

**Monitoring Compliance to the
BSIC Code of Conduct:
Findings and Implications of the Baseline Survey**

Center for Advanced Study

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Executive Summary

A baseline survey of 493 beer promoters, complemented by follow-up interviews with beer company representatives, was conducted to ascertain current compliance to the Code of Conduct established by the Beer Selling Industry Cambodia (BSIC). It was found that there is already full compliance on the part of all BSIC members in terms of the provision of comprehensive training and orientation programmes aimed at contributing to the health and safety of beer promoters, the rejection of commission-only work, the provision of uniforms which beer promoters find 'acceptable' (i.e. not indecent), and the provision of company transport home after working hours.

Fewer than 7% of respondents from the four companies consulted reported being unhappy with their current working conditions. Moreover, overall 90% of beer promoter respondents who had previously worked for non-BSIC members reported that in their current employment they considered themselves safer in the workplace, better able to deal with difficult customers, more supported by their 'direct superior', and better trained to look after their health. This finding suggests that BSIC members are offering a safer and healthier work environment for their employees than other rival beer companies. Additional comparative research of working conditions offered by BSIC and non-BSIC members would be useful, and could be used to promote the benefits of and lobby for wider adoption of the Code of Conduct.

Inconsistent, or non-compliance to the Code of Conduct was identified in a number of key areas, including beer promoters' perceived contractual status, the effective promotion and provision of company transport, and the establishment and successful implementation of a formal grievance procedure for beer promoters to register complaints about their general working conditions and report cases of verbal, physical or sexual abuse or harassment. The introduction of a standard formal grievance procedure by all BSIC member companies is particularly urgent, given the survey findings that over 38% of beer promoters from all four companies experience sexual harassment on a regular basis, and over 70% have experienced customers attempting to force them to drink alcohol. Many respondents described reporting such problems to their direct superiors and other company representatives, and receiving support in attempting to resolve them, which is a positive finding. However, the current lack of formal reporting procedures in relation to such incidents means that it is impossible for the BSIC to monitor the extent of workplace abuse and harassment affecting beer promoters and to identify outlets where these are more likely to place, in order to devise strategic responses, as well as monitoring other aspects of working conditions.

Reported rates of orientation and refresher training in reproductive health were very high. But in some cases beer promoters' understanding of having been trained in specific areas such as dealing with sexual harassment was lower, despite the fact that all training is provided as part of the same programme. This may reflect the efficacy of certain elements of current training programmes related to beer promoter-customer interactions and further work may be necessary to improve the outcome of such training components. It may be advisable to link certain training activities more clearly to formal company support systems (such as grievance procedures), so that beer promoters are not left to deal with problematic customers and cases of sexual harassment alone.

Awareness of company policy on not sitting and drinking alcohol with customers during working hours was high overall, but the actual frequency of conforming to this policy was variable. Moreover, it can be seen that the system of incentives (additional income from surpassing

target beer sales) employed by all BSIC members can result in behaviour which contradicts this company policy, as well as the Code of Conduct standard on protecting the health and safety of beer promoter. Overall, 20% of respondents reported that the incentive system led them to behave differently with customers, such as sitting with clients, kissing them, and allowing clients to touch and fondle their bodies, in an attempt to secure or boost sales.

To improve compliance to the Code of Conduct a series of measures are required by BSIC members, including the review of current contractual arrangements and more effective communication of contractual information, interventions to improve the quality and uptake of company transport, and the creation of a standard, formal grievance procedure across all members. It may be helpful for each individual BSIC to use the baseline survey findings to establish new targets for certain areas, against which their particular progress in Code of Conduct compliance can be measured. The Code of Conduct should also be promoted amongst company employers, outlet owners and wider civil society as part of a broader effort to improve the working conditions of BPs.

A repeat survey of Code of Conduct compliance should be conducted in mid-2009 to assess progress.

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List of Acronyms

BP	Beer Promoter
BSIC	Beer Selling Industry Cambodia
CAS	Center for Advanced Study
CBL	Cambodia Brewery Limited
HR	Human Resources
MEC	Medicine De L'Espoir (Medicine of Hope) Cambodge
NGO	Non-governmental organisation
PAC	Promotion Assistants Coordinator
RHAC	Reproductive Health Association of Cambodia

Introduction

In order to improve the health, safety and working conditions of beer promoters (BPs) in Cambodia, six major brewers which account for the majority of beer sold on the Cambodian market – Cambodia Brewery Limited (CBL), Cambrew, Asia Pacific Breweries, Heineken, Guinness and Carlsberg - joined together in late 2006 to set up the Beer Selling Industry Cambodia (BSIC). The organisation aims to address the concerns of BPs and to bring these to the attention of its members, the owners of outlets where beer is sold, and consumers. In order to meet its objectives, the BSIC has established a Code of Conduct. Individual members are required to abide by and comply with a set of standards which cover key areas of concern related to the employment and working conditions of BPs. The Code of Conduct was established on the premise that the verbal, physical and sexual harassment of BPs at their workplace is widespread, contravening both these women's human rights and Cambodian law, and responsible interventions are required to tackle this abuse.

The Center for Advanced Study (CAS), an independent Cambodian institution based in Phnom Penh, was requested to undertake the monitoring of compliance to the Code of Conduct established by BSIC, in partnership with BSIC members. A baseline survey was therefore conducted between January and February 2008 to assess current member compliance against which future progress can be measured. A total of 493 beer promoters were interviewed individually in Phnom Penh and Siem Reap for the purposes of the survey. The interviewees worked for the four BSIC members currently employing BPs in Cambodia: CBL, Cambrew, Attwood (the distributor of Heineken) and Guinness. A survey questionnaire was developed in consultation with BSIC members. Information was collected from all four companies regarding the total number of BPs they employed in Phnom Penh and Siem Reap and a random, proportional sample of BPs was generated, representative of the total number of beer promoter employees working for all four companies at the two study locations. The four companies were responsible for providing the random sample requested, from their current employee lists. A largely quantitative survey was conducted with this sample group, by means of confidential, anonymous one-to-one interviews, between 25 January and 14 February 2008. The survey was complemented by interviews which were carried out with selected management representatives of several BSIC members and employees involved in supervising and providing support to BPs, in order to assess the process whereby the Code of Conduct is currently implemented

This report outlines the findings of the baseline survey and company interviews, and presents ideas and recommendations concerning future BSIC activities. A summary of key survey findings was provided to BSIC members at the BSIC meeting in Phnom Penh on Thursday 27 March 2008.

Note on Structure of the Report and the Presentation of Information

Following an overview of the background of survey respondents, the report is structured according to the seven standards outlined in the BSIC Code of Conduct. Relevant findings from the survey are presented in relation to each standard, followed by a summary of implications of these findings for the BSIC, which are intended to be points for further discussion amongst BSIC members. The report ends with a series of conclusions and recommendations.

Terminology

Women who work selling beer are commonly referred to as beer promoters (BPs) or promotion assistants (PAs), depending on the 'language' used by different companies. As the formal BSIC documentation which was shared with CAS researchers referred to BPs, this is the acronym which will be used throughout this report.

Presentation of data

For ease of understanding, where specific data presented in tables is referred to in the accompanying text, they have been highlighted in the table. Only data which are considered to be most significant are provided in the main body of the report; selected other data are presented in Annex 3 in order not to impede the flow of the text. All of the data collected are held in the database created by CAS. Where data tables are provided, the corresponding question number in the survey questionnaire is provided in parenthesis.

Overview of Survey Respondents

Sample Surveyed

The baseline survey was conducted with a representative sample of 493 beer promoters from the four different BSIC members employing BPs in Cambodia, as detailed in Table 1.

Table 1: Sample of Beer Promoters Surveyed

Employing Company	Beer Promoted	Number of BPs interviewed in Phnom Penh	Number of BPs interviewed in Siem Reap	Total
CBL	Tiger, Anchor, ABC	157	32	189
Cambrew	Angkor	201	24	225
Heineken	Heineken	54	10	64
Guinness	Guinness	10	5	15
Total		422	71	493

Age of Respondents

The age of survey participants ranged from 15 to 42 years. For most BSIC companies, the majority of BPs employed were aged between 22 and 30 years, although a quarter of BPs working for Heineken were between 18 and 21 years of age.

Table 2: Age of Survey Respondents (Qs 1-3)

	CBL		Cambrew		Heineken		Guinness	
Age	n	%	N	%	n	%	n	%
< 18 yrs	0	0.0	1	0.4	2	3.1	0	0.0
18-21 yrs	26	13.8	43	19.1	16	25.0	1	6.7
22-25 yrs	56	29.6	58	25.8	16	25.0	6	40.0
26-30 yrs	77	40.7	84	37.3	24	37.5	6	40.0
> 30 yrs	30	15.9	39	17.3	6	9.4	2	13.3
Total	189	100.0	225	100.0	64	100.0	15	100.0

Longevity of Service and Previous Experience of Beer Promotion Work

Survey participants were asked how long they had worked for their present employer. Participants were fairly evenly divided, with substantial numbers having worked less than six months, between six and twelve months, 13-24 months and more than two years. The exception was Guinness, where by far the majority of beer promoters surveyed (73.3%) had been working for the company for less than six months, and almost no respondents had been with the company for more than one year.

Table 3: Length of Time Respondents Had Worked for Current Employer (Q.4)

	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%	n	%
< 6 months	124	25.2	45	23.8	57	25.3	11	17.2	11	73.3
6-12 months	129	26.2	59	31.2	49	21.8	18	28.1	3	20.0
13-24 months	98	19.9	39	20.6	47	20.9	12	18.8	0	0.0
> 24 months	142	28.8	45	20.3	72	32.0	23	35.9	1	6.7
Total	493	100.0	189	100.0	225	100.0	64	100.0	15	100.0

For just over two thirds of respondents (68.6%; a total of 338), their current employment was their first experience of working as a BP. Of those who had previous experience of beer promotion work, 72% (112/155) had worked for other BSIC members, around 13% (20/155) had worked for non-BSIC members, and almost 15% (23/155) had worked for both BSIC and non-BSIC members. A wide range of non-BSIC employers were cited, including Mittweida, Asahi, Hak Soon, King Sing, and THL Intertrade. In some cases the BPs in question did not know the name of the company for which they had worked, only the beer/alcohol they sold, such as Becks, VB, Chang, Sin Tao, Hollandia, Bavarere, 'Love Beer', 'Biere CASS', 'Rayme' wine, 'Wrestler' red wine and 'Muscle Wine'. The most common non-BSIC companies at which respondents had worked prior to their current employment were THL Intertrade, Asahi, Mittweida and Soon Soon.

