



Enforceable Brand Agreements: Potential and Limits to Address Gender-Based Violence

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Introduction

Gender-based violence¹ remains a pervasive problem in global value chains, where millions of women produce everything from T-shirts to smartphones. Brands' Codes of Conduct (CoCs) and a plethora of multistakeholder initiatives (MSIs) have done little to protect women at work. In contrast, collective bargaining agreements (CBAs) negotiated between unions and suppliers have proven to be more impactful (e.g., Anner, 2022). However, few CBAs exist, and even fewer address gender-specific concerns. Further, suppliers often argue that their scope to improve working conditions is limited, as it is the large brands that determine the terms of business.

Consequently, enforceable brand agreements (EBAs) have emerged as a more promising alternative. These agreements are interlocking, binding contracts between brands, local partners, labour allies, and supplier(s), who jointly commit to addressing one or multiple issues in the global value chain. With the recent emergence of EBAs that explicitly address gender-based violence and harassment (GBVH), such as the Dindigul Agreement to end GBVH (henceforth Dindigul Agreement), the Lesotho Agreements on the Prevention and Elimination of GBVH (henceforth Lesotho Agreement), and the recently signed Central Java Gender Justice Agreement in 2025, it becomes important to critically assess under what conditions the agreements are likely to bring about meaningful and lasting change for women workers.

To examine when EBAs can deliver meaningful gains for women workers, this brief compares two cases:

1. The Lesotho Agreement (2019), established after investigations into widespread sexual harassment and freedom of association violations
2. The Dindigul Agreement (2022), created in response to the murder of Dalit worker Jeyasre Kathiravel by her supervisor after alleged prolonged sexual abuse

Both agreements seek to address GBVH and protect freedom of association in garment factories in Lesotho and Tamil Nadu, India, respectively.

Our findings show that EBAs are more likely to achieve an impact for women workers when they:

1. Are rooted in local organising, including women workers in leadership positions
2. Provide grievance mechanisms that women workers can access in multiple ways, and that address all types of grievances quickly and confidentially
3. Secure continued sourcing commitments from brand signatories

It will be helpful for stakeholders aiming to address GBVH in value chains, including labour allies, grassroots organisations, and policymakers, to be knowledgeable of these conditions.



Research

This brief draws on doctoral research by Jerrentrup on the Lesotho Agreement and Dindigul Agreement, as well as on Shivakumar's practical experience and research on the Dindigul Agreement.

Jerrentrup conducted fieldwork in Lesotho (January 2024) and Dindigul, India (May 2024)², complemented by online interviews between September 2023 and September 2025. In total, 76 participants (42 Lesotho, 34 Dindigul) were interviewed, including unions, women's organisations, implementing partners, and workers. Data collection combined semi-structured interviews, focus group discussions, and document analysis, covering training materials (Lesotho), union documentation (Dindigul), and public reports. Interviews were held in English or with female translators as needed. The data was thematically analysed using NVivo 14. The research was supported by the ESRC Postgraduate Studentship (Grant No. ES/P000622/1) and BUIRA PhD Award. Part of the results of this research are published in "Work, Labour, and Governance in Global Supply Chains," in *Cornell University Press* (Jerrentrup, 2026).

Shivakumar has more than seven years of experience working with garment unions. She supported the campaign leading to the Dindigul Agreement (2021–2022) while working with the Asia Floor Wage Alliance (AFWA) and continues to work closely with the Tamil Nadu Textile and Common Labour Union (TTCU), the signatory union. The insights presented here also draw on her co-authored article on the Dindigul Agreement's grievance mechanism, which are published in the *Anti-Trafficking Review* (Standow, Shivakumar & Rakini, 2025). It analyses how ensuring freedom of association at the factory level can enable more effective grievance and remediation processes, in line with the effectiveness criteria under UNGP 31.



Background

Women make up the majority of workers in global value chains, including garments, electronics, and agriculture, yet their rights are often overlooked in existing private regulations (Barrientos et al., 2003; Barrientos & Smith, 2007). Gender-based violence remains widespread. Studies show that 73% of garment workers in Bangladesh and 40% in the Dominican Republic reported experiencing or witnessing harassment (Gibbs et al., 2019; Pantaleón, 2003), ranging from shouting to unwanted touching. In extreme cases, GBVH can include coercion to exchange sexual favours for jobs or promotions, and even femicide, as seen in Lesotho and Dindigul, and examined in this brief.

Gender-based violence is rooted in deep power imbalances reinforced by gender norms, where global brands demand faster and cheaper production, suppliers tighten control over a predominantly female workforce, and abuse becomes a tool of discipline and compliance. Women's vulnerability is further shaped by intersecting factors such as migration status, caste, race, or single motherhood. Despite how widespread it is, GBVH has been largely overlooked in the common forms of private governance initiatives that dominate global value chains, which have done little to protect women workers.

