, and awarding certification to producers that meet these criteria. While these frameworks are intended to hold companies accountable and protect workers, especially those in structurally vulnerable contexts like Kenya's tea plantations, their effectiveness in preventing or responding to labour rights abuses remains contested.

Respondents underscored that while certification has raised awareness and introduced baseline standards, the systems in practice often fail to meaningfully address systemic and gender-specific violations. Infrequent, pre-announced, and superficial audits—with a disproportionate focus on documentation and checklist compliance—fail to capture the lived experiences of women workers, particularly around SEAH. Workers are rarely interviewed anonymously, and power imbalances, language barriers, or fears of retaliation mean that critical abuses are underreported or completely missed. This disconnect between certification claims and on-the-ground realities reinforces what many have described as a “cosmetic adherence” to ethical standards, enabling companies to benefit from reputational advantages without instituting transformative changes.

This critique gained global traction following the 2023 BBC Panorama documentary, *Sex for Work: The True Cost of Our Tea*, which exposed widespread sexual abuse on Rainforest Alliance-certified estates in Kericho County. The exposé prompted an urgent reassessment of oversight practices and galvanized international response. In its official reaction, the Rainforest Alliance acknowledged the inadequacy of traditional audit models in uncovering complex gender-based abuse. The organization conducted

12 IDH Sustainable Trade Initiative. (2021). *Gender Empowerment Platform: Achievements and Reflections*. Retrieved from <https://www.idhsustainabletrade.com/uploaded/2021/11/Gender-Empowerment-Platform-Achievements-and-Reflections.pdf>

investigative audits, which confirmed multiple non-conformities with its Sustainable Agriculture Standard, leading to the suspension of certifications for plantation companies. Rather than simply relying on punitive measures, the Rainforest Alliance introduced a risk-based “Assess-and-Address” approach, focused on preventing abuse by identifying underlying risks, enabling safer reporting channels, and engaging civil society actors to improve oversight systems¹³.

This approach led to the rollout of gender committees, the development of anonymous grievance mechanisms, and the deployment of long-term support structures in certified farms. In 2023 alone, the Rainforest Alliance trained 104 farmers and farm workers on gender-sensitive prevention measures, informed over 5,000 workers about their rights and available support systems, and trained 26 certification auditors to better detect and respond to SEAH¹⁴. These initiatives reflect a shift toward rights-based, participatory, and gender-responsive certification, but stakeholders warned that these steps must be mainstreamed across all certification regimes and subjected to independent verification if they are to overcome longstanding gaps.

Fairtrade International similarly responded to the BBC exposé by condemning all forms of sexual exploitation and reaffirming its commitment to zero tolerance. Although the plantations involved were not Fairtrade-certified, the organization activated its Protection and Safeguarding Policy, emphasizing the need for inclusive organizational structures, increased representation of women in leadership, and transparent grievance systems. Fairtrade also stressed the importance of buyer responsibility and corporate human rights due diligence to support producers in preventing and addressing violations¹⁵.

The Ethical Tea Partnership (ETP) has also taken proactive steps in Kenya's tea sector by working closely with ActionAid and local communities to address GBV and advance women's rights. Their interventions include training estate managers and supervisors on gender-sensitive leadership, establishing safe reporting structures, and facilitating community-level dialogues between women workers, tea companies, and government officials. The ETP approach emphasizes a holistic model that combines technical guidance with community empowerment, recognizing that certification alone cannot address the structural roots of exploitation unless it is coupled with sustained engagement and cultural transformation¹⁶.

Despite these promising reforms, many challenges persist. Certification systems are often under-resourced and reliant on corporate goodwill rather than enforceable obligations. Furthermore, buyers in global markets—supermarkets, distributors, and brands—continue to exert downward price pressures on producers, thereby limiting the financial space available for producers to invest in ethical employment conditions. Without binding human rights due diligence laws that compel buyers to trace and act on abuses across their supply chains, certification risks functioning more as a reputational shield than as a genuine accountability mechanism.

13 Rainforest Alliance. (2023a). *The Rainforest Alliance to address pervasive sexual discrimination and gender-based violence in Kenyan tea sector*. Retrieved from <https://www.rainforest-alliance.org/business/rainforest-alliance-address-pervasive-sexual-discrimination-and-gender-based-violence-in-kenyan-tea-sector/>

14 Rainforest Alliance. (2023b). *2023 Annual Report*. Retrieved from https://www.rainforest-alliance.org/annual_report/2023/

15 Fairtrade International. (2023). *Fairtrade statement on BBC One Panorama's 'Sex for Work' broadcast*. Retrieved from <https://www.fairtrade.org.uk/media-centre/news/fairtrade-statement-on-bbc-one-panoramas-sex-for-work-broadcast/>

16 Ethical Tea Partnership. (2023). *Upholding women's rights in Kenya*. Retrieved from <https://etp-global.org/stories/upholding-womens-rights-in-kenya/>

Overall, the findings from this study highlight an urgent need for restructuring international oversight mechanisms to ensure they are worker-centred, trauma-informed, and gender-responsive. Certification bodies must go beyond periodic compliance checks to embed structural safeguards that elevate women's voices, redress power asymmetries, and proactively detect and respond to SEAH. Likewise, global buyers and retailers must align their procurement practices with ethical standards and assume responsibility for funding and enforcing labour protections at the source. Only then can certification move from symbolic performance to substantive protection.