Type of Outlets Where Respondents Currently Working

The most common venue where the BPs surveyed were selling beer was in restaurants and beer gardens (except in the case of Guinness; only a very small minority of respondents from this company were working at beer gardens). Some BPs were working at more than one outlet for the same company, but these were in the minority: 568 work outlets were reported out of the total sample of 493.

Summary of Findings and Implications for the BSIC

1. Employment Status

(a) Contractual Agreement

“Beer promoters must have a transparent, written contract...The BPs will receive a copy of the contract...” – BSIC Code of Conduct, Standard 1

Table 4: Proportion of Respondents Who Reported Having a Written Contract (Q.8)

	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	N	%	n	%	n	%
Have	380	77.1	145	76.7	191	84.9	40	62.5	4	26.7
Don't have	94	19.1	35	18.5	33	14.7	17	26.6	9	60.0
Don't know	19	3.9	9	4.8	1	0.4	7	10.9	2	13.3
Total	493	100.0	189	100.0	225	100.0	64	100.0	15	100.0

While overall, awareness of the existence of a written contract was high, at 77.1%, still survey findings revealed that over 20% of all respondents were not aware of the existence of a written contract of employment in their name; either they reported that they did not have one, or they did not know if they had one. Of course, such a response may be particularly likely if respondents do not have a copy of their contract (see below). Findings varied substantially among companies, with awareness of the existence of a contract – if one indeed exists - appearing to be a particular problem amongst the Guinness employees consulted, 60% of whom reported not having a written contract. Findings in relation to this question may have been confounded by the fact, identified by at least one researcher, that not all respondents understood the term ‘contract’, despite the fact that researchers used the term employed by BSIC companies; in at least some cases beer promoters understood the term ‘contract’ to mean ‘cv’ (curriculum vitae). This raises questions concerning beer promoters’ comprehension of the common institutional language used by their employees.

Table 5: Proportion of Respondents Who Reported Having a Copy of their Contract (Q.9)

	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	N	%	n	%
Have	303	79.7	119	82.1	173	90.6	11	27.5	0	0.0
Don't have	68	17.9	24	16.6	13	6.8	27	67.5	4	100.0
Don't know	9	2.4	2	1.4	5	2.6	2	5.0	0	0.0
Total	380	100.0	145	100.0	191	100.0	40	100.0	4	100.0

Amongst the 380 respondents out of the total sample of 493 who reported having a written contact, almost 18% stated that they did not have a copy of this contract. If the data is disaggregated by company, it can be seen that numbers were extremely high amongst employees of Heineken (67.5%) and Guinness (100%, although, as noted earlier this sub-sample was small). The reason/s why BPs reported not having a contract was not explored in the survey, although there could be a number of explanations for this response: the respondents in question were not given a contract; they have mislaid their contract; or (in a

very literal interpretation of the question) their contract is being looked after for them by a third party, for example.

While the need for a “transparent, written contract” is highlighted in the BSIC Code of Conduct, the issue of transparency was not systematically researched as part of the survey. However, both during the pre-testing of the survey and individual interviews CAS researchers observed that a number of BPs had problems in understanding the content of their contract. One CBL employee admitted having poor understanding of the presentation of the incentive systems stipulated in her company contract, for example, while another BP did not understand the new contract issued to her by Cambrew, which introduced a new system of payment (salary plus commission), as of 1 February 2008.

(b) Salaries and Incentives

“...Beer promoters will receive a fixed monthly base salary and will always be remunerated in accordance with Cambodian rules and regulations. Incentive systems can be put in place on top of the basic salary but should be set up in such a way that they don't lead to unhealthy or unsafe situations. The BSIC rejects commission-only work” – BSIC Code of Conduct Standard 1

Rejection of commission-only work by all BSIC members

When the survey commenced, it transpired that CBL, Heineken and Guinness were operating a remuneration system of salary plus an agreed incentive (commission) system whereby BPs have distinct sales targets related to the size of the outlet in which they work, and fixed commission rates for those who sell beyond these defined sales targets. Employees of Cambrew, however, could choose between a salary-only or commission-only arrangement, the latter being in clear non-compliance to the Code of Conduct standard 1. Cambrew abandoned the commission-only system on 1 February 2008, which means that as of this date all BSIC members had effectively rejected commission-only work. It should be noted that all survey findings concerning the salary and commission earned by Cambrew respondents relate to the old system, however, as respondents were asked about their income both for the month prior to the survey and two months prior to the survey. Of the 225 Cambrew employees who participated in the survey, 70 were working according to a salary-only arrangement, while 155 worked on a commission-only basis. Given that researchers were informed that Cambrew BPs could choose which income arrangement they preferred, it appears that working for commission only was a more popular choice. This can be explained by the income disparity between Cambrew BPs who were working for salary only and those working for commission, as presented in Table 6, below; the average income of those working on a commission-only basis was substantially higher than for those who received a fixed salary.

Economic value of incentive system to respondents

To gain some indication of the potential financial value of the incentive system to survey respondents who were working on a salary plus commission basis at the time of interview, the proportion of total monthly income which was commission earnings was calculated, based on the mean values. Findings were as follows: CBL: 33%; Heineken: 29%; Guinness: 15%. As already noted, in the case of Cambrew employees, average monthly incomes based on commission-only arrangements were found to be higher than those based on fixed salaries.

Table 6: Mean Salaries/Commission Earned Over Two Month Period Prior to Survey (Qs 20 and 21)

Company	Mean Salary One Month Prior to Survey	Mean Salary Two Months Prior to Survey	Mean Commission One Month Prior to Survey	Mean Commission Two Months Prior to Survey
CBL	66\$ (max 101\$)	70\$ (max 100\$)	32\$ (max 340\$)	33\$ (max 162\$)
Heineken	62\$ (max 130\$)	64\$ (max 110\$)	25\$ (max 200\$)	17\$ (max 65\$)
Guinness	71\$ (max 145\$)	66\$ (max 85\$)	13\$ (max 23\$)	11\$ (max 19\$)
Cambrew*	52\$ (max 197\$)	54\$ (max 186\$)*	119\$ (max 585\$)*	115\$ (max 505\$)*

* NB. In the case of Cambrew, the respondents interviewed either earned a fixed salary, or commission, not both.

Impact of incentive system

To assess the potential impact of a sales-based incentive system on beer promoters' behaviour, respondents who reported earning commission on beer sales were asked whether the incentive system meant that they did things with clients which they would not normally otherwise do. Overall around one in five (almost 20%) reported that the incentive system meant that they behaved differently (Table 7), although this figure varied according to company. The proportion was noticeably higher (almost 28%) amongst CBL employees, which may be associated with the relatively high mean rates of commission earned by BPs working for CBL compared with other companies (Table 6).

Table 7: Proportion of Respondents Who Reported That Incentive Systems Means They Do Things With Customers Which They Would Not Normally Do (Q.19)

	Total		CBL		Cambrew		Heineken		Guinness	
	N	%	N	%	N	%	n	%	n	%
Yes	83	19.9	51	27.7	28	18.1	2	3.2	2	13.3
No	279	66.9	102	55.4	110	71.0	54	85.7	13	86.7
Don't know	55	13.2	31	16.8	17	11.0	7	11.1	0	0.0
Total	417*	100.0	184	100.0	155	100.0	63	100.0	15	100.0

* Data missing for 76 respondents, the majority of whom were Cambrew employees working according to a salary-only arrangement

In several cases the kind of behaviour reported was somewhat innocuous, such as using extra polite or 'sweet' words with customers, but in most cases respondents who reported that they did things with clients which they would not normally do due to the incentive system described sitting with customers, kissing them and allowing them to touch and "caress" their hands, breasts, thighs, legs or bottoms, or as one BP described "touch what they want", in order to guarantee or boost sales. Further, in some cases, respondents linked the incentive system with their being persuaded to meet certain customers outside the workplace, which often led to their having sex together. Such impacts imply that current commission systems may contribute to BP-client social dynamics which far from ensure the respectful treatment of BPs or their safety in and outside the workplace.

Fixed salary originally promised in relation to actual earnings

All CBL, Heineken and Guinness and some Cambrew respondents were earning a fixed base monthly salary at the time of the survey,¹ and no negative discrepancy was identified between the monthly salary promised to respondents by their employing company when they were first

¹ As already noted, some Cambrew employees were still paid on a commission-only basis; a system which ended on 1 February 2008.

recruited (see table in Annex 3), and the income they currently reported receiving. Indeed, many were earning more than they had originally been promised, which is likely to reflect company policies of increasing salary as a result of longevity of service, or the additional income which some BPs earned from working on rest days or public holidays.²

Income during periods of sickness

According to Cambodian law, employees are entitled to paid leave during periods of sickness.³ Overall, 112 respondents (22.7%) reported that they did not receive their base salary if they were absent from work due to sickness. This proportion varied amongst companies, ranging from as high as 46.7% and 32.8% amongst BPs working for Guinness and CBL, respectively, to 16% and 10.9% amongst BPs employed by Cambrew and Heineken (Table 8). It was not established whether any system of remuneration operated for BPs who were employed by Cambrew on a commission-only basis.

Table 8: Proportion of Respondents Who Reported Still Receiving Base Salary if Absent from Work due to Sickness (Q.22)

	Total		CBL		Cambrew		Heineken		Guinness	
	N	%	n	%	n	%	n	%	n	%
Yes	333	67.5	95	50.3	175	77.8	56	87.5	7	46.7
No	112	22.7	62	32.8	36	16.0	7	10.9	7	46.7
Don't know	48	9.7	32	16.9	14	6.2	1	1.6	1	6.7
Total	493	100.0	189	100.0	225	100.0	64	100.0	15	100.0

While the representatives of the management of CBL and Cambrew who were consulted following the survey confirmed that BPs *are* entitled to sick leave, clearly some employees feel that this is not standard procedure. In response to a different question in the survey, for example, some respondents elaborated on their experiences of having their wages cut when they are sick and, furthermore, receiving verbal complaints from supervisory or management staff after taking sick leave.

