CSR AND PUBLIC SECTOR ROLE: WORKING WITH THE PRIVATE SECTOR TO ACHIEVE GENDER EQUALITY

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Contents

Tables

Introduction

As it has been explored in the previous chapter, international and regional public governance institutions have been key stakeholders to engage the private sector in CSR and gender issues at work. However, this analysis is limited as it does not consider the role of local governments across the region as drivers of CSR. Governments have joined other stakeholders in assuming a relevant role as drivers of CSR, working together with intergovernmental organisations and recognising that public policies are key in encouraging a greater sense of CSR across the private sector (Albareda, Lozano, Tencati, Midttun, & Perrini, 2008). Governments define the scope of the CSR concept by setting the minimum standards, shaping the meaning of CSR and promote responsible management practices (Aguilera, Rupp, Williams, & Ganapathi, 2007; Albareda, Lozano, & Ysa, 2007; Moreno, 2010; Porter & Kramer, 2006). Therefore, this chapter focuses on the analysis of the role that Latin American governments have adopted in order to promote, and encourage businesses to adopt gender equality as a part of their CSR strategies.

Although there is broad consensus that CSR is a business-driven approach and, as such, composed of voluntary initiates aimed at managing the costs and benefits of business activity to both internal and external stakeholders. Establishing the boundaries of how those costs and benefits are managed is in part a question of business policy and in part a question of public governance at the national level (Fox, Ward, & Howard, 2002). In this respect, concerns about the limits of CSR have resulted in renewed calls for corporate accountability (Utting, 2004). This agenda includes proposals to establish institutional mechanisms that hold corporations to account, rather than simply urging companies to improve standards or to report voluntarily. Hence, only after a company has complied with domestic regulations, it is ready to go further and comply with a wider range of stakeholders' expectations in a voluntary basis (Hirschland, 2006; McBarnet, 2007).

Corporate responsibility as a governance approach entails governments establishing conditions in which CSR can flourish (Peters & Röß, 2010). National governance structures such as the political, labour, education and cultural systems have an important impact on the

private sector involvement with CSR activities (Ioannou & Serafeim, 2012). In this respect, the national system of public governance included not only the formal organisation of government and civil society but also laws, regulatory frameworks, market arrangements, economic conditions, and mechanisms for the delivery of services that the state provides (Campbell, 2007; Matten & Moon, 2008; Wood, 1991; World Bank, 2012). As a results, governments are one of the most important drivers of CSR in terms of the institutionalisation of responsible practices in the private sector (Moon, 2004).

From this perspective, the level of businesses' commitment and scope of CSR initiatives will depend in part on the company itself and in part on public governance institutions. This is particularly relevant at the national level where the public governance challenge is to promote CSR by moving from exclusively hard law measures to a broader approach based on promotion and cooperation (ILO, 2003). This process requires, on the one hand, a new public sector role and, on the other hand, a gradual recognition that gender equality is part of the social responsibility of businesses (Fox et al., 2002; Pearson, 2007).

Regarding context, the aim of this chapter is to contribute to understand the role of governments in promoting CSR for gender equality in Latin America. Through semi-structured interviews with stakeholders across the region, we explore the current role of governments at promoting CSR across the private sector as well as the level of involvement of the private sector on gender issues.

Gender Equality and the Private Sector: The Role of Governments

As for any region in the world, achieving gender equality at work is still a fundamental challenge for Latin American growth and development. Governmental action through policies that help women to access and stay in the labour market are still needed across the region (ECLAC, 2011). Women's labour participation is still strongly limited by discrimination, lack of public childcare services, and the burden of unpaid work (ECLAC, 2010a; UN, 2012). However, there is a lack of a clear country agenda for integrating into their social protection policies care services that ensure a more equal distribution of the care burden (ECLAC,

2012b). Consequently, when women are able to enter the labour market, they suffer not only from income poverty, but also from time poverty (ILO, 2003). This situation have been accentuated by a lack of affordable care services (ECLAC, 2014b), a high level of labour segregation (CIM, 2011), and also stratification (ECLAC, 2012a), affecting all women but particularly the ones in vulnerable groups such as the poorest households, indigenous women, afro-descendants, those living in rural areas, youth and the elderly (ECLAC, 2014b).

Regarding this, the need for private, public sector and civil society collaborative action is imperative. To this end, governments play an important role encouraging the participation of the private sector and other civil society stakeholders in development issues (Peters & Röß, 2010; Ward, 2004). In terms of responsible business practices, public sector action is key in fostering and developing CSR and linking corporate action with local development dynamics. Similarly, working with the private sector is fundamental to achieve gender equality in the labour market and the workplace. Hence, the question is not whether businesses have to engage in gender and development issues but rather how they can make the most of their contribution. The public sector is fundamental to help answering this question.

However, the CSR public governance at the national level is still underdeveloped in the Latin American region (Kowszyk, Covarubias, & García, 2011). As such, much of the work being done to promote CSR is conducted by industry associations or independent business and professional associations (Haslam, 2004), as well as the regional and international sphere as identified in the previous chapter. In this respect, while business could do more within the local development agenda, most Latin American states have not done enough to facilitate private sector involvement (Casanova & Dumas, 2010).