2.5.3 Labor Unions and NGOs

Discussions with both male and female union officials in Kericho County indicate that labour unions, often male-dominated, do not fully address or prioritize the particular challenges faced by female workers, especially in relation to gender-based violence and discrimination. Although unions such as the Kenya Plantation and Agricultural Workers Union (KPAWU) are mandated to protect the rights of all agricultural workers through collective bargaining and grievance resolution, the lived experiences of many women in tea estates reflect a profound gap between this mandate and actual practice. Most union leadership structures remain gender-imbalanced, and issues of SEAH are frequently dismissed or deprioritized during negotiations.

Conversely, NGOs have taken a more proactive and inclusive approach to these challenges. NGOs such as FIDA Kenya, ActionAid, and the Wangu Kanja Foundation have not only documented abuses in the sector but also designed direct interventions. For instance, FIDA Kenya's baseline survey (2017)¹⁷ highlights how the exclusion of casual workers from union representation has rendered many women in the tea and horticultural sectors voiceless in formal labour dispute mechanisms. The study points to systemic gaps in how labour unions engage with vulnerable categories of workers, emphasizing the need to reform union policies to become more gender-responsive.

NGOs have played a critical role in addressing this gap. The Empowering Tea Communities Project, coordinated by ActionAid and partners, is one such intervention that has enhanced the capacity of female workers to understand their rights, advocate for justice, and report violations. Through the establishment of Rights Champions and Women's Champions, the initiative has promoted rights awareness, supported survivors of gender-based violence, and mobilized tea workers to demand improved working conditions. These champions operate in collaboration with local authorities and are trained in rights literacy, psychosocial support, and referral systems¹⁸.

Importantly, recent initiatives have moved toward systemic reform. One such example is the training of stakeholders in dispute resolution and harassment prevention, conducted with support from the Federation of Kenya Employers (FKE) and aligned with the ILO's 2023 Code of Practice on addressing violence and harassment in the world of work. These efforts underscore a shift toward capacity building for unions and civil society organizations alike. However, access to tea plantations and workers remains a persistent barrier. Employers and, in some cases, government agencies have imposed

17 FIDA Kenya. (2017). *Baseline Survey on Violation of Women Labour Rights in the Horticulture Sector in Kenya*. Nairobi: Federation of Women Lawyers Kenya.

18 ActionAid. (2024). *Empowering Tea Communities in Kenya: Summary of Impact to Date*. Retrieved from <https://www.actionaid.org.uk>

restrictions that limit the reach and impact of NGO programs. As a result, many affected workers—especially those in isolated or privately owned estates—remain cut off from these support mechanisms.

The presence or absence of union support dramatically alters the outcomes for survivors of workplace abuse. Several women interviewed in Kericho County reported being dismissed or harassed without recourse, noting that union officials often failed to intervene or were complicit in reinforcing silence. Others described NGOs as their only sources of support, offering safe spaces, legal advice, and avenues for reporting abuse. This disparity highlights the urgent need for stronger collaboration between unions and NGOs to close the protection gap.

While labour unions still wield structural bargaining power and are crucial for collective action, they must undergo internal reforms to include women in leadership roles, train representatives in gender-sensitive advocacy, and institutionalize policies on sexual harassment. NGOs, for their part, require greater support to scale their efforts, ensure continuity beyond donor cycles, and secure formal access to all tea-growing regions.

Overall, although labour unions in Kenya's tea sector remain critical actors, they have not sufficiently addressed the gendered dimensions of labour rights violations. NGOs have filled this vacuum, often with limited resources and restricted access. The path forward requires strategic alliances between unions, NGOs, and international actors, underpinned by a clear gender lens, to transform both workplace cultures and institutional accountability frameworks.

2.5.4 Community Groups

Local human rights defenders in Kericho shared that community groups and NGOs are instrumental in providing direct education and support to workers. These groups operate under challenging conditions, trying to empower workers and advocate for their rights amid deeply ingrained cultural norms and economic dependencies that discourage workers from asserting their rights or reporting abuses. Programs run by organizations like ActionAid and the ETP, which focus on training Rights Champions and establishing women's groups to challenge gender norms, are crucial. These efforts are noted not only for their direct impact but also for their role in influencing broader industry practices and policies.