Implications for the BSIC

- Survey findings suggest that compliance to the Code of Conduct in terms of creating a transparent, written contract to BPs is variable amongst BSIC members.
- In cases where members' understanding of their compliance to this standard of the Code of Conduct is at odds with that of the BPs consulted for the baseline survey, it may be necessary to monitor the contractual process to ensure all employees are not only aware of the existence of their contract, but receive a new copy, and sign to acknowledge receipt of their contract.
- New ways may need to be found of communicating complex contractual information to ensure that BPs understand the content of their contract.
- The existence of incentive systems leads some BPs to engage in behaviour that could be considered 'unhealthy', or unsafe such as sitting with or engaging in sexualised behaviour with clients, which, indeed, may contravene company/BSIC standards.

² The period for which data were collected on monthly income included November 2007, when several public holidays occurred in Cambodia.

³ 'Labour Law, Kingdom of Cambodia Ministry of Social Affairs, Labour and Veteran Affairs', 1997. Article 169, pp.49-50.

- Given the current situation, whereby BPs are motivated to find methods of encouraging clients to drink more in order to earn commission on beer sales, but are equipped with few tools to boost sales apart from their “charm” and the rapport which they can develop with clients, it is likely that this situation is going to continue, unless the BSIC can devise alternative promotional approaches which enable BPs to encourage customer sales without compromising themselves. Wider promotion of “three for the price of two” campaigns may be advisable, for example.
- Clarification of the existing system of paid sick leave may be required for BP employees and some monitoring that this system is adhered to.

2. Organisation of Work

(a) Awareness of Supervisory System

“BPs will be clearly informed on whom their supervisor is” – BSIC Code of Conduct, Standard 2

The supervisory and management system for beer promoters varies amongst companies, but the CAS researchers were informed by BSIC representatives that all BPs should be aware of their “direct superior”, the company representative who is immediately responsible for them and who visits them at the outlets where they work on a regular basis to supervise and monitor their work and working conditions, and to whom they have been directed to relay any work-related complaints. Different companies have different job titles for those who perform the role of direct superior, depending on their staff structure. In the case of CBL, for example, direct superiors can be Promotion Coordinators or Sales Representatives, depending on the geographical area which they cover; at Heineken direct superiors are termed ‘assistants’. But all BPs understand the term ‘direct superior’. All respondents (100%) knew who their direct superior was.

(b) Grievance Procedures

“BPs will be clearly informed...that a procedure is in place for them to express any grievances in relation to their work. The procedure includes the use of a database where all grievances must be registered. This shall be linked with standard 6 on harassment” – BSIC Code of Conduct, Standard 2

Different grievance procedures found to be in place at the four BSIC companies:

Cambodia Brewery Limited (CBL): Officially, as detailed in ‘Grievance Procedure’, Policy Number CBL/BP/E/003 (01 July 2007), any BP with a work-related problem or complaint should present this to her direct superior, who is responsible for taking action and making a written report of the incident, copies of which are sent to the Human Resources (HR) Manager and the Commercial Manager. If the BP in question is dissatisfied with the process she may take her complaint to higher levels within the company, the procedure for which is outlined in the policy document. The HR Manager is responsible for monitoring all grievances and making a quarterly report to the General Manager and the Commercial Manager.

Cambrew: A formal grievance procedure was established in July 2007, whereby any complaints can be reported to a beer promoter’s “direct superior” or the Promotion Assistants Coordinator (PAC) who is based at the Sales Office. These are supposed to be formally noted down, and the information stored on a database. The PAC is responsible for maintaining the database and reporting on the complaints system to the Office Manager. If a BP wants to move from the outlet where she works, or the outlet owner wishes to have a BP moved, then she, the outlet owner and the Office Manager must all sign the complaints form.

Heineken: No formal process exists for registering grievances.

Guinness: No formal reporting system has been established for recording grievances.

Hence currently only CBL and Cambrew appear to have established a formal procedure which includes a database for registering complaints, as prescribed in the Code of Conduct, and are

therefore in compliance. While Heineken and Guinness do not appear to be complying with this standard, as will be discussed below, the BPs and supervisory staff employed by these companies generally follow certain informal processes if they have any complaints.

Grievance procedures: policy vs. practice

Survey respondents were asked about their awareness of the existence of a grievance procedure at the company for which they work. Findings are presented in Table 9, below. Awareness of grievance procedures was low across all companies. Awareness was lowest at Heineken and Guinness, which may be understandable, given the lack of any formalised procedure about which BPs working for these companies would have been informed. Yet at the two companies where new, formal grievance procedures had been in place for six months prior to the implementation of the survey, only 47% and 52% of BPs surveyed were aware of the grievance procedures which were in place at CBL and Cambrew, respectively; the proportion of respondents at these companies who reported that they did not know of any grievance procedure was around 49% and 40%. Overall, awareness of company grievance procedures was substantially lower amongst respondents in Siem Reap than those based in Phnom Penh: only 29.6% of Siem Reap-based BPs were aware of any procedure, and 60.6% did not know, compared with 46.9% and 44.8% respectively of those based in the Cambodian capital (data not shown).

Table 9: Awareness of Company's Grievance Procedure (Q.11)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%
Yes	89	47.1	116	51.6	13	20.3	1	6.7
No	8	4.2	20	8.9	11	17.2	3	20.0
Don't know	92	48.7	89	39.6	40	62.5	11	73.3
Total	189	100.0	225	100.0	64	100.0	15	100.0

Yet it is evident that, regardless of the low awareness amongst beer promoters of the existence of any kind of company grievance procedure, and regardless of the existence (or not) of a formal grievance procedure at the company which employed them, many BPs understood that they had the right to report any problems they faced in their workplace to their direct superior or other company representatives, and did, indeed, voice various grievances on a regular basis. In response to the question as to whom they report any complaints about the behaviour of customers or other men at their workplace, overall 89.2% of respondents described how they report complaints to their direct superior, while 32.2% described taking complaints to another company representative, such as an office manager⁴ or general manager, marketing or sales staff, a team leader or a worker 'representative' (in the case of CBL employees). In addition, overall 27.2% of respondents described reporting complaints to the outlet manager or owner and 9.3% to representatives of NGOs such as Medicine De L'Espoir (Medicine of Hope) Cambodge (MEC), the Reproductive Health Association of Cambodia (RHAC) and human rights organisations. A further 9.3% described reporting complaints to 'Others', a category which included union leaders, security guards and colleagues, friends or family. Strikingly, only 1.4% described that they would complain to no one (Table 10). In many cases BPs gave multiple answers, describing how the individual/s to whom they reported complaints depended on the nature of the grievance, so under different circumstances they would complain to a different person or people.

⁴ Reporting complaints to the office manager was particularly prominent amongst Cambrew and Heineken respondents.

Table 10: Individuals to Whom Respondents Report Complaints about the Behaviour of Customers or Other Men at the Workplace (Q.12)

Individual	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%	n	%
Direct superior	440	89.2	182	96.3	192	85.3	53	82.8	13	86.7
Other company rep	159	32.2	50	26.5	75	33.3	32	50.0	2	13.3
Outlet owner/ Manager	134	27.2	55	29.1	61	27.1	13	20.3	5	33.3
NGO	46	9.3	28	14.8	15	6.6	2	3.1	1	6.6
Other	44	9.3	17	9.0	16	7.1	4	6.2	6	0.4
No one	7	1.4	2	1.1	4	1.8	1	1.6	0	0.0
Total*	493	168.6	189	176.8	225	161.2	64	164.0	15	140.3

* Totals= >100% as many BPs gave multiple responses

Reporting of grievances by beer promoters

In terms of the frequency according to which complaints were reported, it was found that overall, between July 2007⁵ and January-February 2008 when the survey took place, a period of 5-6 months, just over half of respondents - 55.6% - had not reported any complaint, 30% had made one complaint, almost 11% had complained twice, and a small minority – 3.7% - had made three or more complaints. Some small variations were observable amongst the four companies (Table 11). It was found that, overall, BPs working in Phnom Penh were slightly more likely to have registered grievances than their peers in Siem Reap: 46% of Phnom Penh-based BPs had reported one or more complaint, compared to 35.2% of those working in Siem Reap (data not shown).⁶ To test the hypothesis that older BPs may be more confident and hence more likely to express their grievances, data was compared according to age (comparing respondents of 25 years of age and under with those over 25) but no significant difference was apparent (data not shown).

Table 11: Number of Times Respondents Had Made a Complaint Since July 2007 (Q.14)

	CBL		Cambrew		Heineken		Guinness	
	N	%	n	%	n	%	n	%
0	94	49.7	131	58.2	39	60.9	10	66.7
1	57	30.2	69	30.7	18	28.1	4	26.7
2	25	13.2	22	9.8	5	7.8	1	6.7
3 or more	13	6.9	3	1.3	2	3.1	0	0
Total	189	100.0	225	100.0	64	100.0	15	100.0

Registration of grievances by CBL and Cambrew

However, despite the fact that a significant proportion of BPs from all companies reported having voiced complaints to direct superiors and others since July 2007, only five respondents from CBL and Cambrew, the two companies which have formal grievance procedures, including a written report system, described how any complaints they had made since July 2007 had been written down by their direct superior (Q.15). Three BPs (one from CBL and two Cambrew) described how all their complaints were noted down, while two (one from CBL and

⁵ July 2007 was selected as a start date as this was when formal grievance procedures were instigated at CBL and Cambrew.

⁶ Further research might be necessary to confirm this patten, given the relatively small sample of BPs surveyed in Siem Reap.

one from Cambrew) reported that *some* of the complaints they had made had been written down. These figures are incredibly low, given that at least in the case of CBL, company policy stipulates that all complaints should be formally written up. Yet this figure is still greater than the number of cases the researchers found on the grievance report databases held by CBL and Cambrew. This may be explained by the phenomenon, described by direct superiors employed at CBL who were interviewed following the survey, whereby supervisory staff such as direct superiors may make their own personal notes of incidents which occur in the workplace (hence BPs perceive their complaints to be written down), but these do not constitute any official record-keeping.