A gender equality agenda that focuses mainly in the business case and civil society stakeholders is not enough to advance to the extent that is required (Dickens, 1999). Without a strong public sector capacity to signal the road of what is expected in terms of business responsibility, self-regulated markets will frequently fail and, in turn, corporate action may end up causing harm to individuals (Wettstein, 2010). In this respect, the debate on the role

of governments within the CSR agenda initially focused on the question of whether governments should enact laws to make CSR compulsory (Albareda et al., 2008). This question is based on the traditional role of governments where decision-making is hierarchical and related with the fundamental mandating role of the state.

This limited view of the government incurs in a number of failures that can make governments inefficient, expensive or inadequate in terms of CSR governance (Lepoutre, Dentchev, & Heene, 2006). In this respect, the UN Secretary-General's Special Representative on Business and Human Rights stated in his interim report to the United Nations Human Rights Council that "the debate about business and human rights would be far less pressing if all Governments faithfully executed their own laws and fulfilled their international obligations" (UN, 2006, p. 20). The actual context is one in which governments are not always able to exercise the level of governance that is expected. Although legislation influences the type of CSR practices companies adopt in a particular context, institutional capacity to enact laws and enforce them is limited in some countries across the region (Gutierrez & Jones, 2004).

In this respect, Schmidheiny (2006) states that the key challenges for the region are not much related with the numbers of companies talking about CSR, but with creating meaningful CSR initiatives that addresses local issues while also strengthening governmental capacity. As a result, many governments have transformed themselves to be more effective. Governments have largely associated with each other forming networks of states, built a network of international institutions and supra-national organisations, and decentralised power and resources through local or regional governments and civil society stakeholders (Castells, 2008). As new mechanisms of governmental action and organisation have emerged, the CSR debate has evolved from the purely legal role of governments to a wider role of mediators, facilitators and partners (EC, 2011). In this respect, Zadek (2001) describes the incorporation of governments in the CSR framework as a new stage in the development of CSR and defines this new stage as the third CSR generation, where the new protagonist role of governments in promoting CSR is a central issue.

Additionally, as CSR represents a form of private sector self-regulation that may supplement public policy-led governance, the role of governments cannot be linked only with hard law enactment but with the use of mechanisms that involve soft forms of regulation (Joseph, 2003). By complementing hard law with soft mechanisms, a number of public sector roles can be identified. Fox et al. (2002) propose that public sector institutions can assume at least four main roles within the CSR agenda. According to the authors governments can assume a mandating role (legal framework), a facilitating role (management tools and fiscal incentives), a partnering role (multi-stakeholders dialogue), and/or an endorsing role (recognition and publicity). These roles have been in a number of studies to analyse national and European policies supporting CSR (Moon et al., 2012) and as a base to develop models for governmental action on CSR in Europe (Albareda et al., 2007; Steurer, 2010; Steurer, Martinuzzi, & Margula, 2012).

The strategic roles to be played by governments focus on the collaborative aspect between the public sector and the different stakeholders involved. States should therefore act as sponsors of CSR initiatives where governments serve as enablers of private sector engagement (Simon & Tang, 2012). From this perspective CSR governance is a mechanism through which businesses, civil society and the state can work together (Parkes, Scully, & Anson, 2010). Regarding this, Midttun (2008) proposes that in order to achieve the public policy complementary role of CSR initiatives should be systematically integrated with the governmental agenda in a "joint partnered governance" (pp. 409). Partnered governance implies "the cooperation of diverse social actors in regulation – in particular various private agents and sometimes, public agents" (Nikoloyuk, Burns, & Man, 2010, p. 60).

This perspective moves beyond private sector self-regulation to include states in a co-regulation basis. Co-regulation implies a combination of government, multilateral, civil society and businesses engaging in public-private partnerships (PPPs) and multi-stakeholder initiatives (MSIs) (Utting, 2004). In this sphere, stakeholder's co-responsibility on development issues becomes a key element. Country level development challenges are then not only the responsibility of public sector institutions, but also of the private sector and

civil society. Tripartite discussions between employers, government, and workers' representatives should inform labour market policies and agreements focusing on development issues such as gender equality (Kanji, 2004).

Co-responsibility therefore underlines a relational approach for CSR governance (Albareda, Tencati, Lozano, & Perrini, 2006). This relational approach focused on the interrelation, collaboration, and partnership between the different actors: governments, businesses, and civil society stakeholders (Albareda et al., 2007). Governments with a relational role situate the relations between the public and private sectors and between the state and society in order to promote CSR action within the great economic and political challenges at the national level (Albareda et al., 2008). Governmental action in this terms should help to give form and meaning to CSR (Balasubramanian, 2013). This aspect is particularly key as the word social in CSR has always been vague and lacking in specific direction as to whom the corporation is responsible and what issues should be included (Carroll, 1991).

Method

The purpose of this chapter is to understand the role of governments in promoting CSR for gender equality in Latin America. Through semi-structured interviews with stakeholders across the region, we explore the current role of governments at promoting CSR across the private sector as well as the level of involvement of the private sector on gender issues. The methodological aspects of the empirical study are explained in the following sections.

Participants

A group of 25 multilateral organisations, regional employers' associations and regional CSR networks were contacted to request an interview with one expert working on CSR, gender or both. Organisations were identified through the United Nations System, the Organisation of American States (OAS) website, and the CSR mapping database (Mapeo

RSE in Spanish). Organisations were selected considering if they have projects, operations or offices in Latin America.