Building on these initiatives, community-based groups have increasingly positioned themselves as vital actors in both prevention and response to human and labour rights violations in Kenya's tea sector. The Empowering Tea Communities (ETC) Project, led by ActionAid in partnership with the ETP, KTDA, and global brands, provides a leading example. The project has trained Rights Champions and Women's Champions to raise awareness of human rights, document abuses, and guide survivors in accessing medical, legal, and psychosocial support. These champions are embedded within tea-growing communities, making them highly accessible and trusted by local workers¹⁹.

In the ETC midterm evaluation, over 92% of workers reported that they initially did not understand women's rights or the inappropriateness of workplace violence. Following

19 ActionAid. (2024). *Empowering Tea Communities in Kenya: Summary of Impact to Date*. Retrieved from <https://www.actionaid.org.uk>

targeted training and the establishment of local women's groups, this figure significantly improved, illustrating the transformative power of community-led initiatives. These groups have not only improved awareness but also facilitated collective action through community forums, local-level grievance mechanisms, and public participation in service delivery monitoring²⁰.

The Coalition Against Sexual Violence, in partnership with Oxfam, has also been central to advancing community engagement around SEAH through a survivor-centred approach. Their work highlights how survivors of GBV often turn first to community networks rather than formal institutions. These networks—comprising trusted elders, women's savings groups, and local paralegals—often serve as the first point of disclosure for survivors, offering moral support, informal mediation, and connection to formal justice systems. The foundation's work also emphasizes the importance of community-based mental health support, particularly in settings where formal health services are either inaccessible or mistrusted.

Despite these successes, community groups face major constraints. Access to private estates remains limited, particularly in areas where employers restrict external engagement or perceive advocacy groups as threats. Furthermore, community groups often rely on donor funding, making their interventions vulnerable to sustainability risks. Capacity gaps—such as insufficient training on legal procedures, trauma-informed care, and data collection—also hinder scalability.

Nevertheless, international actors and tea-buying companies have begun to recognize the strategic value of working with local groups. The Human Rights Impact Assessment by Partner Africa (2022), commissioned by Marks & Spencer and Waitrose, notes that the inclusion of community-based organisations in grievance redress systems strengthens the credibility and responsiveness of supply chain monitoring frameworks. It recommends institutionalizing their role through formal partnerships and joint accountability platforms²¹.

Community groups in Kenya's tea sector are not only responding to rights violations but also shaping industry standards and social norms from the ground up. Their embeddedness within local contexts, relational trust with workers, and innovative grassroots strategies make them indispensable to any holistic framework for labour rights protection. Strengthening these groups through formal recognition, capacity development, and resourcing would be a critical step toward building a more just and equitable tea industry.

2.5.5 Tea Estate Management

A former tea estate manager, who requested anonymity, discussed the varied efforts of tea estate management to address human and labour rights violations. Many large estates have adopted certification standards like the Rainforest Alliance's Sustainable Agriculture Standard, which includes human rights protections. However, enforcement of these standards is inconsistent. Reports of widespread sexual abuse and other human

20 ActionAid. (2024). *Empowering Tea Communities in Kenya: Summary of Impact to Date*. Retrieved from <https://www.actionaid.org.uk>

21 Partner Africa. (2022). *Human Rights Impact Assessment of the Kenyan Smallholder Farmer Tea Supply Chain for Marks & Spencer and Waitrose & Partners*. Retrieved from <https://www.partnerafrica.org>

rights violations continue, particularly in regions like Kericho County. The informant highlighted the Rainforest Alliance's recent actions—suspending and then reinstating certifications for companies the two companies operating in the South Rift—as indicative of ongoing challenges in maintaining consistent human rights practices despite formal compliance with sustainability standards.

Building on this, evidence from multiple reports reveals that while tea estate management teams have made some progress, significant challenges remain in translating policy into practice. Some companies have instituted anti-harassment policies and code of conduct frameworks aligned with certification standards from Rainforest Alliance, Fairtrade, and ETP²². These policies typically commit the companies to zero tolerance for sexual harassment and outline complaint procedures. However, multiple independent assessments—including those by the Kenya Human Rights Commission²³ and Oxfam—suggest that these policies are often superficial, with minimal enforcement and poor accessibility for casual or seasonal workers who are most vulnerable.

A recurring weakness in management responses is the over-reliance on audits and documentation-based compliance rather than proactive monitoring and workplace culture reform. As reported in *Tea Leaves a Mark*²⁴, survivors of sexual exploitation on tea estates consistently noted that formal complaint mechanisms are ineffective, inaccessible, or tainted by conflicts of interest. Supervisors accused of abuse often remain in positions of power, and reporting systems are rarely anonymous or trauma-informed. Moreover, there is a culture of silence and retaliation, where workers fear job loss, blacklisting, or ostracization if they raise grievances.