When respondents who had made complaints were asked why no formal written reports were made of these,⁷ they provided a range of explanations. Some considered their complaints to be related to 'minor' issues which were readily resolved. Others described how they did not 'dare' to make a formal report, as they were frightened of being made to move outlets or losing their job, were concerned about the repercussions of disturbing their superiors at the company or "customer's revenge", or were fearful of the outlet owner calling the police. Others described how they did not know how to formally register complaints, or that they find the procedure complicated as it involves senior management. Some negative views were expressed about company responses to grievances. Some BPs described how complaining is "useless", for example. Similarly, another BP expressed the view that "no one pays attention to solving our problems because we are their subordinates". Another described how "I do not dare to report it when clients touch and embrace us because I have heard that the direct superior shouts at BPs and tells us to deal with problems on our own, so I am afraid of reporting problems to the direct superior". Other respondents emphasised that the role of the BP is to be patient with customers as outlet owners consider their clients to be very important (and, by implication, more important than BPs). One noted how "the customer is king," which suggests an acceptance of client behaviour, no matter what the circumstances, which may be cause for concern.

Examples of grievances reported

Beer promoters who described having made one or more complaint since July 2007 were asked to provide details about the three most recent times when they had reported a complaint or grievance. The examples provided were wide-ranging, and included disputes with outlet owners or managers regarding the kind of work the BP was expected to do, requests by BPs to their direct superiors for assistance in moving outlets, the loss of daily sales reports by supervisory staff (resulting in a reduction in earned pay), a case of a company driver driving dangerously and not collecting staff on time, and cases of customers pressurising BPs to drink alcohol.

Cases of sexual harassment were also reported: incidents in which customers or other individuals, such as nightclub guards, touched BPs' bodies inappropriately, for example. In some cases this sexual harassment was very aggressive. These incidents were resolved in different ways. In one case, the direct superior of the BP in question politely challenged the client's behaviour and consequently the client apologised to the BP. In another case the outlet owner supported the BP in question by discussing the incident with the customer and eliciting

⁷ Some confusion appears to have occurred in the English-Khmer translation of Question 16 in the survey questionnaire ("Why have you not reported (i.e. taken) any grievances to your direct superior?"), whereby respondents who reported that their complaints were not written down (the vast majority) were asked why this was the case. This form of questioning has, however, elicited results which can be usable for future monitoring purposes.

an apology. In a further case, which occurred in Siem Reap, on hearing the complaint about sexual harassment, the direct superior of the BP in question told her that she should know how to protect herself, and so the BP took the case to the commune chief herself and eventually negotiated compensation from the perpetrator. In another case a BP was being harassed by a restaurant owner who sought to have sex with her, and her direct superior told her there was “no solution” to such a problem. From the examples cited it appears that direct superiors do their best to offer verbal support to BPs (encouraging them to “be patient”, for example) but are relatively ineffective or powerless in dealing with clients, or taking complaints to a higher level. This reveals the problems posed when there is inadequate institutional support to deal with cases of harassment, though as will be discussed below, it is questionable whether the existence of a formal company grievance procedure alone provides a solution.

Perspectives of non-BP company staff regarding grievance procedures

Following the completion of the survey, CAS researchers conducted interviews with five of the six direct superiors (four women and one man) and the Human Resource Manager employed by CBL, the Promotion Assistant Coordinator and the Office Manager at Cambrew, and all three direct superiors working for Heineken (all female). The aim of these interviews was to gain further understanding of how the various informal and formal grievance procedures are operating in practice, and, in the case of CBL and Cambrew, to confirm that few BP complaints had been recorded since July 2007 and to ascertain the reasons for this. Given time and resource constraints it was decided that interviews with direct superiors of one BSIC company which did not have a formal grievance procedure (Heineken) would be sufficient to compare procedures with the two BSIC members which do have formal procedures, hence no interviews were held with Guinness representatives.

The findings of the company interviews are summarised below:

Heineken

As already noted, no formalised grievance procedure exists at Attwood/Heineken, direct superiors rely on informal mediation with clients and outlet owners and BPs in an attempt to resolve any problems, including harassment. It was reported that harassment by clients was the most common problem reported, particularly cases where customers want BPs to sit with them, which has been against company policy for more than ten years. The direct superiors considered that this problem could often be resolved through immediate mediation with clients, whereby BPs are generally left to explain company policy to customers themselves. The direct superiors felt that problems are best resolved immediately and quickly and questioned the benefit of making written reports. If a significant problem arises then the direct superiors report this to company marketing representatives who are tasked with reminding outlet owners of company policy.

Sexual harassment was also a problem regularly reported by BPs and the Heineken direct superiors described how they explain company policy to the BPs, who are then largely left to resolve any problems with clients themselves. If matters become serious, which normally occurs when customers are drunk, then BPs or direct superiors may inform the particular outlet owner. Some outlet owners are supportive and eject drunken customers, but others are more concerned with retaining business. The direct superiors considered that many BPs are aware of company policy on issues such as sitting with customer (which was broadly confirmed by other survey data (see section 7), which revealed that Heineken BPs were comparatively less likely to sit with customers than BPs from other companies. In a minority of cases, if customers

are aggressive and force BPs to sit with them, then they are allowed to sit briefly, before making excuses to leave.

Cambodia Brewery Limited (CBL)

The most common complaints which direct superiors at CBL reported hearing from the BPs under their supervision was harassment by clients. Other issues which emerge on a regular basis are questions about salary and company policy. Over the past week, two of the five direct superiors had had complaints made to them by BPs under their responsibility: one concerning a dispute with an outlet owner and one of sexual harassment by a customer. All five direct superiors described how these problems were largely resolved through informal mediation. They were all unaware of the CBL grievance procedure which was formally introduced in July 2007, according to which they are supposed to make a written report of every complaint, although when shown the grievance report form several recalled seeing it before, and one individual described filling in such a form many months previously for an extreme case of assault by a BP from a rival company on a CBL BP. Clearly, therefore, the direct superiors at CBL do not understand that it is their responsibility to complete a written report in the case of every complaint which is brought to them in order to maintain a company register, although the Human Resource (HR) Manager reported that they had all been trained in the new procedure.

The direct superiors expressed lack of understanding of the grievance procedure is evident in the written records maintained by the HR Manager; only two written reports have been submitted since May 2007, when the new grievance process was first proposed as a result of concerns expressed by BP worker representatives at a quarterly meeting that harassment and associated complaints made by BPs were not taken seriously by the company. The two cases reported were both apparently high-profile incidents; the first was a case of physical assault on a CBL BP by a BP from another beer company (non-BSIC member), and the second related to the harassment of a BP by a guard working at the same outlet. Although one direct superior described another recent high-profile incident, where a waiter in a restaurant hit a BP in the face, and this incident was not recorded.

Cambrew

Due to time and resource constraints, no direct superiors working for Cambrew were interviewed. CAS researchers noted from the information provided by Cambrew management staff, however, that all the direct superiors at Cambrew are men, which may (or may not) affect how comfortable or happy BPs are with reporting complaints about issues such as sexual harassment to such individuals.⁸

In addition to direct superiors, the PAC, who is female, is considered by Cambrew management to provide an alternative source of advice and support for BPs, and CAS researchers were informed that new BPs are also encouraged to report complaints to this individual during their induction to the company. On interviewing the PAC, researchers were informed that, in fact, BPs rarely report complaints to her. The PAC noted that since starting work at Cambrew she has received only several complaints per month, but this may be related to the fact that hers is a new position and she had only been in place for four months (hence at the time of the survey she had been in post for less than three months) and has not yet established a close working relationship with BPs. She reported that the most common problem about which BPs complain is their relationship with outlet owners, particularly in situations

⁸ During the pre-testing of the survey interviews, one respondent from Cambrew described the difficulties she had in sharing problems with her (male) direct superior, for example, and when she had any complaints she normally reported them to other "friendlier" company representatives, for example.

when outlet owners expect BPs to carry out work which is beyond their remit, such as preparing tables and washing up.

Although a grievance report form and associated database format was introduced at Cambrew in November 2007, it was found that the database only become functional in March 2008. Four cases were recorded: two were requests from outlet owners for particular BPs to be moved to a different workplace; one was a case of an outlet closing and the need for a new venue for the BP in question; and one was registering a conflict between an outlet owner and a BP concerning the amount of beer made available for sale.

Implications for the BSIC

- It appears that BPs are often still left to negotiate situations of harassment individually with clients, which places them in a vulnerable and weak position. More systematic methods of 'institutional' support, from employing companies and outlet owners are necessary to improved BPs' working conditions.
- Considerable more work needs to be done to establish functioning grievance procedures amongst all BSIC members. Given the current challenges faced by the two companies who have attempted to establish and operate grievance procedures as stipulated in the Code of Conduct, the BSIC might benefit from a discussion regarding the purpose of, and best means of implementing a standard, formal grievance procedure, in order to reach some consensus as to the best way forward and to ensure that all members comply to agreed processes.
- Further research and consultation with beer promoters and direct superiors may be necessary to ascertain the optimal approach for operating a grievance procedure. Once this has been defined, additional training of and awareness-raising amongst not only BPs and direct superiors but other company staff, outlet owners and additional stakeholders may be necessary to provide the necessary institutional and other support required to improve current working conditions.
- Particular efforts may need to be made to ensure that BPs outside of Phnom Penh are familiar with company procedures.
- Specifically in the case of CBL, It was noted that although meetings between management and "worker representatives" representing BPs were established to address the concerns of BPs, and are meant to take place on a quarterly basis, none have taken place since May 2007. It would be timely to reintroduce this system, and consultation with BP worker representatives at the next meeting regarding their views on an optimal grievance procedure might be useful.

See also Section 6 for more survey findings and observations related to the issue of harassment.

3. Uniform

“BPs who sell BSIC member brands will receive (company) branded uniforms or a clear sash with the brand name so that BPs are clearly visible and identifiable as workers selling or promoting beer...Uniforms should be decent, taking into account the input from the BPs themselves” - BSIC Code of Conduct, Standard 3

All survey participants were asked if they had been given a uniform or a sash to wear as part of their job, and, in the case of those who were obliged to wear a uniform, their opinion of this outfit. Findings are presented in Table 12.

