

Bangladesh Legal Aid and Services Trust (BLAST)

GENDER POLICY

2018♦

Background

1. The Bangladesh Legal Aid and Services Trust (BLAST) recognises the vital role of women in nation building. It also supports Paragraph 41 of the Beijing Platform for Action, Fourth United Nations World Conference on Women. That paragraph provides in part that "the achievement of equity between women and men are matters of human rights and conditions for social justice."
2. BLAST promotes gender equality within its organization and within the communities it serves according to the guidelines in its Service Rules, Regulations, and Policies to ensure the achievement of that goal.

Rationale

3. In order to uphold the organization's efforts to address gender discrimination, BLAST has reviewed its previous Gender Policy and formulated an updated version with more comprehensive and effective practices. With the approval of these documents by the Board of Trustees the organisation will be accountable for the fulfilment of the provisions made in these documents. Not only do these documents serve to demonstrate the organisational commitment, they are also to be used as directives and guidelines for the management on what needs to be done and how. Finally, staff can use them to claim their rights and also as guidelines or principles to follow in the design, implementation, and monitoring of gender-sensitive programmes.
 4. This Gender Policy is valid for a period of 10 years - i.e. until 2028 -, when a review of its contents and post-implementation study must be conducted in order to bring it up to date with the new context.
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Principles

5. The following principles will serve as a framework for the application of the Policy.
 - a) Gender equity and equality:** Gender equality is the state of equal responsibilities, opportunities, and expectations between men and women, and not only a goal in itself, but a necessary condition for achieving other social and development goals. Gender equity, on the other hand, would be

a means of achieving that goal. Equity ensures fair treatment by considering men and women taking into consideration their different and specific needs.

b) Respect for gender identity: Respect for gender identity ensures the recognition and acceptance of the gender any person identifies with, even if that is not the gender that person was associated with at birth.

c) Access to justice for all: One of the key principles of BLAST is ensuring access to justice for the poor and disadvantaged. Those who suffer gender discrimination are among the most deprived in terms of access to justice and are therefore a priority group for BLAST to work with.

d) Accountability: Ensuring accountability requires increased understanding and capacity among staff and working partners to uphold the value of equality and gender results through their actions in the professional and personal area.

Goal

6. The goal of this Policy is to promote gender equality and equity within BLAST, thereby positively impacting our employees and the communities BLAST serves, ultimately contributing towards establishing the human rights of all.

Organizational Objectives

7. The organizational goals are as follows:
 - a) Increase parity and representation of women;
 - b) Increase participation of women in decision making at all levels;
 - c) Ensure gender-sensitive organisational culture and environment;
 - d) Establish structures, processes and facilities that promote gender equity.

Organizational Strategies

- Authorities of the Trust
8. All policy-making, management and advisory committees should aim to include diverse groups and ensure adequate representation of women i.e. at least one-third of all members should be women. The Board membership should ensure that various categories of interests are represented, especially women and diversity.
 9. The Management Committees are formed with eight members of the Bar Association with the present and previous two years elected President and Secretary (who may be male or female) and two male advocates and two female advocates of the Bar Association. This will be treated as a minimum requirement and will be specified in the Guidelines and monitored.

Staff Recruitment

10. To achieve the long-term goal of gender balance in the overall workforce of the organization, BLAST has set targets to be attained by the year end of 2020. The targets are set on the basis of anticipated funding and vacancies, which will take place through normal attrition.
11. In order to achieve greater parity in numbers effort will be made to recruit more women at all levels. **Advertisements for staff will specify that women will be given preference.** When there are candidates of similar qualifications and experience, the women candidate will be given preference. If women are not available for certain posts due to having less qualifications or experience the requirements may be adjusted to the available experience or qualifications, without prejudicing the quality of the work to be carried out (while ensuring that the minimum necessary requirements of performance are met). The present practices on affirmative action regarding recruitment will be formalized and incorporated in the service rules
12. Interview Boards should seek to ensure gender-balance and ensure the minimum of at least one women on the interview board. **No candidate can be accepted into BLAST without having been interviewed by at least one woman.** Care will be taken not to ask women any discriminatory questions. The kind of questions asked to women should not differ from those asked to men - for example, they should also not be asked personal questions on their marital status or family relations.
13. With regard to the Head Office and projects and clinics based in the HO:
 - a) BLAST's goal is to maintain a gender ratio for senior management positions¹ of 50% women and 50% men. At present, there are 66% men and 34% women.
 - b) For junior management positions², BLAST's goal is to achieve a gender ratio of 50% women and 50% men. At present, the ratio is 65% men and 35% women.
 - c) With respect to support staff³, BLAST's goal is to achieve a presence of 25% women. The current ratio is approximately 92% men and 8% women.
 - d) With regard to Unit Offices and Clinics based out of Dhaka, BLAST's goal is to achieve the following ratios:

	Present ratio	Proposed ratio
Senior management positions	81% m, 19% w	60% m, 40% w
Junior management positions	60% m, 40% w	50% m, 50% w
Support staff	90% m, 10% w	75% m, 25% w

¹ PROPOSED NEW TEXT: Senior Management comprises the positions of Director, Deputy Director, Assistant Director, Coordinator, and Senior Officer.