Mails were sent between November 2014 and April 2015. In total nine organisations replied confirming participation, two replied confirming participation but did not succeed, one did not have an available specialist to interview, one referred to another specialist who did not reply, and twelve did not answer. As a result, ten semi-structured interviews were carried out during February and April 2015. Confirmed participants were specialists within their organisations on CSR, gender, or both.

In order to facilitate participation, two formats of interview were available, skype/phone interview and written interview. Eight participants preferred a skype interview and two preferred a written interview. A flexible guide of questions was prepared to suit the area of expertise of participants (CSR/gender). Thus, the overall guide included the following questions:

- What are the main CSR/gender topics your organisation is currently working on? What are the challenges for the next 5 years?

- In your opinion, how have governments in Latin America been involved in CSR/gender? How have Latin American governments promoted CSR/gender? What has been the main focus?

- Do you think gender equality has been a topic for the CSR agenda in Latin America? How?

- What do you think is or could be the role of CSR for gender equality in Latin America?

- If any, what kind of initiatives have been promoted by your organisation from a CSR view to improve gender equality in Latin America?

This study complies with the ethics approval granted by the Faculty of Medicine & Health Sciences Research Ethics Committee with reference number OVSc11092014 SoM PAPsych PhD. Therefore, all the participants received the details about this research, the

participant information sheet and the consent form beforehand with the invitation email. Before the interview, all ethical issues were again discussed with focus on confidentiality, anonymity and data protection. Phone/skype interviewees were recorded after authorization was granted by the participant. The audio recorded interviews were transcribed removing all the personal information. No professional transcribing services were used.

Analysis

Thematic analysis using the QSR International's NVivo 10 Software was implemented (Braun & Clarke, 2006). Emerging themes were identified across all interviews. A thematic grid was produced through the following process (Braun & Clarke, 2006, 2012):

1. Familiarisation: Audio records were listened to during their transcription and transcripts were repeatedly read. Annotations about the data were made during this process.

2. Initial code generation: Annotations were compared across transcripts and initial codes were formed summarizing the content of short sections of the text in a few words

3. Theme searching: This process was informed by the literature and the first two steps. Transcripts and the coded data were read repeatedly to identify areas of similarity and overlap denoting initial key themes.

4. Theme reviewing: Initial themes were recursively checked within and across transcript and codes. To ensure inter-rater reliability for the interviews, two other Latin American researchers reviewed the collected emergent themes, and the coded data. Both researchers were native Spanish speakers with a proficient English level. Consensus was reached through discussion.

5. Theme defining and labelling: Agreed themes were labelled and defined to concisely capture the content within them. An independent researcher examined the accuracy of this names and definitions by looking at the transcripts and coded

data. Discrepancies in coding and themes were discussed and addressed in the final thematic table presented in Table 1.

Table 1: Final Thematic Table

Main themes	Subtheme	Definition
CSR and gender understanding	What CSR is	General understanding of CSR
	What gender equality is	Gender understanding of gender equality at work
	Gender equality as a CSR issue	Level of integration of gender equality as a CSR issues and elements that can help to this aim
Strategies for change	What needs to be addressed	Areas that still represent a challenge in terms of gender and CSR
	What is being done	Progress and initiatives currently in place to advance in gender and CSR
Roles and responsibilities	Public sector role for CSR	The current involvement of governments in the CSR agenda
	Private sector involvement in gender equality	The current involvement of the private sector in gender equality issues

6. Report: The main themes and subthemes informed the content of the finding section. Subthemes dictate section titles, and the analysis is enriched by providing direct quotes. As most of the interviews were in Spanish (eight out of ten), relevant content was translated to English in order to facilitate the use of direct quotes in the findings.

Findings

This section focuses on the results from the interviews. Results are presented according to the identified subthemes.

On the Meaning of CSR

CSR as a concept is understood considering different elements and links. From a fundamental perspective, all respondents agreed that CSR is a set of initiatives that the private sector voluntarily implements. In this respect, one interviewee states that:

> *"We [referring to the organisation] firmly believe that CSR as a voluntary set of principles should not be legislated".*

Despite this voluntary orientation, it is also recognised that the legal framework is the starting point for CSR and, in most of the cases, is represented by non-explicit CSR legal provisions. Although examples of explicit CSR regulations exist such as those related with reporting in Argentina and local trade in Peru, most of the CSR provisions can be found in common regulations as another participant indicates:

> *"If you look at the regulatory frameworks that countries in Latin America have, there are a number of CSR provisions though it's not explicitly stated that it's CSR".*

CSR is also recognised to respond to internal and external pressures. On the one hand, CSR is internal when it comes to strategies focusing on the workplace. On the other hand, CSR is external when the beneficiaries of responsible initiatives are outside the organisation. In both cases CSR responds to industry specific pressures and to the local and international development agenda among others stakeholders. From a public policy standpoint, the need of linking CSR to the broad development challenge is clearly exemplified by one interview who suggest that:

> *"I think CSR also plugs into greater development challenges, so we're not only talking about social responsibility, but we're talking about the broader development context".*

On the Meaning of Gender Equality

All interviewees agreed that gender equality is a human right. This is summarized by one interviewee who states:

"We have to take a step back and say when we define what gender equality is, some aspect of that definition is simply going to be respect for human rights… Gender equality is not just some special thing somewhere else"

In the employment arena, gender equality at work is also understood as a form of labour rights in line with the human rights approach as another participant suggests:

"The whole area of labour rights is really a specific category of human rights and gender equality falls in that space"

Under this view, gender equality is conceptualised as a complex development issue taking place within and beyond the organisational boundaries. In this respect, an interviewee indicates:

"Gender equality is more than just labour rights because there are gender issues outside the work place."