Table 12: Proportion of Respondents Wearing Uniform Or Sash in Workplace (Q.23) and Opinion of Uniform (Q.24)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%
Wear uniform	189	100.0	200	88.9	64	100.0	15	100.0
Wear sash	0	0.0	25	11.1	0	0.0	0	0.0
Total	189	100.0	225	100.0	64	100.0	15	100.0
View of uniform:								
Dignified/acceptable	119	63.0	188	94.0	59	92.2	15	100.0
Unacceptable	67	35.5	11	5.5	5	7.8	0	0.0
No opinion	3	1.6	1	0.5	0	0.0	0	0.0
Total	189	100	200	100	64	100	15	100

A number of the BPs working for CBL (Tiger beer sellers) commented that their blouses should not be so short as if they bend down their underwear could be seen. Others (also Tiger beer promoters) were unhappy with the style of the sleeves on their uniforms; they described how they would prefer something more fitted, not sleeves which look like "elephants' ears".

Implications for the BSIC

- CBL may need to engage in further consultation with its beer promoter employees, with the aim of ensuring that a greater number are happier with the company uniform they wear at the workplace.

4. Transport

“The employer of the BP will ensure transport from the venue to the home of the BP as soon as the BP has finished his/her work in a particular venue, the provinces included. This will minimise the risk of BPs being harassed after working hours on their way back home. The BP is offered and encouraged to make use of the company transport. – BSIC Code of Conduct, Standard 4

(a) Provision of Transport

Almost all respondents reported that their employer provided transport home from their workplace (the exception being one BP working for CBL and four BPs working for Cambrew). These particular respondents may have been new employees and hence unaware of their company’s transport policy; this has not been verified.

(b) Promotion of Company Transport

The encouragement offered by direct superiors to beer promoters in relation to the use of company transport was found to be inconsistent. Although over 50% of BPs from every company reported that their direct superior encourages them to avail themselves of company transport home, a considerable proportion (ranging from 33.3% of Guinness employees to 41.6% in the case of Cambrew) reported that their direct superiors did not encourage them (Table 13).

Table 13: Proportion of Respondents Whose Direct Superior Actively Encourages Them to Take Company Transport Home (Q.26)

Action of direct superior	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%
Encourages	111	59.0	120	54.3	40	62.5	9	60.0
Does not encourage	70	37.2	92	41.6	23	35.9	5	33.3
Don't know	7	3.7	9	4.1	1	1.6	1	6.7
Total	188	100	221	100	64	100	15	100

(c) Utilisation of Transport Provided

Despite the evident availability of company transport, utilisation of this service was distinctly variable, with Heineken and Guinness attaining the highest rates of nightly use of company transport, at 87.5% and 80.0% respectively (Table 14). This may be partially linked to the relatively small numbers of women working for these companies, but further research would be necessary to confirm this.

Table 14: Frequency of Utilisation of Company Transport (Q. 27)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	N	%	N	%
Never	49	26.1	84	38.0	4	6.3	1	6.7
1-3 times/week	26	13.8	11	5.0	1	1.6	1	6.7
4-6 times/week	16	8.5	10	4.5	3	4.7	1	6.7
Every night	97	51.6	116	52.5	56	87.5	12	80.0
Total	188	100.0	221	100.0	64	100.0	15	100.0
Missing data	1		4		0		0	

A statistical significance was found between direct superiors encouraging the use of company transport and both the utilisation (P=0.009) and frequency of utilisation of this service (P=0.009). It can therefore be concluded that direct superiors play an instrumental role in ensuring effective utilisation of company transport.

Respondents in Siem Reap were slightly less likely than Phnom Penh-based BPs to report that their direct superior encouraged them to take company transport home. Correspondingly, they were also less likely to avail themselves of company transport: overall 48.6% of BPs based in Siem Reap reported never taking company transport home, compared to 24.9% of the BPs working in Phnom Penh.⁹

(d) Safety Issues

BPs who reported taking company transport were asked whether the transport provided took them all the way home or merely to a location close to home. Although the BSIC Code of Conduct stipulates that beer promoters should be taken to their home, in reality many BPs find themselves dropped off at a street corner or another point (Table 15). In some cases, but not always, this may be a practical measure, as some BPs may live down small alleys which are inaccessible to large vehicles. Nonetheless, this arrangement is less likely to ensure that BPs get home quickly and safely. Indeed, a number of survey participants, in response to a different, open-ended question, concerning what changes they would like to see in their working conditions, expressed the view that company drivers should only drop beer promoters as close to their homes as possible, which highlights the fact that some drop-off locations are considered inconvenient and perhaps even unsafe, and several respondents highlighted the dangers of dropping off intoxicated BPs at a distance from their homes.

No difference was observed between respondents based in Phnom Penh and Siem Reap regarding the location to which they reported they were delivered by company transport.

Table 15: Location to Which Company Transport Delivers Beer Promoters (Q.28)

	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	N	%	n	%	N	%
Home	223	63.7	103	74.1	75	54.7	33	55.0	12	85.7
Point close to home	127	36.3	36	25.9	62	45.3	25	45.0	2	14.3
Total	350	100.0	139	100.0	137	100.0	60	100.0	14	100.0

Due to the structure of the questionnaire, it was not possible to ascertain whether there was any significance between the points at which a company vehicle deposits BPs and use/non-use of this transport. No significant relationship was found between the place where BPs were deposited by company transport and the frequency of their use of company transport, although the clarity of this data was compromised by the failure to distinguish between a “point close to home” which was as close as the company vehicle could get, and more general drop-off points whereby drivers were unwilling to take BPs any closer to their homes.

In addition, some of the open-ended questions employed in the survey, such as those relating to the reporting of complaints and suggestions for improving working conditions, elicited certain information about the problematic behaviour of company drivers, which also affects the provision of safe transport home for BPs.

⁹ Further research might be necessary to validate these finding further, given the relatively small sample of BPs surveyed in Siem Reap.

Implications for the BSIC

- Given the evidence of the importance of the role of direct superiors in successfully encouraging the use of company transport, BSIC members will need to work more closely with this group of employees to ensure that all direct superiors fulfil their role in encouraging BPS to take company transport home. Extra efforts may need to be made to improve BPs' utilisation of company transport in Siem Reap.
- It may be necessary to find out more about why company transport is not being used, particularly by BPs employed by CBL and Cambrew. A short, focused survey might elicit this information. Although many BPs continue to use company transport, despite not being taken all the way home by the vehicles provided, it may be that more BPs would avail themselves of the transport service available if they were dropped off either at their homes, or at least as near as possible, for example.
- BSIC members should do more to ensure that BPs are deposited as close to their homes as possible in order to better meet the Code of Conduct transport standard of minimising the risk of BPs being harassed after working hours on their way back home.
- More careful monitoring of driver behaviour may be necessary to improve uptake of and satisfaction with company transport.

5. Training and Information

“All members of the BSIC will offer a standard and comprehensive training package as part of the orientation training of BPs. This training shall include: how to deal with difficult customers, alcohol and drug use, workplace harassment, relationships between men and women, gender roles and responsibilities, healthcare options, sexual and reproductive health, contraceptive methods, and HIV/AIDS and STI education and prevention...”– BSIC Code of Conduct, Standard 5

(a) Orientation Training

To gain an indication of what proportion of BP employees had been given comprehensive training as part of their orientation, all survey respondents who had been working at their present company for more than four months were asked about the training they had received in various areas. Only respondents who had been employed for more than four months were included, as researchers were informed that new recruits were generally not given training until they had successfully completed a probationary work period. Sample numbers were therefore as follows: CBL: 153; Cambrew: 180; Heineken: 57; Guinness: 9. Findings are presented in Table 16.

(b) Refresher Training

“...A refresher training shall be organised at least once a year.” – BSIC Code of Conduct, Standard 5

BPs who had worked with the same company for more than fifteen months were asked how often they had received training. While results were variable, a high proportion of employees of CBL, Cambrew and Heineken reported having received training once or more per year, which indicates that refresher training is attaining significant coverage (Table 17).

Table 17: Number of Times Respondents Working at Company For More Than 15 Months Have Received Training (sub-sample of Q.44)

	CBL		Cambrew		Heineken		Guinness	
	N	%	n	%	n	%	n	%
Once since employment	11	11.7	11	9.9	7	21.2	1	100.0
Once or more per year	59	76.6	94	84.7	23	69.7	0	0.0
Never/Don't know	9	11.7	6	5.4	3	9.1	0	0.0
Total	77	100.0	111	100.0	33	100.0	1	100.0

As all BSIC members aim to ensure that all BPs are offered comprehensive training, it is, perhaps, reasonable to appraise current training coverage against target levels of 100%. Even assuming this target rate, relatively impressive levels of training were reported in a number of areas. However, it is far easier to inform BPs about the location of their nearest STI clinic, for example, or the facts behind the prevention of pregnancy or HIV, than to equip them with the skills to deal individually with sexual harassment or abusive behaviour from customers who are drunk. This is borne out by the survey findings.

Area of Training Received	CBL %			Cambrew %			Heineken %			Guinness %			Total %		
	Yes	No	Don't Know	Yes	No	Don't Know	Yes	No	Don't Know	Yes	No	Don't Know	Yes	No	Don't Know
Dealing with difficult/abusive clients	75.2	23.5	1.3	78.9	20.0	1.1	70.2	29.8	0.0	55.6	44.4	0.0	75.7	23.3	1.0
Effects of alcohol on health/life	66.7	32.7	0.7	77.8	22.2	0.0	64.9	33.3	1.8	77.8	22.2	0.0	71.7	27.8	0.5
Effects of using drugs on health/life	64.1	34.0	2.0	83.3	16.1	0.6	68.4	29.8	1.8	66.7	33.3	0.0	73.4	25.3	1.3
Dealing with sexual harassment in the workplace	69.3	28.8	2.0	70.6	27.2	2.2	64.9	33.3	1.8	55.6	44.4	0.0	68.9	29.1	2.0
Refusing client-offered beer/alcohol	75.2	23.5	1.3	78.9	21.1	0.0	70.2	29.8	0.0	44.4	55.6	0.0	75.4	24.1	0.5
Relations between men and women	57.5	39.2	3.3	63.3	30.0	6.7	64.9	35.1	0.0	55.6	44.4	0.0	61.2	34.6	4.3
Where to be tested for STIs/HIV	85.0	13.7	1.3	94.4	4.4	1.1	82.5	15.8	1.8	77.8	11.1	11.1	88.7	9.8	1.5
Ways of preventing pregnancy	75.8	23.5	0.7	82.8	15.0	2.2	82.5	15.8	1.8	66.7	33.3	0.0	79.7	18.8	1.5
STI and HIV prevention	83.0	13.7	1.3	94.4	4.4	1.1	82.5	15.8	1.8	77.8	11.1	11.1	83.7	16.0	0.3
Negotiating condom use with sexual partners	74.5	24.8	0.7	77.2	21.7	1.1	68.4	31.6	0.0	66.7	33.3	0.0	74.7	24.6	0.8

Table 16: Proportion of Respondents Who Reported Having Received Training in Particular Areas (Qs. 33-43)

While it is important to build on current success in the training of BPs on reproductive health issues, it is unlikely that BPs' lack of knowledge of reproductive health issues is the most critical issue facing BSIC members in their efforts to secure the health, well-being and safety of BPs. Earlier research by CARE on the knowledge, attitudes and practices (KAP) of beer promoters highlighted the fact that workplace health and safety issues, such as how to deal with intoxicated customers, security and systems for advice and support, were more important to the health of BPs than a lack of knowledge of reproductive health issues.¹⁰ At the time of the CARE study (2003), poor capacity to deal with customers who were drunk, poor security and the non-existence of advice and support systems were considered to be detrimental to the health of BPs. The survey findings in relation to lack of grievance procedures and other support, particularly in relation to harassment from customers (see sections 2 and 6) suggest that these issues are still significant.