Efforts such as the implementation of Gender Committees, which are mandated in some certified estates, have shown promise in theory but lack consistency in their formation, resourcing, and independence. A 2022 Human Rights Impact Assessment (HRIA) commissioned by Marks & Spencer and Waitrose found that many such committees lacked training, legal literacy, or autonomy to function effectively. Furthermore, estate management often treats GBV training as a one-off compliance activity rather than part of a sustained capacity-building effort²⁵.

Nevertheless, there are notable strengths. Some estates have partnered with NGOs and civil society to improve their practices. For example, under the ETC initiative, estate managers participated in dialogue platforms with workers and community stakeholders, contributing to the creation of local grievance redress systems and community sensitization on gender rights²⁶. Additionally, some estates have provided support for women's economic empowerment initiatives and improved access to social services such as housing and water, particularly in KTDA-affiliated regions.

22 Rainforest Alliance. (2023). *The Rainforest Alliance to Address Pervasive Sexual Discrimination and Gender-Based Violence in Kenyan Tea Sector*. Retrieved from <https://www.rainforest-alliance.org>

23 Kenya Human Rights Commission (KHRC). (2008). *A Comparative Study of the Tea Sector in Kenya: A Case Study of Large Scale Tea Estates*. Nairobi: KHRC.

24 Oxfam & Wangu Kanja Foundation. (2025). *Tea Leaves a Mark: The Voice of Survivors of Sexual and Gender-Based Violence in Kenya's Tea Estates*. Oxfam Briefing for Business.

25 Partner Africa. (2022). *Human Rights Impact Assessment of the Kenyan Smallholder Farmer Tea Supply Chain for Marks & Spencer and Waitrose & Partners*. Nairobi: Partner Africa.

26 ActionAid. (2024). *Empowering Tea Communities in Kenya: Summary of Impact to Date*. Retrieved from <https://www.actionaid.org.uk>

However, major capacity gaps persist. Most tea estate management teams lack trained gender officers or dedicated human rights personnel to oversee policy implementation. Estate-level HR departments are often under-resourced, and their dual role in both worker welfare and employer interests presents a conflict. Moreover, many estates do not conduct regular internal assessments of their grievance mechanisms or track the outcomes of SEAH cases, making it difficult to evaluate effectiveness or detect systemic patterns of abuse^{27,28}.

In summary, while tea estate management in Kenya has taken some positive steps—particularly in response to external scrutiny—their efforts remain largely reactive and compliance-driven. Sustainable improvements will require a shift from formal policy adoption to worker-cantered implementation, including participatory monitoring, independent grievance mechanisms, survivor support services, and gender-balanced leadership. Without these, tea estate policies risk becoming symbolic gestures rather than transformative tools for rights protection.



27 FIDA Kenya. (2017). *Baseline Survey on Violation of Women Labour Rights in the Horticulture Sector in Kenya*. Nairobi: Federation of Women Lawyers Kenya.

28 Kenya Human Rights Commission (KHRC). (2008). *A Comparative Study of the Tea Sector in Kenya: A Case Study of Large Scale Tea Estates*. Nairobi: KHRC.





3.0 Summary, Conclusion and Recommendations



3.1 Summary

Women's Human and Labour Rights Violations: Women tea workers in Kenya's tea industry face significant human and labour rights violations characterized by poor working conditions, inadequate wages, and lack of benefits. These workers often endure unsafe and precarious working environments, with excessive hours, lack of proper contracts, and insufficient compensation for their labour. Many women are employed on short-term or casual contracts, which deny them access to essential benefits like maternity leave, sick leave, and healthcare. The absence of formal employment protections and the exploitative use of casual contracts leave women in a state of constant insecurity and vulnerability. Additionally, women are often subjected to gender discrimination, with limited access to employment opportunities and advancement based on merit. They frequently occupy the lowest-paying and most physically demanding positions, such as tea pickers, and are underrepresented in decision-making roles. There is a compelling need for legislative and operational reforms to secure safe and equitable working conditions for women. Enhancements in labour law enforcement and contractual fairness are imperative.

Women's Lived Experiences SEAH: The lived experiences of women tea workers highlight the pervasive issue of sexual exploitation, abuse, and harassment within the sector. Women are frequently coerced into sexual activities by some male supervisors and managers who leverage their authority over employment and work conditions. This coercion is often linked to threats of job loss or promises of preferential treatment, creating a hostile and unsafe work environment. The normalization of such abuse and a culture of silence further exacerbate the issue, as many women fear retaliation or do not trust the available reporting mechanisms. The psychological impact on victims is profound, leading to long-term trauma, depression, anxiety, and a diminished sense of self-worth. Women often feel trapped in a cycle of exploitation due to economic dependence on their jobs and the lack of alternative employment opportunities, which makes it difficult for them to resist or report the abuse. Effective interventions must address cultural norms and power imbalances within workplaces. Strategies include implementing robust anti-harassment policies, management accountability measures, and comprehensive education programs on rights and ethics.