Additionally, gender equality is also understood as a context dependant phenomenon. This implies that gender issues can be presented differently in different countries and in different industrial sectors. In this respect, the types of jobs that are available to women, the conditions of those jobs, and the respect for labour rights within those jobs will be different according to the sector in which the analysis is being done. This analysis is relevant not only at the country level, but also at the sub-regional level where concentration of sectors is also differential as pointed out by one of the participants:

"You have a whole other concept of what gender equality would mean and what the challenges would be for the government. You know, in Peru, the main sector might be excluding women just because traditionally nobody thinks of a woman going into a mine. But in Mexico, Honduras, and light manufacturing, nobody's excluding women. It is the opposite, it is all women."

Gender equality as a CSR issue

Interviewees agreed that gender equality is a CSR dimension. This is clearly identified by an interviewee who suggests:

> *"Being responsible is not just being responsible socially and environmentally, but also in a gender sense"*

However, they also recognised that the actual integration of gender equality as a CSR issues has been limited. Although the most important CSR standards explicitly include gender issues, implementation on the ground is still a challenge as expressed by one participant:

> *"The correlation between CSR and gender equality I think is definitely there, and it hasn't been inherently linked, but perhaps in the future it will be… gender equality has been seen as something separate"*

In this respect, an interviewee from a regional employers' association indicates that CSR is an important area of work for them; however, gender issues are not included as a standalone dimension, but as a part of the fair workplace practices area:

> *We do not have a specific line of work for gender equality within the CSR committee. [Gender equality] is included within the fair labour practices, obviously, but we do not have a specific line of work.*

Regarding this, some strategies are identified to better integrate gender equality and CSR. Firstly, one participant from a multilateral organisation underlines the importance of strengthening labour rights in specific and human rights in general in order to impact gender equality. This interviewee states:

> *"I think the more it is done to strengthen human rights and companies' awareness of it…then the more that will help gender equality…so merely strengthening human rights and improving labour practices will be very beneficial for women in the workforce."*

Similarly, the relevance of a development and business case for gender equality and CSR is suggested as a key element in integrating both elements. The business case for gender equality is proposed as one important tool to link gender issues and CSR. In this respect, most interviewees agreed that one of the reasons why gender equality has been

gaining space within CSR is associated with the benefits for companies of working on gender issues at work. This is exemplified by one participant's comment:

> *"So I think that it would be important to engrain it in the development agenda, I think it's important to set examples and to link it back to the business case, the competitiveness"*

Although the business case is relevant, a focus on company benefits is still limited. The importance of linking the business case with development issues and human rights is crucial in order to set the direction of the CSR agenda across the region. In this respect, another participant indicates:

> *"[As employer] if I have women in my workforce and they do not enjoy equal conditions, I am not only losing personnel but also I am generating inequality in terms of income"*

What needs to be addressed

Several challenges are identified by interviewees. The high level of stratification and segregation, the pay gap, the reduced female representation in decision-making, and the inaccessibility of labour markets for poor and young women are frequently pointed out. These challenges are recognised to be common to other countries around the world and that, although progress have been made, these challenges remain to be the same for at least the last two decades as stated by a participant:

> *"The main challenges if you were to ask what the main challenges were 5 years ago or 10 years ago or 20 years ago, would they be any different?"*

At least four reasons can be identified among the interviews as common barriers for achieving higher levels of equality in the region. Firstly, interviewees agreed that achieving gender equality is still a challenges from a public policy point of view in terms of private sector engagement. In this respect and despite any progress, for many female workers in the region the current legislation and constitutional guarantees have not been translated into a vivid reality in the workplace. In this respect, a participant states:

> *"…no solid legislation or state policies for the private sector that effectively have a gender impact, that, I believe, does not yet exist in the region…"*

Secondly, slow progress has been made in terms of gender awareness in corporate settings. According to interviewees there is a common discourse that the problem of representation in decision-making positions is because women do not apply for these jobs. Without a clear understanding of why gender inequality happens in the labour market and how companies can contribute to its reduction, progress will be limited. As a result, it is common to see female and male managers denying gender discrimination. In the case of female managers, they tend not to perceive that they are being discriminated as they have entered the labour market and succeed at climbing the corporate ladder. This is summarised by the following interviewee' comment:

> *"you have more subjective issues related with the fact the in many cases there is a denial of discrimination…at those [managerial] levels a few women perceive that they are being discriminated…. This is because they usually have a degree or because they are successful in their companies"*

Thirdly, it is also agreed that gender inequalities remain because of historically unchanged cultural patterns that have made harder for women to enter and stay in the labour market. This is identified by a participant who states:

> *"The Latin American woman continues having her functions, her role as housewife assuming a role of formal worker without seeing any change in the cultural roles within the household. This makes particularly difficult her condition."*

Finally, a weak social protection and care system in countries across the region has reduced the possibility of women to access and stay in formal work. Without accessible care provisions and low co-parenting, women are forced to decide between paid work and unpaid work. Furthermore, the current lack of affordable care services is affecting women at all levels, but particularly the poorest as they continue to be in charge of care and reproductive activities at home. This situation is common across the region and it is frequently called the care crisis. This situation is summarised by the following comment:

> *"This [lack of care services] pushes women to apply to jobs in which they are able to balance their reproductive and productive responsibilities, most of the time finding themselves precarious jobs and in the informal sector where, in addition, they lack of any kind of protection for themselves and their family"*

Similarly and in terms of corporate action on gender issues at least three aspects are underlined for further intervention and policy development. On the one hand, there is a global versus local difference in terms of CSR implementation. This difference is presented in transnational corporation with operations in Latin America. Despite having high standards in their headquarters, these standards are not transferred to their local offices as indicated by one interviewee:

> *"We can find wonderful things in transnational companies in Europe for example; however, their local offices, that sometimes are the largest employers, do not achieve the same standards"*

On the other hand, there is also a large versus small gap in terms of CSR adoption. CSR initiatives have largely targeted large companies leaving small and medium companies behind, particularly small enterprises. One interviewee indicated that SMEs are the largest employers in the region and a suitable place for change in terms of reducing gender discrimination:

> *"If you are wanting to change mind-sets in order to better address development issues, SMEs is a very good place to start. Now these companies want to know, how do we implement CSR?"*

Finally, CSR is also seen as suitable to break the female-male division in terms of policy implementation. This implies that some policies need to be inclusive by targeting female and male employees equally whenever this is possible. Although there are gender specific policies such as those addressing biological differences, there are areas in which an inclusive approach would help to break traditional gender roles. This is particularly the case of maternity and paternity leave. Although regulations define specific provisions targeting mainly women, the use of policies that promote co-parenting with a strong integration of men is seen as a pressing area as commented by one interviewee:

> *"These policies must target women and men so that the division of the work on a gender basis is reduced. This is fundamental for women to stop being the only responsible of the reproductive work despite having entered the labour market"*

What is being done

In terms of gender equality policy development, the region is acknowledged as the most advanced among the developing world. The work of regional and international institutions is recognised to be one of the main drivers of this progress by one participant:

"The Latin America and the Caribbean region is at the forefront [of gender equality] among the developing countries because the region has a strong international and inter-American legal framework for women's rights and gender equality"

However, when the analysis is done at the level of individual countries in the region, progress is recognised as differential in terms of gender equality. In this respect, an interviewee points out that:

"Look, I believe that it is not possible to establish a general rule. There are countries that have advanced very much in terms of closing the gender gap in labour grounds"

This differential progress is also stated to exist in terms of groups of Latin countries geographically organised such as South America, Central America, and North America showing differences not only across sub-regions but also within countries composing each geographical area. This is summarised by two participants:

"[referring to Chile, Uruguay, Brazil, and Argentina]…the southern cone is basically having the most progress in terms on laws regulating labour relations in general, leaves, and everything related with maternity and paternity benefits…"

"There is much diversity within our countries; specifically Costa Rica in terms of gender equality is different to the rest of Central America…"

Now when progress on CSR is being discussed at the country level, examples take an overall CSR stance omitting gender issues. Progress is therefore associated with sustainable reporting, country CSR committees, public procurement, and the rise of CSR networks as summarised by three interviewees' comments:

"Chile, they have a new draft law in the books, I believe, to introduce mandatory sustainability reporting or CSR reporting."

"In Argentina, they've actually regulated CSR there. They've done it at the national level, but they've also done it at the regional level..."

"…there aren't necessarily any rules or legislations, but there are incentives. There's also a very strong network of organizations that supports CSR in Panama…"

When progress in terms of the link between gender issues and CSR is indicated, the national certification programmes for gender equality at work are mostly underlined by participants. This is clearly summarised by one interviewee's comment:

"It stands out, for example, the national certification programmes by means of which many governments such as Chile and Mexico, have begun to implement national excellence patterns to measure and acknowledge the private sector role at progressing in gender equality and equity."

These programmes are designed in the form of standards by which companies can receive a certification after their management system has been externally audited.   These programmes are supported by the United Nations Development Programme for Latin America and the Caribbean (PNUD) through the *America Latina Genera* programme. Local programmes are responsibility of the individual countries that have developed them. According to the interviewees, certifications programmes can be found at least in Costa Rica, Mexico, Brazil, Chile, Argentina, and Uruguay among others as the summarized in Table 2.