In relation to these issues, the proportion of BPs who reported having been trained in dealing with sexual harassment in the workplace was relatively low, if compared to the proportion which reported having been trained in areas such as STI/HIV prevention and ways of preventing pregnancy, for example (Table 16). It should be noted that for respondents who reported not having received training in such areas, it may not be the case that they had received no training at all (particularly as all areas of training appear to be provided as part of a combined programme), but, instead, that they did not perceive themselves to have been trained because they did not clearly understand what was taught to them or did not consider it to have equipped them with the particular skills intended by the activity. This is particularly important if one considers the frequency with which sexual harassment reportedly occurs at the workplace and the variability of BP responses to such behaviour (see Section 6). A similar pattern can be observed regarding reported training on dealing with difficult or abusive clients, which was again relatively low compared to training in certain reproductive health issues (strikingly so in the case of BPs employed by Guinness). Further, understanding of relationships between men and women and gender roles and responsibilities can be understood to be inherently linked to perceptions of sexual harassment and client abuse and, women's empowerment in their dealings with men, and hence their responses to such situations, and it can be seen that reported training in the area of gender relations was also relatively low.

Reported training on the effects of drugs and alcohol on one's health and life was also somewhat low at certain companies. In addition, comparatively few Guinness employees reported having received training in refusing beer/alcohol offered to them by clients, although sample numbers were small and are not readily generalisable.

It is notable that some of the areas in which the lowest proportion of respondents reported having been trained, outlined above, represent, perhaps, the most challenging areas for intervention by the BSIC. To enable BPs to feel more equipped in areas such as dealing with difficult clients or sexual harassment it may be beneficial for these training components to include information, awareness-raising, and even role-playing exercises regarding any formal grievance procedure or any other forms of institutional company support which BPs should be able to access. According to the training curricula shared with CAS researchers, currently this does not appear to be taking place.

¹⁰ 'Selling Beer Safely' Report March-May 2007, MEC, 'Executive Summary'.

The survey data provided no clear indication of the full impact of training activities. This may be worth following up in areas which are critically related to BPs' working conditions, such as dealing with difficult/abusive customers, refusing alcohol or dealing with sexual harassment.

Implications for the BSIC

- All BSIC members should review the content of the training provided in sexual harassment in the workplace, relationships between men and women and gender roles and responsibilities. Given current problems in implementing grievance procedures, it would make sense to integrate training on any agreed grievance procedures within training components related to BP-client negotiation, sexual harassment etc.
- Guinness should review the content of training which is provided in dealing with difficult or abusive clients and refusing beer/alcohol offered to them by clients.
- To make the monitoring of training more effective, specific follow-on surveys could be introduced to gauge the impact of different training components on BP behaviour and their perception of improvements in their working conditions as a result of the skills in which they have been trained.

6. Harassment

(a) Anti-sexual Harassment Policies

“The BSIC declares a zero-tolerance approach with respect to abuse and sexual harassment of BPs. All BSIC members will develop and implement an anti-sexual harassment policy for company staff as part of personnel contracts and code of conduct. The policies will be clearly communicated to employees and sufficient training will be provided to emphasise that sexual harassment will not be tolerated. Sanctions will be taken if rules are broken...” – BSIC Code of Conduct, Standard 6

CBL provided details of their Code of Conduct for both sales and non-sales staff with regards to BP, which outlines the various responsibilities of direct superiors and highlights the unacceptability of physical and sexual harassment of BPs by colleagues, with a clear definition of examples of sexual harassment. All sales and non-sales employees sign up to this Code of Conduct.

The actions of other BSIC members with regards to anti-sexual harassment policies were not shared with CAS researchers.

(b) Clarification of BSIC Position on Harassment to Outlet Owners

“...The BSIC will clarify its expectations vis-à-vis the outlet owners in relation to providing a safe working environment for BPs, including the zero-tolerance statement...” – BSIC Code of Conduct, Standard 6

It appears that many outlet owners have been informed about the BSIC Code of Conduct, although it is unclear how systematic this sharing of information has been. In addition, some BSIC representatives are continuing a constructive dialogue with outlet owners in an attempt to establish a mutual understanding concerning the minimum standards expected in relation to the treatment of and support provided to BPs in the workplace.

The behaviour of outlet owners was not systematically examined by CAS researchers, as the baseline survey focused on the situation of beer promoters. However, the consultation with BPs which took place as part of the survey revealed anecdotal evidence of some outlet owners 'siding' with customers during situations of BP harassment, and therefore prioritising customer business over BP well-being. This problem is openly recognised by BSIC members and is an area of Code of Conduct compliance which perhaps poses the biggest challenge.

(c) Creation and Maintenance of Accurate and Up-to-date Abuse and Harassment Reporting Systems

“...All BSIC members will maintain an accurate and up-to-date abuse and harassment reporting system and share this within the BSIC. It is compulsory to register all reported cases. In the event of harassment, the BSIC members will firstly discuss with the outlet owners on a course of action. Unless actions are taken, the BSIC members will act together with the ultimate sanction of withdrawing all BPs (from all brands represented by BSIC members) from venues where serious or persistent physical or sexual abuse occurs, and will make a public statement to ensure that other stakeholders are warned” – BSIC Code of Conduct, Standard 6

The issue of reporting systems has already been discussed in Section 2 of this report, in relation to grievance procedures. As the compulsory registering of all reported case of abuse and harassment has not yet occurred amongst any BSIC members, presumably no system is yet in place to trigger the collective action against particular outlet owners stipulated in the Code of Conduct.

(d) Prevalence of Sexual Harassment and Current Responses

In order to explore the issue of harassment, survey respondents were first asked whether they understood what sexual harassment was, and to give examples of this behaviour in order to confirm the accuracy of their knowledge. Overall, 95.6% of respondents had a clear understanding of sexual harassment; only a small minority confused sexual harassment with other forms of more general harassment. The BPs who participated in the survey provided numerous examples of the kinds of sexual harassment which they experienced during the course of their work, including the touching of their bodies, the use of sexually explicit language and indecent gestures.

As revealed in Table 18, over 38% of respondents from each of the four companies were experiencing sexual harassment at the workplace on a regular basis. Further, overall nearly 11% of respondents reported experiencing sexual harassment at the workplace every night, although there were variations across companies: respondents from CBL and Cambrew were more likely to have experienced sexual harassment every night than those from Heineken and Guinness (data not shown). Age did not appear to be factor in the experiences of sexual harassment: little notable difference was observed between the frequency of sexual harassment reported by older and younger BPs (findings from those aged 25 and under, and those aged over 25, and those under 30 and those over 30 were compared; data not shown).

Table 18: Frequency of Sexual Harassment at Workplace (Q.32)

	Total		CBL		Cambrew		Heineken		Guinness	
	N	%	N	%	n	%	N	%	n	%
Regularly*	192	38.9	74	39.2	86	38.2	25	39.1	7	46.7
Rarely	208	42.2	78	41.3	98	43.6	27	42.2	5	33.3
Never	93	18.9	37	19.6	41	18.2	12	18.8	3	20.0
Total	493	100.0	189	100.0	225	100.0	64	100.0	15	100.0

* The category 'Regularly' includes every night, several nights a week and several times a month

When asked what they do when they experience sexual harassment in the workplace, survey participants described various responses (Table 19). Clearly the response in any given situation depends on the particular circumstances, but it was evident that in some situations BPs may do several things, such as both challenge the perpetrator and report the abuse, which is reflected in the high number of multiple responses. The majority of respondents described challenging or discussing the situation with the perpetrator of sexual harassment on an individual level, while between 28% and 47% of respondents across all companies described reporting cases of sexual harassment to their direct superior or the outlet owner. Yet the proportion of BPs who described that on some occasions they do nothing when faced with sexual harassment is striking, ranging from around 30 – 47%. This is in marked contrast with the survey findings in relation to reporting more general complaints about the behaviour of customers or other men in the workplace, presented earlier in Table 10, whereby very few respondents described not reporting complaints, and grievances were registered not only with direct superiors and outlet owners, but also frequently with other company representatives (see section 2). Older BPs appeared to be marginally more likely to do nothing on experiencing

sexual harassment: 35.6% of respondents aged 25 and under reported doing nothing, compared to 41.4% of BPs aged over 25.

Table 19: Beer Promoters' Responses When They Experience Sexual Harassment at the Workplace (Q.31)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	N	%	n	%
Nothing	57	30.2	97	43.1	30	46.9	7	46.7
Challenge/discuss with the man in question	145	76.7	157	69.8	50	78.1	13	86.7
Report to direct superior	74	39.2	86	38.2	18	28.1	7	46.7
Report to outlet owner	53	28.0	73	32.4	17	26.6	6	40.0
Report to other company representative	4	2.1	2	0.9	1	1.6	0	0.0
Total*	189	176.2	225	184.4	64	181.3	15	220.1

Totals are >100% as respondents were allowed multiple answers

Current responses to sexual harassment in the workplace may be a reflection of the previously documented view of many BPs, that sexual harassment is an occupational hazard,¹¹ and clearly demonstrates that BPs do not consider it compulsory to challenge or report all of the sexual harassment which they experience. This has important implications given both the continuing prevalence of sexual harassment in the workplace (reported below) and the BSIC's apparent aspiration of maintaining accurate records of all cases of harassment. Further qualitative research concerning BPs' views on and current responses to sexual harassment may be useful here, in order to encourage greater reporting of such abuse and inform the development of more systematic and effective reporting procedures.