EBAs have been celebrated as a better alternative because:

1. They are legally binding through arbitration and thereby could hold any signatory that violates the agreement accountable, which contrasts with a voluntary code of conduct.
2. They are meant to require unions or worker organisations to play a central role in the design and implementation, thereby allowing for more contextualisation of the interventions. Further, in the governance structure, labour stakeholders hold equal veto power equal to that of brands. This sets them apart from MSIs, which may consult workers but often leave decision-making in the hands of member-brands.
3. They are said to leverage the power of brands to enforce supplier compliance, such as through rewarding or penalising supplier compliance, thereby providing incentives for suppliers to cooperate.

Research shows that these features are likely to make EBAs more effective than CoCs and MSIs (e.g., Reinecke & Donaghey, 2021, 2023). Yet these features alone do not explain why some EBAs are more successful than others in addressing GBVH. With the rise of EBAs that explicitly address GBVH, it is vital to understand how these agreements confront gendered constraints and under what conditions they can drive real change for women workers. This brief applies a gender lens to examine when EBAs are more likely to lead to meaningful change for women workers.

Key Findings

Findings suggest that EBAs are more likely to reach a positive impact for women workers when they are:

1. Rooted in local organising that includes women from the worker community in leadership roles. Such foundations build trust in grievance mechanisms (especially for reporting sensitive issues like GBVH), ensure contextually relevant training, and can strengthen women's collective bargaining power over time.

The Dindigul Agreement emerged from the organising of TTCU, an independent, women-led, majority-Dalit trade union with over 13,000 members in Tamil Nadu. With a strong village-level presence in Dindigul, TTCU has enabled Dalit women to win local government elections, organise for community access to safe drinking water, and lead campaigns against domestic violence – thereby breaking entrenched caste and patriarchal norms.

The TTCU played a central role in shaping the design of the grievance mechanism and training on it, making it accessible and easy to understand for workers. The training sessions were regular and consisted of specific grievance examples delivered in the local dialect used by the workers in that region. To reinforce learning, further training happened outside of the workplace, when union members visited homes and villages. During implementation, most grievances were received through the union and by union-trained shop floor monitors, then addressed through union–management dialogue (Jerrentrup & Kuruvilla, 2024). Because the union has won previous cases in the community, women workers trusted it to handle sensitive cases, and the union–management dialogue helped strengthen women's collective bargaining power in the factory (Standow et al., 2026).

The Lesotho Agreement emerged from investigations by a US-based NGO. Three unions and two local women's rights organisations were brought on board to support the design and implementation. However, the unions were male-dominated and lacked experience addressing GBVH. The women's rights organisation, while well-regarded, did not have experience working with garment workers, nor were they from the workers' community (Jerrentrup, 2026). Although included in the process, the local partner contributed less to designing the grievance mechanism and training, which reduced the mechanism's contextual relevance. For example, training facilitators struggled to explain GBVH to workers because it lacked a local translation and the manual offered few local examples. An independent body, partly managed by one of the women's rights organisations, received grievances through a hotline. However, several workers reported limited trust in the grievance mechanism. The Lesotho Agreement did not include specific measures to increase women's representation within unions or within the Agreement itself. Such measures may have increased women workers' trust in the Lesotho Agreement and collective bargaining power in the long run.

2. Provide grievance mechanisms that women workers can access in multiple ways and that address all types of grievances – not just GBVH – quickly and confidentially. Such mechanisms accommodate different reporting preferences and help build trust over time among workers in the mechanism.

Under the Dindigul Agreement, workers can report their grievances through multiple channels. Most often, they report their grievances to (a) shop-floor monitors (SFM), who are co-workers on their production lines with the authority to address minor GBVH and shop-floor issues directly, and (b) TTCU, either during the union's regular bi-weekly factory visits, weekly visits to workers' villages, or over the phone. Workers can also use the legally mandated Internal Complaints Committees (ICCs) and other government-mandated channels, which are integrated into the Agreement's grievance system (see also Jerrentrup & Kuruvilla, 2024). This multi-level structure ensures that workers have different options depending on their comfort level and the nature of the grievance, whether factory-related (e.g., production pressure, wage theft) or personal (such as caste-based harassment in the village or domestic violence at home).

SFM often resolve issues immediately on the shop floor, while TTCU escalates and addresses more complex cases through direct union-management dialogue, with most cases resolved within two weeks. Crucially, this dialogue has also enabled solutions beyond the formal scope of the Agreement, such as factory support for domestic violence survivors, wage increments, and improvements to canteen food, which strengthened workers' trust in the system. Seeing tangible outcomes made women more confident to report GBVH cases, with less fear of stigma or retaliation.

The Lesotho Agreements grievance mechanism is accessible via a toll-free hotline that is generally answered within working hours. Some workers did not feel comfortable reporting problems over the phone, particularly while they were in the factory. The hotline is limited to grievances related to GBVH and violations of associational rights in the workplace. Workers and union officials appreciated the speedy resolution of grievances, within 30 days, and the confidentiality of the grievance resolution procedure. For complaints that fall outside the scope, workers are redirected to unions or other relevant organisations. This caused confusion and sometimes frustration amongst workers who attend trainings or call the hotline with the expectations that it could address other grievances, especially in relation to their salaries. This also means that other problems persist; for example, workers reported that production quotas, but not wages, have increased, creating added pressure and possibly heightening the risk of verbal abuse.