Table 2: National certification programmes for gender equality

Country	Programme name	Year
Costa Rica	Gender Equity Management System	2002
Mexico	Gender Equity Model	2003
Brazil	Seal Pro-Gender Equity	2005
Chile	Programme on Good Labour Practices with Gender Equity, "Iguala Seal"	2009
Argentina	Gender Equity Model for Argentina	2009
Uruguay	Quality Management with Gender Equity Model	2009
Cuba	Gender Equality for Food Safety and Quality Management	2011
Honduras	Gender Equity Management System	2011
Colombia	Certification programme "Equipares"	2013
Nicaragua	Good Practices Management Model with Gender Equality	2013
Dominican Republic	Seal Equalising RD	2014

Source: Information from interviews and complemented with the America Latina Genera website

Despite the positive impact of these programmes across the region and the increasing interest of the private sector, the systems are recognised to share the same limitations as any other management system. This is summarized by the following participant's observation:

"So far we have the standard, but there no one wants to enter. First, because it is a tedious thing as any other management system, any ISO is quite, let say, not only expensive but also time consuming"

Additionally, it is also recognised that these programmes have been limited in scope as they target mainly medium and large companies. In this respect, one participant indicated that small companies do not have the resources and capacity to put a management system in place considering all the resources they should invest on it:

"We are going to talk about medium and large companies, because these are policies more related with them. If though some programmes work with small companies, they have realised that the volume of work is not feasible."

Finally, there is also a threat in terms of who manages these programmes at the governmental level. Most of the programmes began as an initiative managed by the government institution in charge of women affairs; however, as the certification programmes is becoming a certifiable national standard, its administration is being moved to the specific offices in change of these matters. In this respect, one interviewee indicates:

"I disagree with the process of standardization. This involves to move the certification programme from the national women institution to the national standardization office. This know about norms and standards, but they are not experts on gender issues at work"

The role of governments

Two main related roles for governments within the gender and CSR agenda are identified by the interviewees. First, there is a general agreement among interviewees that the role of government should be to set the minimum standards (labour laws, minimum

wage, etc.). In this respect, governments have a mandating and protecting role in terms of gender equality and women's rights at work as stated by one participant:

> *"[Governments] must strengthen all the mechanism to inspect and enforce the law, because when we talk about CSR, law compliance is the baseline"*

Second, governments play facilitating role by creating the right conditions for the private sector involvement in gender equality issues. This role is implemented by maintaining a sustainable growth and by implementing soft-regulation mechanism. On the one hand, state policies that support economic growth, poverty reduction, and education are crucial to establish the right social and economic conditions for the private sector to engage in CSR. This element also helps to explain the reasons behind the differences between countries in terms of CSR engagement and gender progress. A participant in this respect points out that:

> *"…because as people become more educated, as people no longer have basic concerns for their security or health, or food provisions even, they're able to think about other things. And I think CSR has started to take off.*

On the other hand, the focus of the CSR policies at this level should be on the promotion of self and co-regulation mechanisms and on encouraging private sector participation in voluntary initiatives. A common proposal among interviewees was the development of fiscal policies that recognise gender issues in companies. This includes a set of economic incentives such as access to funding, tax reduction, and public procurement options for companies that fulfil expected CSR standards for gender equality. This is summarised by a comment made by one participant from an employers' association:

> *"Governments must find suitable incentives for responsible corporate behaviour in terms of gender equality practices. It is necessary to recognise and to put the incentives in the right place for companies to integrate gender equality and that this integration make business sense."*

In terms of the mandating role, interviewees agree that legislative initiatives have not been as successful as intended. Current legislation and constitutional guarantees for women are not strong enough to see them on the ground and state capacity is still weak as summarised by the sentence below. It is then still possible to find companies asking for

pregnancy tests before hiring women or dismissing a current female employee on the basis of pregnancy, for example.

> *"There are countries very much committed with, for example, equal pay;*
> *however, the mechanisms to enforce regulations are not in place yet"*

Therefore, the legal or mandating role and the facilitating role are complementary and mutually reinforcing. The use of soft-regulation by governments depends on the level of law compliance by the private sector and state capabilities to enforce these regulations. Without this complementary view sole legislation will not be able to succeed. More legislation is still needed, but with increasing legislation new mechanism to hide non-compliance can also emerge as indicated by one participant:

> *"…the stick does not solve everything because what [companies] are*
> *then doing is hiding and outsourcing, but the incentive does not solve*
> *everything either."*

In this respect, the CSR agenda presents several challenges and opportunities to governments. Firstly, governments need to assume the new governance role in order to support private sector involvement in gender issues at work. Private sector involvement in CSR issues is seen as something that does not occur naturally unless states create suitable conditions, particularly considering the level of development in the region. This is summarised by one participant's comment:

> *"…so governments need to incentivise CSR because it is not necessarily*
> *something that comes naturally at the level of development that Latin*
> *America is currently at.*

Therefore, CSR is seen as an opportunity for local governments in Latin America. However, it is also acknowledged that the opportunity rise only if governments are able to link CSR within their local development challenges. Nevertheless, the role of governments in this matter is still weak. CSR has been integrated by governments at a slow pace. Governments have had a limited role in CSR initiatives assuming a more reactive stance. In this respect, besides difficulties to identify the right incentives, governments have not been able to generate constructive dialogue with the private sector as indicated by one participant:

"…a big challenge for the states is to solve this, let's say, broken communication crisis between the estate and the private sector."

Besides the gender equity certification programmes where the government has had a key role, existent CSR public policies are generally very small in scope and with little impact on the ground. For example, the Peruvian government has implemented a transparency policy which asks public institutions to report the origin of their resources. Additionally, they are promoting local development by asking companies to buy from local producers. Similarly, there has been some progress in countries such as Uruguay and Brazil where women's public institutions have started working with public companies and governmental institutions to mainstream gender.