Implications for the BSIC

- The frequency of sexual harassment in the workplace which were reported in the baseline survey, coupled with the finding that under some circumstances BPs do nothing when they experience such harassment, emphasises the importance of new measures to tackle this widespread phenomenon.

¹¹ BSIC 'Request for Proposal, 04 May 2007'.

7. Alcohol

“The industry body acknowledges the risk that many BPs may be pressured to drink beer in order to support their sales or to please the customer. It is the policy of the BSIC that during working hours, BPs should not sit or drink with consumers. Members of the BSIC will inform BPs on this rule and train BPs on how to refuse a beer offered without insulting the consumer and on what steps to take if one is forced to drink.”

– BSIC Code of Conduct, Standard 7

(b) Policy of Not Sitting or Drinking With Clients During Working Hours

Table 20: Respondents’ Views on Whether Their Employer Allows Them to Sit and Drink Alcohol with Customers While They Are Working (Q. 46)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	N	%
Yes	28	14.8	29	12.9	7	10.9	5	33.3
No	158	83.6	190	84.4	57	89.1	8	53.3
Don't know	3	1.6	5	2.7	0	0.0	2	13.3
Total	189	100.0	225	100.0	64	100.0	15	100.0

The vast majority of respondents (over 83%) of all but one company were fully aware that their company policy did not allow them to sit and drink alcohol with customer during working hours; the exception was Guinness employees, amongst whom awareness of such a policy was comparatively low, at 33.3% (Table 20).

In addition to informing employees concerning this aspect of the Code of Conduct, Cambrew has taken the additional step of printing information regarding this standard,¹² together with emergency telephone contact numbers for BPs to call if they require additional support or advice, on the back of BPs’ ID cards, which they wear suspended around their necks in plastic pouches during working hours. The information is provided in both Khmer and English, which serves both as a reminder to employees, and supportive material which can be shown to and used to negotiate with customers who pressurise BPs to sit and drink with them during working hours. This is an excellent idea, although the actual use which is currently made of this card may be worth examining in more detail. CAS researchers observed that in the case of the sample ID card which they were shown, the BP in question was storing her card for recording beer sales tucked behind the front of her ID card, which meant that the Code of Conduct was hidden from view, for example.

Despite the general high levels of awareness of their company’s prohibition of their sitting with customers and drinking alcohol during working hours, over 70% of respondents from all companies except Heineken reported contravening this policy; the proportion of Heineken employees was much lower, standing at 45.35% (Table 21). It is, perhaps, notable that the highest number of respondents who reported sitting and drinking with customers was amongst Guinness employees, who, as detailed above, were least aware of their company’s policy in this area. While in some cases respondents may have been referring to occasional or fleeting

¹² The text reads as follows: “Code of Conduct for Promotion Assistants: To give the very best service we need to be alert, therefore please respect that: - We are not allowed to consume alcohol whilst on duty; - We cannot sit with customers; - Any breach of our code of conduct is subject to termination of employment.

instances, it is worth noting that a number of BPs reported sitting and drinking alcohol with customers on a regular basis ('often' or 'always'). Again, the proportion was highest amongst Guinness employees, at 33.3%, and lowest amongst BPs employed by Heineken (10%). The proportion amongst BPs working for CBL and Cambrew was 13.8% and 21.3% respectively. Younger women appeared to be marginally more likely to sit and drink alcohol on a regular basis ('often' or 'always'): just over 19% of respondents aged 25 or under reported doing so, compared with just under 16% of BPs aged over 25.

Table 21: Frequency of Sitting With Customers and Drinking Alcohol When Working (Q. 50)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%
Never	45	23.8	64	28.4	35	54.7	2	13.3
Sometimes	118	62.4	113	50.2	23	35.9	8	53.3
Often	16	8.5	27	12.0	4	6.3	3	20.0
Always	10	5.3	21	9.3	2	3.1	2	13.3
Total	189	100.0	225	100.0	64	100.0	15	100.0

(c) Training on Refusing Beer Without Insulting Clients

As reported in Section 5, the majority of respondents had received training on refusing offers of alcohol from customers (although the rate amongst Guinness employees was comparatively low). The printed card provided to BPs working for Cambrew, detailed earlier, potentially constitutes an additional means of support for beer promoters in refusing drinks proffered by customers.

(d) Steps Taken When Beer Promoter Forced to Drink

To ascertain how commonly BPs had to deal with cases of harassment whereby customers attempt to force them to drink alcohol, survey respondents were asked whether and how often they experienced this kind of behaviour. While overall almost 77% of respondents had been subjected to attempts by customers to force them to drink, as presented in Table 22, over 20% reported that they experienced this on a regular basis ('often' or 'always').

Table 22: Frequency of Customers Attempting to Force BPs to Drink (Q.51)

	Total		CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	N	%	n	%
Never	114	23.1	38	20.1	56	24.9	13	20.3	7	46.7
Sometimes	257	52.1	99	52.4	116	51.6	36	56.3	6	40.0
Often	94	19.1	40	21.2	42	18.7	10	15.6	2	13.3
Always	28	5.7	12	6.3	11	4.9	5	7.8	0	0.0
Total	493	100.0	189	100	225	100.0	64	100	15	100

Some difference was discerned across age groups, with only around 18% of respondents aged 25 and under reporting that they had never experienced customers attempting to force them to drink, compared with around 27% of those aged over 25; a similar pattern was identified when respondents aged 30 and under and those aged over 30 were compared (data not shown). Moreover, it appears that this phenomenon may be more prevalent in Phnom Penh than Siem Reap. Around 41% of respondents based in Siem Reap (29/71) reported never experiencing

customers attempting to force them to drink, compared with 20% (85/422) of those based in Phnom Penh, although the different sizes of these sub-samples make them difficult to compare.

It is unclear what 'steps' the BSIC expects beer promoters to take, or has trained them to take if they are forced to drink, as referred to in standard 7 of the Code of Conduct. It is assumed that the reporting of such incidents is encouraged (and can be considered part of a grievance process, if this exists), hence the respondents who had detailed experiencing customers attempting to force them to drink where asked whether they reported these incidents to anyone (Table 23). Reporting was at a very low level across all companies, standing at less than 50% amongst employees of Cambrew and Heineken, and at just 50% for employees of CBL and Guinness. Most of those survey participants who reported customers attempting to force them to drink had done so to their direct superiors (68%, 73.7%, 80.0% and 100.0% in the case of employees of CBL, Cambrew, Heineken and Guinness respectively; data not shown). In addition, a high proportion of these respondents also described reporting these incidents to outlet owners (52.0%, 57.6%, 48.6% and 25.0% respectively). No difference in reporting levels was found between younger and older respondents. The outcome(s) of the reporting of such incidents was not assessed.

Table 23: Proportion of Respondents Who Reported Cases of Customers Who Try and Force Them to Drink (Q.52)

	CBL		Cambrew		Heineken		Guinness	
	n	%	N	%	N	%	n	%
Report	76	50.3	70	41.4	16	31.4	4	50.0
Do not report	75	49.7	99	58.6	35	68.6	4	50.0
Total	151	100.0	169	100.0	51	100.0	8	100.0

Implications for the BSIC

- Further activities are necessary to minimise the pressure BPs face from customers to drink alcohol while working. Younger beer promoters and those working in Phnom Penh may need particular protection.
- The printed ID cards developed by Cambrew, which include some details on the Code of Conduct, could be revised to include other key aspects of the Code, such as those pertaining to harassment, and scaled up across all BSIC members and the use of these cards integrated within current training programmes on dealing with difficult or drunk customers.
- The reporting of incidents in which customers attempt to force BPs to drink alcohol could be promoted more systematically and effectively amongst beer promoters as part of the monitoring of harassment, and within any agreed grievance procedure.

8. Views on Working Conditions

Table 24: Respondents' Views on Their Working Conditions (Q.54)

	CBL		Cambrew		Heineken		Guinness	
	n	%	n	%	n	%	n	%
Happy with them	76	40.2	140	62.2	30	46.9	7	46.7
Could be better, but are bearable	105	55.6	81	36.0	31	48.4	7	46.7
Unhappy with them	8	4.2	4	1.8	3	4.7	1	6.7
Total	189	100.0	225	100.0	64	100.0	15	100.0

The vast majority of respondents were either happy with their working conditions, or found them bearable, with some scope for improvement; very few BPs described being unhappy with their working conditions.

When respondents who had worked for non-BSIC members previously were asked to compare their current working conditions with those they experienced when employed at a non-BISC company.

Table 25: Comparison Between Working Conditions Provided by BSIC Members and non-BSIC Companies (Q.56)

Statement	Agree		Disagree		Total	
	n	%	n	%	n	%
With my current employer I feel...						
Safer in the workplace	33	97.0	1	3.0	34*	100.0
Better able to deal with difficult customers	32	94.0	2	6.0	34*	100.0
More supported by my direct superior	31	91.0	3	9.0	34*	100.0
Better trained to look after my health	31	91.0	3	9.0	34*	100.0

*A total of 43 respondents had worked for non-BSIC members prior to their current employment, but only 34 answered these questions

Suggested Improvements to Working Conditions

Respondents were asked for their suggestions concerning areas for improving current conditions at the companies where they were working. Principal suggestions are presented in Table 26 according to employer, and are ranked by the frequency according to which they were mentioned (1 being the issues most frequently cited). A wide range of issues were raised. As may perhaps be expected, remuneration was an area of concern amongst respondents across all countries, as was the current process of issuing wages (except in the case of BPs employed by Guinness). Improved procedures for sick leave and changes to the current BP uniform were also common suggestions.