Risk factors for Women's Experiences of SEAH: Women's experiences of rights violations, especially SEAH are shaped by both community-level and workplace factors. Community-level factors are deeply rooted in traditional gender roles, a culture of silence and stigma, normalization of abuse, and economic vulnerability. Traditional gender roles often position men as the primary decision-makers and breadwinners, while women are expected to be submissive and supportive. This cultural expectation creates significant power imbalances, making it challenging for women to assert their rights or resist exploitation. The pervasive culture of silence and stigma surrounding SEAH discourages SEAH survivors from speaking out due to fear of retaliation, victim-blaming, and social ostracization. This silence allows perpetrators to act with impunity. The normalization of abuse within the tea sector has led to widespread acceptance of exploitative behaviour, making it difficult for survivors to recognize or report incidents. Additionally, the economic vulnerability of women workers, who often depend on their jobs as their primary income source, exacerbates their susceptibility to abuse. The scarcity of alternative employment opportunities in tea-growing regions compels women to tolerate mistreatment to maintain their livelihoods and support their families.

Several workplace factors also influence women tea workers experiences of SEAH. The labour dynamics within the tea industry, characterized by a predominantly female workforce in low-wage, labour-intensive roles and male-dominated supervisory positions, create significant power imbalances. This structural hierarchy enables male supervisors to exploit female workers through coercion and harassment, leveraging their authority over employment and work conditions. The lack of a living wage further exacerbates this vulnerability, as women often earn insufficient income to meet basic needs, compelling them to accept sexual advances to secure their jobs. Inadequate enforcement of labour laws and the absence of robust accountability mechanisms allow perpetrators to act with impunity, while the lack of comprehensive policies and awareness perpetuates a culture of impunity. The absence of effective reporting mechanisms and support services, combined with the isolation of women's work and weak union representation, limits their ability to advocate for their rights and seek justice, leaving them vulnerable to ongoing mistreatment and abuse.

Addressing these factors requires a holistic approach that combines policy reform, legal enforcement, and cultural change initiatives aimed at empowering women and ensuring their safety in the workplace.

Women's Navigation and Coping Mechanisms: Women's coping strategies range from silence and resignation to adaptive behaviours like seeking informal support networks among peers. Formal complaints are rare and usually pursued only when safe and confidential reporting mechanisms are accessible. Strengthening internal grievance mechanisms, ensuring they are confidential, accessible, and free from retaliation, is crucial. Additionally, supporting informal support networks can provide interim solutions while formal mechanisms are improved.

Stakeholder Capacity: The capacity of stakeholders, including local government agencies, tea industry bodies, and international buyers, to address SEAH is limited by resource constraints, lack of specific focus on gender issues, and occasionally, corruption. Building the capacity of these stakeholders is essential for sustained change. This involves training, resource allocation, and creating partnerships focused on gender-specific issues in labour rights.



3.2 Conclusion

The findings of this study expose a grim reality in Kenya's tea sector: one where women's dignity, safety, and fundamental human rights are persistently undermined. Sexual exploitation, abuse, and harassment are not isolated incidents but deeply entrenched features of an industry that thrives on systemic neglect, patriarchal hierarchies, and economic desperation. The experiences of women tea workers—often coerced into silence, forced into exploitative transactions, and left to suffer in isolation—reflect the failure of both public and private institutions to protect those most vulnerable.

Tackling this crisis demands more than symbolic gestures. It requires a complete overhaul of the laws, policies, and workplace cultures that have allowed abuse to fester unchecked. Government authorities must not only legislate but act—by enforcing labour protections, closing legal loopholes, and holding perpetrators to account through swift, survivor-centered justice systems. Ratifying ILO Convention 190 and investing in effective inspection and redress mechanisms are essential steps toward rebuilding trust in the institutions meant to safeguard workers' rights.

Tea estate owners and multinational corporations must confront the hard truth that their silence or inaction perpetuates harm. They must lead from the front, institutionalizing zero-tolerance policies on SEAH, embedding accountability into every level of their operations, and ensuring that all workers—especially women—are safe, heard, and valued. Ethical business practice is not a brand slogan; it is a lived reality shaped by dignity at the workplace.

Civil society organizations, trade unions, and the media hold immense power to influence public discourse, support survivors, and challenge impunity. Their continued vigilance, advocacy, and capacity-building efforts must remain relentless, fostering safe spaces for women to speak and mobilizing communities to confront harmful gender norms.