3. Secure continued sourcing commitments from buyer brands. Only if the supplier factories under these agreements continue to operate at the usual capacity can GBVH be addressed through an EBA.

Since its signing, the Dindigul Agreement's main factory workforce has fallen by over 40%, from 3,300 in January 2021 to 1,817 in April 2025, and has never recovered to more than 58% of pre-agreement levels (Kuruvilla, 2025). Frustration over job losses among friends and relatives, as



well as reduced income from fewer working hours, led to troubling narratives by workers. While many workers acknowledge the positive results of the union– management dialogue introduced under the Agreement, they also questioned whether the Justice for Jeyasre Campaign and resulting Agreement itself were worth the economic hardship.

In the Lesotho Agreement, three of five factories closed during implementation, reducing the workforce from around 10,000 to 4,399 (WRW, 2023, p.6). Supervisors reportedly blamed the Agreement for reduced orders, and many workers feared that reporting grievances would drive away buyers and cause further layoffs. This fear persisted despite clarifications from local partners. Nearly all workers stressed that job security must come before harassment can be meaningfully addressed. As one woman worker explained: *“If the workload returned to more normal levels and our salaries were enough to meet our basic needs, much of the harassment and pressure workers face could also reduce.”*

Job insecurity heightens women’s vulnerability to sexual abuse, which may counteract the positive impacts of EBAs. Workforce reductions in both cases stemmed from multiple factors, including the impacts of the COVID-19 pandemic in both Lesotho and India, as well as the later effects of US-imposed tariffs and related economic pressures in India. For both the Dindigul and the Lesotho Agreements, the brand contracts are confidential, and we could not assess sourcing commitments. However, the examples show that the EBAs have not prevented job losses.

Considerations for Brands _____

- **Commit to continued sourcing:** Maintain orders with supplier factories covered under EBAs to protect jobs and ensure agreements are not undermined by layoffs or closures.
- **Reward compliance with orders:** Increase orders for compliant factories so that the EBA model can become an example for replication for competing suppliers and curbs anti-union sentiment in the local industry.
- **Publish underlying contracts:** Make sourcing commitments, funding arrangements, financial statements, and arbitration clauses public so that others can learn from them, and accountability can be independently assessed.

Considerations for International Labour Allies _____

- **Ensure women’s representation:** Establish the participation of women workers in the design and implementation of EBAs. If local organising or women’s leadership is weak, invest time and resources in building leadership by women workers during the agreement.

- **Design accessible and encompassing grievance mechanisms:** Develop grievance mechanisms that allow for multiple access points and that address all issues that concern women workers in a quick and confidential manner to build women's trust in the grievance mechanism.
- **Ensure that lessons learned are shared:** Engage in continued critical dialogue to allow new EBAs (e.g., Central Java) to adapt lessons from earlier agreements.

Considerations for Local Labor Unions _____

- **Strengthen women's leadership:** Invest in building and sustaining women worker leaders, not only as grievance reporters but as negotiators, strategists, and decision-makers at every stage of the EBA.
- **Ensure data ownership and transparent documentation:** Even if grievance resolution happens informally, as is common in trusted union-worker cultures, the outcomes should still be formally recorded. Systematically documenting all cases helps ensure that complaints are captured, the impact of the union's work is visible and recorded, and strengthens the union's ability to negotiate, learn from patterns over time, and hold itself, as well as other actors, accountable.
- **Build independent strategic and governance capacity:** Invest in developing the union's own legal, financial, and decision-making capacity to help co-govern the EBA, rather than only implement it in practice. This helps ensure that local unions participate as equal negotiating partners, rather than relying excessively on INGOs or brands to steer the process.

Considerations for Researchers _____

- **Analyse underlying contractual agreements:** Move beyond general claims about sourcing and enforceability by analysing the underlying contracts (for which access is critical, as mentioned in the point above).
- **Continue worker-centred research:** Pursue empirical studies that examine how EBAs work on the ground, particularly concerning sensitive and complex issues such as GBVH, while ensuring ethical standards and prioritising workers' safety, as we elaborate [here](#).
- **Track broader and diverse outcomes:** Gather perspectives beyond the leadership of the signatory organisations. Assess the impact of EBAs by engaging with rank-and-file union members, their families, and other affected community members. Include not only workers who remain employed under the agreement, but also those who may have exited or been excluded in a safe, confidential, and independent manner.

Considerations for Policymakers

- **Recognise EBAs in due diligence regulation:** Incentivise EBAs by recognising them as a form of risk prevention and remediation for GBVH and violations of freedom of association.
- **Promote transparency:** Encourage or require publication of agreement texts and progress reports to strengthen accountability.

¹ GBVH affects all genders. In this paper, we focus on GBVH against women as a specific and systemic issue arising from historically unequal power relations.

² Fieldwork in Dindigul was conducted as the lead researcher for the [Dindigul Agreement Year 2 Report](#).

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