² Junior Management comprises the positions of Grade 2 Officer, Grade 1 Officer, Junior Officer, Store Officer, Paralegal, Legal Facilitator, and Law Clerk.

³ Support staff comprises the positions of Driver, Messenger, and Cleaner.

- e) With regard to interns, the target is full parity, maintaining a 50% men and 50% women ratio at all times.
- f) With regard to consultants, usually employed only for a short period of time, full parity is aimed for.
- g) In addition, efforts will be made to increase the number of women serving as Panel Lawyers - until the number of qualified women lawyers increases as to compose 50% of the total, the provision of 3 years experience for women and 5 years experience for men will be maintained for the selection of panel lawyers.
- h) Each unit office will have at $\frac{1}{3}$ of women staff in order to foster an environment where women clients feel at ease, so that they can express any feelings or reveal any information that they would not to male staff. Also having at least two staff would increase the probability of their settling into the organisation and they would provide support for each other. This will be specified in the Staff Rules section on assignment of duty (page 8, Chapter III).
- i) Understanding that merely giving preference to women candidates is not enough, and that we must undertake specific efforts to reach qualified women applicants who are not already in the applicant pool, the Human Resources departments will develop and implement a **Diversity Recruitment Strategy**. This will seek to ensure diversity in terms of ethnicity, religion, disability, caste, sexuality, and gender identity.

Staff Development and Career Development

14. All BLAST staff will undertake one mandatory module of training titled “**Gender and Women’s Rights**”; newly recruited staff will have 6 months to undertake the training, while the existing staff will have one year from the approval of this Policy to complete the training module. Participation in the training is indispensable.
15. A **Staff Development Policy** will be formulated which will specify how staff will be assessed to identify their strengths and weaknesses, including areas needing further development. According to the results of the assessment, professional training such as workshops on public speaking, management skills, academic writing and research methods will be provided, considering BLAST’s commitment to reaching gender-balance among its staff at all organisational levels. Special attention will be paid to the learning potential of any women staff in whose case the eligibility criteria were more flexibly applied (such as number of years of work experience, or any specific proficiency), so as to ensure they fully master the skills necessary to execute their work and improve their performance by provide the necessary training.

Work Conditions:

16. **Working hours:** In recognition of specific family responsibilities of both women and men, flexible office hours may be agreed upon. Time taken off for family

responsibilities will be compensated within an agreed timeframe so that there is no complaint of undue advantage being taken or privilege for women or men.

17. Parental Leave: BLAST provides for 4 months paid maternity leave, with the possibility of requesting 2 extra unpaid months. Paternity leave of up to 14 (10) working days paternity will be provided. Budget provisions will be made so that extra staff can be hired to carry out the work of staff on maternity leave. Also allowances can be given for certain designated staff (one or more) who are given additional responsibilities during the maternity leave period of their colleagues.

Management will explore the possibility of introducing provisions for staff with small children to take family sick leave when their children are unwell e.g. up to five days a year. This can be taken by male or female staff.

18. Space: Each office should have separate toilets for women. Offices will be set up in such a way that clients have privacy to talk to their counsellors, mediator or lawyers. No new premises will be rented if they do not provide for these arrangements.

Facilities:

19. Transport: BLAST will take the responsibility for providing safe transportation home for staff working late. It will provide a vehicle to take women home after working late, for which BLAST would bear the costs, not only in the Head Office, but in Unit Offices also.

20. Accommodation: BLAST will make arrangements to provide safe and suitable accommodation for women clients. It could consider having formal understandings with one or more reasonably priced guest houses where clients could be sent, if and when necessary.

21. Child Care: BLAST realises that the provision of childcare facilities can meet the demands of both women and men staff with small children. Nearby space will be sought where childcare for children up to 4 years of age can be provided for children of staff and clients, not only in the Head Office, but in all Unit Offices. This is a right for lactating mothers and also a consideration BLAST can show for non-lactating but preschool age children.

Programme Objectives

22. The programme objectives are as follows:

- a) Bring the gender discussion to the mainstream;
- b) Impact the attitude towards issues of gender of the people in its areas of operation, encouraging men and women to work together towards promoting gender equality in their respective communities.