Global buyers and certification bodies must also reckon with their role in either reinforcing or dismantling exploitative systems. Ethical sourcing must extend beyond environmental sustainability to encompass human rights. There can be no fair trade where women are silenced, violated, or forced into dehumanizing choices for survival.

Ultimately, the transformation of Kenya's tea sector will only be complete when women workers no longer carry the burden of silence. Their courage in sharing these stories demands not only recognition but action. It calls on all of us—as policymakers, business leaders, advocates, and citizens—to stand firmly on the side of justice and to build an industry where women's rights are respected, upheld, and celebrated.

The time to act is now. Protecting women from SEAH is not just a legal duty—it is a moral imperative, a societal obligation, and a measure of our collective humanity.



3.3 Recommendations for Action

To prevent and address effectively women's rights violations and exposure to the risks of SEAH in Kenya's tea sector, a comprehensive and multi-faceted approach is necessary. The following key actions are based on best practices are proposed:

3.3.1 Recommendations for Addressing Structural Challenges

These recommendations focus on strengthening the foundational aspects of legal, safety, and regulatory frameworks to ensure a safer and legally compliant working environment.

i. Strengthen Legal and Policy Framework and Enforcement

- **Legislative Actions:** The government of Kenya, through Parliament, Ministry of Labor and Social Protection should revise existing labour laws to specifically include provisions for SEAH, ensure contract stability, and enhance safety regulations in all. These institutions should develop new legislation that criminalizes SEAH in all workplaces, including agricultural settings.
- **Regulatory Oversight:** The government should consider establishing a dedicated regulatory body/department responsible for enforcing SEAH policies, conducting regular and surprise audits of workplaces including tea plantations, and publishing findings in a transparent manner.

- **Financial Incentives mechanisms and Penalties:** Establishing financial incentive mechanisms—such as compliance-linked premiums in supply chains, greenlist supplier accreditation, and leadership compensation tied to ethical metrics—has proven effective in incentivizing SEAH prevention and labour rights compliance. Programs like the Fair Food Program in the U.S. have leveraged price premiums to eliminate sexual violence on farms, while the Bangladesh Accord shows that binding agreements preserve worker safety at scale. Emerging initiatives, including Italy's fashion 'green lists' and the U.S. DOJ's executive incentive pilots, demonstrate the relevance of financial levers in modern compliance regimes. Stiff penalties, including substantial fines and potential business license revocations, should be explored for those that fail to comply.
 - **Mandatory Training and Reporting:** Require all tea plantations to conduct annual SEAH prevention training for all employees. Mandate regular reporting on SEAH incidents and the effectiveness of prevention measures, to be audited by the regulatory body.
 - **Prosecution:** The Judiciary and Directorate of Public Prosecutions (ODPP) should fast-track the creation of mobile courts or special circuits in tea-producing regions to handle GBV and sexual harassment cases; strengthen the link between medical/legal evidence and prosecutorial outcomes.
 - **Enforcement:** Strengthen government enforcement mechanisms by adequately resourcing the Ministry of Labour, the Directorate of Occupational Health and Safety Services, and county-level labour offices to conduct regular, unannounced inspections on tea estates. Improve coordination between labour officers, gender officers, and law enforcement agencies to ensure survivor-sensitive handling of complaints.
- ii. **Infrastructure and Safety Improvements**
- **Safe Working Environment:** Tea plantation owners and the Department of Occupational Safety and Health Administration (OSHA) should implement mandatory safety standards, including the provision of appropriate personal protective equipment and the maintenance of plantation infrastructure.
 - **Health Services Access:** Tea companies in collaboration with the Ministry of Health and County Health Departments should establish mobile clinics and outreach programs in tea estates and plantations to provide on-site mental health, sexual and reproductive health, and psychosocial support services for survivors of SEAH, prioritize trauma-informed care and survivor confidentiality.

3.3.2 Recommendations for Addressing Management-Related Challenges

The proposed actions focus on improving management practices to foster a respectful, inclusive, and equitable workplace environment.

i. Leadership and Company Culture

- **Zero-Tolerance Policy:** Top management of tea plantations and/or companies must publicly and consistently communicate a zero-tolerance policy towards SEAH, demonstrating commitment through personal involvement in policy dissemination and enforcement. There is need for CEOs and board members of tea companies to foster a corporate culture that promotes dignity and equality, with top management leading by example.