Private sector involvement

As well as a CSR governmental role is important, all interviewees acknowledged that corporate action is key in the fight against gender inequalities. In this respect, as hard regulation has several limitations in terms of institutional capabilities across the region, it is the basic responsibility of the private sector to comply with what is required by these legislative initiatives as indicated in the following interviewee's comment:

"So whereas governments have the responsibility to protect, corporations have a responsibility to respect"

In terms of a CSR role the private sector has to go beyond legal compliance. This means to proactively engage in the solution of relevant social issues such as gender equality. In this respect, the private sector should voluntarily engage in socially responsible initiatives in areas such as training for female leadership, nurseries and dependent care support, flexible job schedules, transparent recruitment, integration of the family in the company activities, telecommuting, extended holidays, and sexual harassment protection, among others.

Despite the wide range of areas to be included for corporate action, the role of the private sector is particularly seen at improving the limitations of the current social protection

system in the region. Joint corporate and governmental action is recognised as key to solve social protection issues. Governments do not have enough resources for a universal coverage system so the private sector should make their contribution and include these issues within their agendas. Within this sphere, companies can make an enormous contribution by recognising the care economy as summarised in the following comment:

"The private sector is a central social actor in solving these problems [referring to gender inequality]… if we do not work with the private sector, it is not possible to guarantee social protection systems fully funded by the states… then the private sector have to give back and realised its co-responsibility with the care system "

However, private sector involvement in gender issues is not common across the region. Gender has been included on a theoretical basis within CSR but lacking clear guidelines for implementation on the ground. Interviewees from employers' associations agree that there is much of a discursive commitment with gender equality at work, but not much of actual implementation. This is particularly underlined by one interviewee who indicates:

"If we see the ISO 26000, we will see that gender equality at work is totally incorporated and it is mentioned in many sections. However, if we go to the implementation, the reality says that gender equality issues have not been fully integrated"

In order to assume its role, it is suggested that the private sector needs to be aware of the impact of their operations on gender issues and to understand that the profit-driven business philosophy is not sustainable. With more availability of women in the labour market, the private sector is gaining in accessibility to a wider and diverse workforce. However, benefiting from this trend should be accompanied with a higher business responsibility for gender issues at work. This means that businesses have to be responsible of the social inequalities and the needs of female workers. Similarly, top managers need to understand that their work is not only about ensuring profitability, but also about considering their impacts on society in gender terms. As a result, there will not be corporate sustainability

unless the private sector includes gender issues in their strategic agenda as stated by one participant:

> *"…there is a capacity for diagnosis and accountability, I believe it is there where companies have a fundamental role. Being accountable for certain social injustices and certain gender inequalities produced by the same social system… if I understand [as employer] that this happens and assume my responsibility, only at that point I am able to assume a strong role to alleviate it."*

Discussion and Implications

Assuming a joint responsibility for gender equality at work including governments and the private sector is a step forward to achieve equality. Although Latin America has made significant progress in promoting gender equality over the past 20 years (OECD, 2010), women continue to face extensive gender equality gaps with respect to labour participation, unemployment, income, informal employment, and unequal distribution of labour between men and women in the care of family members and household responsibilities (CIM, 2011). In this context, corporate action is still needed at least in terms of facilitating the presence of women in leadership positions, creating opportunities for employment and decent work, closing the pay gap between males and females, and forming alliances that allow initiatives for women to realize their market value for companies (UNIDO & UN Global Compact, 2014). However, even if the private sector can do more, governments have the responsibility to create the conditions in which CSR can be developed (UNIDO & UN Global Compact, 2014).

Under this perspective, this chapter has explored the current role of governments at promoting CSR across the private sector as well as the role of the private sector at including gender issues within their CSR strategies. Our findings can be translated in a number of policy implications aiming at strengthening the CSR public sector role across the region. In this respect, CSR public policy represents an opportunity for governmental action as states in the region have not effectively included CSR as a policy tools for development. Although CSR is fundamentally voluntary, governments have a key role at defining the scope of CSR

action for gender equality by setting the minimum standards, shaping the meaning of CSR and promote responsible management practices (Aguilera et al., 2007; Albareda et al., 2007; Moreno, 2010; Porter & Kramer, 2006).

From a purely protective role, governments act as guarantors of women's rights. Under the rights approach, assuring human rights is not an option for governments, but an obligation under internationally assumed commitments. Despite this obligation, the public sector does not have the institutional capacity to enforce their legislations and to provide the necessary social services to facilitate women's employment in the region (ECLAC, 2012a). As such, a number of challenges still remain in terms of hard regulation and institutional capacity. In this respect, while national women's institutions have achieved higher status within their governments and most of the countries have created specialised units to promote gender equality in labour institutions (CIM, 2011; ECLAC, 2010b), there is still weak political will, scarce resources, shortage of internal capacity to mainstream gender, and the legislation is still inadequate (CIM, 2012). Additionally, there has not been a significant change in legislation or institutional capacity to provide a strong social protection system as well as to promote shared responsibilities with regard to reproductive and care tasks.