Programme Strategies

23. **Spreading legal awareness:** BLAST will continue to make a concerted effort to teach clients, their families, and their communities about their legal rights and responsibilities, as well as about the need for and benefits of gender equality. Legal knowledge is be empowering - if people know the legal prohibitions on domestic violence, dowry, taking a second wife etc, they may be less inclined to feel that such acts are acceptable.
24. **Comprehensive approach to securing gender rights:** Concerted efforts will be made to ensure that work women's rights is not limited to matters of family or personal law, but that it also address their rights as individuals and citizens in their own right.
25. **Cooperation and knowledge exchange:** BLAST shall expand its contact and build networks with organizations developing work on women's rights in order to share experiences, learn from the successes and challenges of previous initiatives, cooperate in joint gender-related projects, and coordinate action in order to optimize the provision of services.
26. **Gender lens:** Projects and documents related to advocacy efforts, law reform, Public Interest Litigation, and to any other initiative undertaken by BLAST will be screened to ensure that they take into consideration a gender perspectives and adequately address issues of women's human rights. All work will be examined as to remove the presence of underlying gender-related biases and all publication and documentation will seek to ensure that women's issues are given adequate coverage from a rights perspective. Advocacy, law reform and PIL issues will be selected on the basis of priorities emerging form the legal aid and mediation work being carried out.
27. **Further improving access to justice:** BLAST will continue to engage in efforts to identify further procedural constraints for the poor and women in accessing justice, as well as in its efforts to address them and bring about the required reforms.
28. **Spreading gender awareness among the legal community:** Training of activists and lawyers and orientation of judges will emphasize understanding of gender discrimination, inequality, respect for all gender identities, and the importance of legal strategies to establish women's rights as citizens, in all spheres, in both the letter of the law and its implementation.
29. **Stronger monitoring:** Programme monitoring will be strengthened to ensure that the qualitative and quantitative aspects of changes in women's condition and position (or lack thereof) are captured adequately.

Implementation and Monitoring

30. **Responsibilities:** The responsibility for the successful implementation of the Policy rests with each division, department and unit, as well as with each individual BLAST staff member. Every staff member is encouraged to individually keep track of the Policy's implementation and demand the

application of its determinations if he/she feels they are being neglected or not complied with. Ultimately, the responsibility for implementation of the Policy lies with the Executive Director.

31. Special Structures: While the responsibility for promoting equality is shared throughout the organisation, there is also a need for special resources and organisational structures to be put in place. These include the following:
 - a) The Gender Focus Committee chaired by the Executive Director or his/her nominee.
 - b) A Gender Focal Point (Administration) in the Human Resources Department, who will be member Secretary of the Gender Equality Committee.
 - c) A member of the Programme Team will be designated as a Gender Focal Point (programme)
 - d) Representatives from each of the units at Head office will be members.
 - e) Gender Focal Points in all unit offices and clinics. After an initial training of two days, the Gender Focal Points will subsequently meet every six months.
32. Annual Plans: The Gender Focus Committee will develop annual work plans to define steps for implementation of the Gender Policy. It will be mandatory for each cell to incorporate measurable outputs of the Gender Policy into their annual plan. The Gender Focus Committee will review these periodically.
33. Monitoring: The Gender Focus Committee will be responsible for ensuring the monitoring of the annual plans for implementation of the Gender Policy. The Gender Focal Point in Human Resources will be responsible for documenting and submitting information related to the recruitment, training, and promotion of women staff. Reports containing this information must be submitted biannually by the Gender Focal Point in HR to the Gender Focal Committee.
34. The Gender Focal Points in the Unit Offices and clinics will collect information related to gender in the workplace for annual submission to the Human Resources Gender Focal Point, who will in turn submit it to the Gender Focus Committee.
35. The Gender Focal Points in the Human Resources and in the Programme Departments are responsible for carrying out annual performance reviews of the implementation of the policy at the organizational and programme levels, respectively.
36. The Gender Focus Committee will review the performance reviews and submit progress reports to the Executive Committee and the Board of Trustees on an annual basis. These ongoing reviews will assist the assessment of the Gender Policy's efficiency, and lead to its timely revisions and updating.

37. Annually, preferably in the first quarter, one meeting of the Board of Trustees will include an agenda item to discuss the Gender Policy's progress and what can be done to implement it further.

Resource Allocation for Implementation of the Gender Policy

38. A budget to cover costs associated with the implementation of the Gender Policy will be prepared by the Gender Focal Point (HR) and submitted to the Executive Committee.

Dissemination

39. After this Policy is approved by the Board of Trustees, it should be translated into Bangla. The Bangla and English versions should be disseminated at all levels.
40. All BLAST staff members will be required to read this Policy and sign a Declaration of Commitment to act in accordance to its determinations. Human Resources Department will ensure that all staff receive copies of this Policy and collect the respective Declarations of Commitment.
41. In order to increase awareness of gender discrimination and the commitment of BLAST to establishing gender equality orientation will be provided to both management and staff on the Gender Policy and it will be incorporated into the staff rules. Human Resources will have the main responsibility of ensuring that such orientation takes place by scheduling and/or conducting periodic management training and employee awareness programmes to address the issue. Human Resources will ensure that all staff receives copies of these guidelines.
42. Management will demonstrate its commitment to promoting gender equity and equality and ensure that the grievance/complaint procedures and their implementation are such that people are confident in using them.
43. Managers and supervisors should model appropriate conduct i.e. their behaviour should strictly adhere to standards of correct interpersonal behaviour. Their commitment to gender equality and implementation of the Gender Policy will be reviewed and assessed as part of their performance assessment.