- **Cultural Transformation Programs:** Tea plantations should develop and implement programs aimed at transforming company culture to prioritize respect, equality, and professionalism. Include training for managers on ethical leadership and accountability.
 - **Risk Mapping and Regular Reporting:** Tea plantations/estates should, in collaboration with and support from certification bodies, utilize expert consultations to conduct thorough risk assessments for SEAH and establish a transparent reporting system within the company for ongoing monitoring and evaluation.
- ii. **Grievance Mechanisms and Investigation Procedures**
- **Independent Reporting Channels:** Third-party service providers and internal compliance teams should establish and maintain confidential and accessible reporting mechanisms such as hotlines and online portals that ensure anonymity, protection from relation and are free from potential managerial biases.
 - **Third-Party Investigators, External Review and Audit:** Contract with external, independent investigators to handle all SEAH complaints to prevent internal biases and protect the integrity of the investigative process. Independent audit firms, and international watchdogs can be engaged to conduct regular independent audits of internal policies and their implementation, publishing the results for public accountability.
- iii. **Monitoring and External Oversight** – Rainforest Alliance, Fairtrade, and Ethical Tea Partnership should enforce transparency by requiring certified estates to report implementation outcomes and not just policy compliance.

3.3.3 Recommendations for Addressing Employability Challenges

The suggested actions here are aimed at improving job security, working conditions, and equity in employment practices.

- i. **Policy Development and Advocacy**
- **SEAH Policies and Training:** Human Resources departments of tea companies, senior management must develop, regularly update and enforce clear and comprehensive SEAH policies, defining behaviours that constitute SEAH, delineating clear consequences for violations, and outlining the process for handling complaints. Regular training should be implemented programs for all staff, and create a supportive culture through leadership example
 - **Worker Training and Awareness:** Provide extensive training on SEAH recognition and prevention to all employees. Launch broad-based awareness campaigns to educate all workers about their rights and the support available to them.
- ii. **Fair Employment Practices**
- **Wage Equity and Transparency:** Payroll departments of tea companies and labour unions should work towards standardising wage scales and ensure transparent communication regarding wage calculations and payments.
 - **Contractual Stability:** The Human Resources departments and legal teams of tea companies need to transition from precarious short-term contracts to more stable employment agreements that provide benefits and job security.

iii. Worker Empowerment and Representation

- **Union Support and Representation:** There is need for labour unions and NGO's supporting labour rights to strengthen union capabilities to negotiate effectively, ensuring equal female representation in union leadership and decision-making processes.
- **Equal Opportunities:** Create and enforce policies that guarantee equal hiring and promotional opportunities for women, including specific initiatives to support women's advancement into leadership roles.
- **Education and Skill Development:** Tea companies, local educational institutions and NGOs can collaborate and invest in educational programs and professional development opportunities, particularly targeting women for leadership roles.
- **Support Services:** Establish support systems for SEAH survivors, including counselling, legal aid, and healthcare services, particularly focusing on women's health.

iv. Community-Level Prevention and Company–Community Collaboration

- **Establish joint company–community SEAH prevention programs:** Tea estates should co-design and implement SEAH prevention programs in collaboration with local community leaders, civil society organizations, youth groups, and faith-based actors. These programs should focus on changing harmful gender norms, challenging the normalization of abuse, and promoting respectful relationships through culturally relevant approaches such as community dialogues, street theatre, and radio campaigns in local languages.
- **Create community-based survivor support hubs:** In partnership with CSOs and health providers, tea companies should support the creation of community-based survivor support hubs—accessible, confidential spaces offering trauma-informed counselling, legal aid, and referrals. Locating these services within trusted community institutions will improve access and destigmatize help-seeking. These hubs should be linked to estate-level grievance mechanisms and embedded in broader protection networks.
- **Set up Community–Company Liaison Committees:** Tea companies should formalize multistakeholder liaison committees comprising estate managers, women workers, union representatives, community elders, local authorities, and civil society actors. These committees will monitor SEAH risks, mediate grievances, support reporting and accountability processes, and promote transparency through community scorecards and regular public forums.
- **Support women's economic empowerment initiatives:** To reduce women's vulnerability to exploitation, companies should invest in joint livelihood initiatives such as vocational skills training, women's savings and loans groups, and school-based mentoring programs for adolescent girls. These programs should be co-delivered with local NGOs and community groups to increase girls' and women's economic independence and reduce reliance on precarious plantation work.

3.3.4 Recommendations for Cross-Cutting and Community Engagement Issues

Suggested actions here are aimed at addressing broader social norms and engaging with external stakeholders to support internal changes.