Consequently, the mandating and protecting governmental role has to be complemented with soft-regulation initiatives aiming at integrating multiple stakeholders. Regarding this, a joint responsibility with all the actors, particularly those in the productive structure and the social protection is necessary. This co-responsibility has been underlined by the ECLAC (2014a) in the form of compacts for equality. Compacts for equality emphasise the need for a new governance relation between the State, society and the market in which all the stakeholders endorse and internalize development strategies through collective accords. In the light of this study, these accords are a particular dimension of CSR public policy for gender equality. Seen in this sense, the role of governments is to create enabling conditions where companies can engage in CSR initiatives including gender issues, and where civil society's concerns related with gender are heard and have the chance of being considered by decision-makers (Doh & Guay, 2006).

These enabling conditions include not only a stable political and economic environment, but also the identification of incentives to facilitate public sector. On the one hand, as notice by the interviewees, there is a considerable influence of a country's social, cultural, political and economic context on the development of CSR policies. In this sense, CSR must not be seen as being divorced from the great political and economic challenges (Albareda et al., 2007). Hence, strengthening the CSR public sector role involves improving the institutional capacity of governments as well as adapting the CSR agenda to the specific characteristics and challenges of each country (Peinado-Vara, 2006).

On the other hand, there is a need of identifying governmental incentives for private sector involvement. This is particularly important if it is considered that the link between CSR and gender is still limited and narrow in scope. Although this has been noticed by all interviewees, it is important to underlines that this is not only a regional challenge, but a CSR global governance issue. In this respect, it has been acknowledged that the consideration of businesses as moral agents in the gender equality agenda has still several weaknesses from a global governance standpoint. CSR interventions for gender equality are often weak in the sense that there is a considerable gap between stated intentions and actual implementation (Utting, 2007). Furthermore, some of the most important CSR initiatives around the world has been criticised because their loose treatment of gender inequalities in the corporate arena. This is the case of, for example, the Global Compact in which none of the ten principles state directly gender equality, although each of the ten principles has gender implications (Kilgour, 2007).

In order to better integrate gender within the CSR agenda, public incentives can give direction to what is expected to be included as responsible corporate behaviour. This direction is crucial in order to link relevant development challenges and CSR considering that there are still problems with conceptualizing, applying and implementing effective CSR strategies across countries in the region (Suescun-Pozas, Lindsay, & du Monceau, 2014). In this sense, incentives such as access to public procurement for responsible companies can lead the private sector towards the government's view of good, instead of pursuing only

voluntary initiatives that reflects the own company interest and understanding of their social responsibilities (Snider, Halpern, Rendon, & Kidalov, 2013). Therefore, while individual companies may be already engaged at enhancing the role of women in businesses, governments may want to play an active role in supporting their efforts in light of the broader development agenda (OECD, 2012).

Finally, public sector institutions should create and facilitate the opportunities for multi-stakeholder dialogue. Local governments should establish both formal and informal dialogue and relationships with the private sector. Local governments can improve the labour conditions of women by establishing meaningful dialogue with their employers (UNDP, 2013). Similarly, the business community can engage in dialogues with both government and family organisations to develop a shared understanding of gender related needs and solutions (UNDP, 2014). However, the relational role of governments has not been effectively implemented in the region. The interaction public-private sector seems to be reactive with a private sector reluctant to regulation and a public sector inclined to legislation. In this respect, the public and the private sector seems to be in two different spheres with different concerns and interests.

Now, the implementation of this CSR public sector role should also consider the especial characteristics of the private sector. In this respect, it is necessary to work considering differential gender challenges within industrial sectors. Interviewees emphasised that the understanding of gender equality depended on the sector where the phenomena is being studied. For example, almost 80 percent of Central American women work in four sectors: commerce, health and education, domestic service and low-skill industry (World Bank, 2012a). It is then important to understand why women are more represented in certain sectors such as companies in low-productivity sectors, precarious and informal employment and domestic work (ECLAC, 2014b).

Similarly, governmental action should consider company size when adapting and promoting CSR initiatives. As indicated by the interviewees, CSR initiatives have largely been focused on large and medium enterprises. Although large corporations have a key role

to play as they have the resources to put in place responsible practices, the next step is to jointly support translate these practices to the whole value chain, small and medium enterprises (ILO, 2014).. This adaptation implies also a differential development and business case for CSR and gender equality. In this respect, most small and medium enterprises are not exposed to the same pressures as large firms undermining many of the assumptions that underpin the externally driven business case for voluntary CSR practices (Lynch-Wood, Williamson, & Jenkins, 2009).

Finally, this study has also research implications considering its limitation. In this respect, at least three limitations can be identified from this study. Firstly, the results and implications of this study are limited considering that explores the role of governments from the perspective of multilateral organisations and employers' associations. Although this point of view is crucial, this method misses the identification and analysis of actual individual governmental initiatives. Further country analysis should help to identify the kinds of challenges that exist for individual governments in terms of CSR public policy. Secondly and in line with the latter, it is also relevant to carry out an analysis of the dominant industries within countries and groups of countries. Looking at the main industries country by country can be useful to create a road map for CSR public policy in the region aiming at overcoming the specific challenges for women within industrial clusters. Finally, although the private sector involvement is identified here, the analysis does not consider the private sector standpoint and their current strategies. Future research should study the organisational level and the actual integration of gender initiatives within the CSR strategy as well as the effectiveness of these strategies on gender equality at work.

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