- **Local Community Involvement:** NGOs, community leaders and tea companies can work together to develop and implement community programs aimed at changing harmful norms and behaviours, engaging local leaders and community members in gender sensitivity and rights education.
- **Strengthen NGO Partnerships:** Form strategic alliances with NGOs and community groups to leverage their expertise in SEAH prevention and response. Support these organizations financially and logistically to enhance their capacity to assist in these efforts.
- **Cultural Change Initiatives:** Collaborate with local community leaders to launch initiatives aimed at changing harmful cultural norms that contribute to SEAH. Include educational programs that target both men and women, aiming to shift perceptions and behaviours regarding gender roles and rights.
- **Engage International Partners:** Work with international buyers and human rights organizations to bring global attention to SEAH issues within the tea industry. Use their influence to advocate for better practices and higher standards across the industry.
- **Support Services for SEAH Victims:** Tea companies, health care providers and specialized NGOs should establish support systems including counselling, legal aid, and healthcare services focusing on trauma-informed care for SEAH survivors.

3.3.5 Recommendations for Survivor Support

To promote dignity, safety, and accountability for survivors of SEAH in Kenya's tea industry, a comprehensive package of services is needed across psychosocial, medical, legal, economic, and protection domains. These services must be coordinated and adequately resourced, with the active participation of public institutions, employers, civil society, and community actors.

- **Psychosocial support and trauma care:** To strengthen psychosocial support and trauma care, the Ministry of Health and County Health Departments should establish on-site psychosocial counselling centres in large estates and deploy mobile mental health outreach units to serve workers in remote smallholder plantations. Estate management, in partnership with NGOs who form membership of the CASV and other women rights organisations, should engage professional counsellors trained in trauma-informed approaches and facilitate peer-led interventions through trained Rights Champions and community health volunteers.
- **Medical support:** The Ministry of Health should ensure that public health facilities in tea-producing areas are equipped to offer post-rape care (PRC), including PEP and emergency contraception, and that these services are accessible to both permanent and casual workers. Employer-sponsored medical schemes and private health insurers should be required to integrate sexual and reproductive health services into their benefit packages, while estate clinic staff must be trained in survivor care protocols and proper forensic documentation to support legal processes.
- **Access to legal aid and justice:** The National Legal Aid Service (NLAS), in collaboration with legal NGOs could provide free legal assistance and

representation. The Judiciary and Office of the Director of Public Prosecutions should operationalize mobile courts or designate fast-track SEAH units in tea-growing counties to reduce delays in GBV case resolution. The Kenya Police Service should further institutionalize survivor-sensitive protocols by training officers stationed at gender desks on respectful interviewing and case handling procedures.

- **Safe reporting and whistleblower protection:** To improve safe reporting and whistleblower protection, estate management, together with the Kenya Tea Growers Association (KTGA), should set up multiple confidential and anonymous reporting channels, such as SMS-based helplines, WhatsApp platforms, and secure suggestion boxes across estates. These mechanisms should be overseen by independent grievance redress bodies and integrated into human resource systems. The Kenya National Commission on Human Rights (KNCHR) and trade unions such as the Kenya Plantation and Agricultural Workers Union must advocate for and monitor strict enforcement of anti-retaliation measures.
- **Emergency shelter and survivor relocation:** County governments, in partnership with the Ministry of Public Service, Gender and Affirmative Action and local NGOs should establish short-term safe houses within accessible distance from tea estates. Survivor protection should be enhanced through discreet referral pathways and emergency transport services supported by estate security or local community-based networks.
- **Economic empowerment and reintegration:** Estate management should link survivors to internal training programs, job reassignment options, and women-led savings groups. National funds such as the Women Enterprise Fund and Uwezo Fund, along with NGOs like ActionAid and CARE International, should prioritize survivors in grant-making and livelihood programs. Community-based savings and credit cooperatives should also be engaged to offer financial resilience options to affected women.
- **Remediation and Redress:** To ensure meaningful justice for survivors of SEAH, mechanisms for remediation must go beyond legal processes and include compensation, restitution, and long-term rehabilitation. Estate management, in consultation with trade unions and women's rights organizations, should establish a survivor compensation fund to provide financial redress for medical expenses, psychosocial support, loss of income, and other SEAH-related damages. The Ministry of Labour and Social Protection should issue policy guidance to tea companies mandating internal investigation procedures with survivor protection protocols and ensuring prompt remedial actions against perpetrators. At the sector level, the KTGA, in collaboration with the ETP and other certifying bodies, should enforce mandatory remediation frameworks as a condition for certification. Survivors who lose employment or face retaliation must be supported through structured reintegration programmes, including job reallocation, livelihood training, or transitional income support managed by employers and linked to national social protection systems. Monitoring of remediation efforts should be independently carried out by civil society actors and County Gender-Based Violence Recovery Committees to ensure transparency, survivor agency, and closure.
- **Monitoring, evaluation, and accountability:** The Ministry of Labour and Social Protection, together with estate compliance officers and local CSOs, should conduct regular service audits, track SEAH case outcomes, and integrate

survivor feedback mechanisms. Multistakeholder oversight committees, including survivor representatives, should be instituted at county level to ensure that services remain responsive and survivor-centred.



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