**Table 26: BPs' Suggestions for Improving Working Conditions (Q.55),
Ranked According to Frequency**

Suggested Improvement	CBL	Cambrew	Heineken	Guinness
Changes to uniform	1	2	5	-
Remuneration issues (e.g. bonuses for working double shifts/holidays; salary increase for long service)	2	1	1	2
More efficient issuing of wages (e.g. receiving them on time; reducing loss of /discrepancies in paper-work/more reasonable deductions)	5	4	2	-
Sick leave procedures (e.g. should not be penalised or verbally abused for taking sick leave)	3	5	4	3
Quantity of beer sold at outlets & associated sales targets should be proportionate to size of outlet	4	9	6	3
Improve quality of company transport (some drivers drive too fast; drink alcohol; are disrespectful or do not take BPs close to their homes)	10	3	-	4
Working hours should be rationalised and more clearly defined	6	8	6	1
Direct superiors/management should respond to any complaints registered by BPs immediately	11	10	5	-
The company should work to ensure greater respect for BPs	12	8	-	4
Improved special leave conditions (terms of maternity leave and return to work; compassionate leave in case of death or illness of parent; leave when get married)	8	6	-	-
Better understanding between company and outlet owners (e.g. establishment of a contract, clear stipulation that BPs do not conduct cleaning tasks or sit with clients)	12	8	6	-
Provision of health insurance	-	7	5	3
Choice of working on commission only basis	-	7	-	-
Regular meetings between management and BPs	-	-	3	-
Training on dealing with aggressive clients	-	-	6	-
Company health post	-	11	6	-
Rotation of BPs between small and large outlets to ensure fairer distribution of sales	9	11	-	-
New/improved incentive systems	7	12	-	-
Financial assistance (e.g., loan schemes; support for retiring BPs)	11	-	5	-

NB. Some suggestions are ranked equally, due to the same frequency of citation

Conclusions

The baseline survey has provided comprehensive data which can be used to monitor progress in the implementation of the Code of Conduct over time.

Areas of General Code of Conduct Compliance

Survey findings reveal that, at present, the areas in which Code of Conduct is working well and all members are complying include

- the rejection of commission-only work
- supplying BPs with 'decent' uniforms, which they find broadly acceptable
- making company transport available to take BPs home after work; and
- the provision of comprehensive training packages.

However, some improvements can still be made in several of these areas, as follows:

- **Transport:** While direct superiors play an important role in ensuring BPs take company transport home, not all direct superiors are fulfilling this responsibility effectively, and greater encouragement is required. It would be useful to find out more about why company transport is not being used, particularly by BPs employed by CBL and Cambrew. A short, focused survey with BPs could elicit this information. Although there are those who continue to use company transport, despite not being taken all the way home by the vehicles provided, greater safety of BPs would be ensured if BSIC members took steps to guarantee that all BPs are dropped off either at their homes, or at least as near to their homes as possible, given that many may live in accommodation situated down narrow alleyways away from main roads. More BPs may also avail themselves of company transport if this were the case. Careful monitoring of driver behaviour may also be necessary to improve uptake of and satisfaction with company transport.

- **Training and Information:** Impressive levels of training have been achieved in areas largely concerned with the imparting of important information, such as prevention of STIs/HIV and how to prevent pregnancy. But the impact of training in critical areas related to BP-client interaction and workplace security, such as dealing with sexual harassment in the workplace, appears to be less consistent, given the lower levels of respondents who reported having received training in these areas.

Additional, specific research would be required in relation to current training programmes, such as immediate surveys following training, to assess what participants had learned, and follow-up surveys to assess what kinds of positive effects particular training has had on BP-client negotiation skills, for example, to understand the actual impact of training activities aimed at improving BP safety in the workplace, and to inform the development of appropriate improvements.

It would be useful for any training on areas which are relevant to grievance procedures to be integrated with the presentation of and training in such company procedures. Currently these appear to be kept separate (perhaps because in some cases training is contracted to NGOs). This approach would have the advantage of making these training components more meaningful to BPs, and to reassure them that they are not burdened with the responsibility of dealing with abuse in the workplace alone.

In some cases certain BSIC members could learn from the approaches and achievements of other members. It may be useful to examine why Heineken and Guinness appear to be more

successful than other member achieving high rates of usage of company transport home by BPs, for example, while Guinness may benefit from learning more about some of the components of the training packages offered by other members.

Areas in Which Code of Conduct Compliance is Variable

The compliance of different companies to a number of standards in the Code of Conduct is variable. In areas, where member compliance is inconsistent, structured discussion would be useful with the aim of establishing some consensus on the position of BSIC members on the various standards in the Code of Conduct, and, where possible, attempting to translate any consensus, into consistent procedures to increase impact and facilitate monitoring.

Variable compliance is particularly striking in the case of the organisation of work (standard 2), specifically grievance procedures, and policies for tackling the sexual harassment of BPs.

The Introduction of Grievance Procedures to Address The Concerns of BPs

Even the two companies which are, in theory, complying to the Code of Conduct standard on grievance procedures, are facing problems in implementing the procedures they have introduced, in practice largely because beer promoters and direct superiors do not appear to be aware of them. Greater investment is therefore required by company management if these procedures are to begin working effectively.

It should also be noted even if the planned grievance procedures were functioning, while they might be useful monitoring tools, they would achieve negligible impact on the problems facing BPs, such as harassment in the workplace, unless they are combined with effective deterrent action and sanctions against perpetrators of harassment, and the mobilisation of wider support for the Code of Conduct including the zero-tolerance position on harassment, from all company staff, outlet owners and other stakeholders. The current, widespread phenomenon of harassment needs to be tackled on a number of 'fronts'.

Hence more work needs to be done to establish functioning grievance procedures amongst all BSIC members. Given the challenges faced by the two companies who have attempted to establish and operate grievance procedures as stipulated in the Code of Conduct, the BSIC might benefit from a discussion regarding the purpose of, and best means of implementing a formal grievance procedure, in order to reach some consensus as to the best way forward and to ensure that all members comply to agreed procedures. Further research and consultation with beer promoters and direct superiors may be necessary to ascertain an optimal approach for operating a grievance procedure. Once this has been defined, additional training of and awareness-raising amongst not only BPs and direct superiors, but other company staff, outlet owners, customers and additional stakeholders may be necessary to provide the appropriate institutional and other support required to implement the grievance procedure and cooperate effectively improve current working conditions. This fits with the wider aim of the BSIC, to address the concerns of BPs and to bring these to the attention of "its members, the owners of outlets where beer is sold, and consumers".¹³ Cambrew's approach of providing BPs with printed information about the Code of Conduct regarding sitting and drinking with customers in Khmer and English, on the reverse side of the ID cards is an excellent innovation, for example, as it serves both as an informative reminder to employees (emergency contact telephone numbers are also provided on the same card), and as supportive material which can be shown to and used to negotiate with customers and outlet owners. The development of other publicity

¹³ BSIC 'Request for Proposal', May 2007.

material concerning the standards outlined in the Code of Conduct which are most relevant to outlet owners and customers, which could be posted or circulated at the outlets where BPs work, would be helpful.

It appears that BPs are often still left to deal with situations of harassment individually with clients, which places them in a vulnerable position. The survey finding that under some circumstances BPs do nothing when faced with sexual harassment, or may just challenge the perpetrator individually, has important implications given both the continuing prevalence of sexual harassment in the workplace and the BSIC's aspiration of maintaining accurate records of all cases of harassment. Further qualitative research concerning BPs' views on and current responses to sexual harassment may be useful, in order to encourage greater reporting of such abuse and inform the development of more systematic and effective reporting procedures. Improvements to the current training which is provided on tackling sexual harassment and gender relations may also be necessary as a means of transforming BP and company responses to such abuse, and, ultimately, the behaviour of clients.

While it is essential that every means is attempted to garner support for the Code of Conduct, particularly the zero-tolerance stand on harassment, from outlet owners, customers, and broader civil society, this may be one of the most significant challenges currently facing the BSIC.

Incentive Systems

The way current incentive systems operate can be seen to contradict the characteristics of the incentive system aspired to in standard one of the BSIC Code of Conduct (i.e. one that does not lead to unhealthy or unsafe situations). Alternative promotional activities aimed at boosting sales might provide BPs with the means to increase their incomes without having to compromise their dignity and safety in the workplace.

Recommendations

Contracts

- Current contractual arrangements should be reviewed to ensure that all BPs have a formal contract, are in possession of a copy of this contract, and understand its content.
- Methods should be found for presenting complex information about commission rates, sick leave and other procedures more clearly.

Company transport

- New measures should be introduced to ensure that all BPs are delivered as close to their homes as possible by company transport, and the quality of company drivers is carefully monitored.
- The responsibility of direct superiors in encouraging the use of company transport and formally reporting any problems with company drivers should be promoted more effectively.

Incentives

- New promotional activities should be introduced which enable BPs to increase sales without resorting to behaviour which compromises their safety or dignity.

Promotion of the Code of Conduct

- All BPs should be provided with a short list of Code of Conduct standards relevant to BP-customer interactions which can be used in negotiations with problematic clients
- Continued efforts should be made to increase public awareness of BPs' rights in the workplace, and the existence of the Code of Conduct, both through localised advertising within outlets and in the mass media.

Creation of standard, formal BSIC-wide grievance procedure

- The aims of the formalised grievance procedure stipulated in the Code of Conduct should be re-visited and full BSIC member support established
- BSIC members should consult with beer promoters concerning their preferred approach to reporting grievances, including with whom they would feel most comfortable registering a formal, written report of any grievances. Limited qualitative research concerning BPs' views on and current responses to sexual harassment would also be useful, in order to inform understanding of how greater reporting of such abuse could be encouraged and, therefore, the development of more systematic and effective grievance procedures.
- BSIC members should discuss and agree on a realistic and optimal grievance procedure and re-launch (in the case of CBL and Cambrew), or introduce (in the case of Heineken and Guinness) a BSIC-wide procedure, through systematic training of beer promoters, direct superiors and other staff, and in careful consultation with outlet owners.

- The introduction of the new grievance procedure should be combined with a new awareness-raising campaign for customers regarding BPs' rights in the workplace and the provision of supportive material (e.g. a short printed list of the Code of Conduct) for BPs.
- The formalised grievance procedure and related staff responsibilities should also be included within BP orientation and refresher training components on sexual harassment/dealing with difficult customers etc.
- To make the monitoring of training more effective, specific follow-on surveys could be introduced to gauge the impact of particular training components on BP behaviour and their perception of improvements in their working conditions as a result of the skills in which they have been trained.
- The implementation of the new grievance procedure should be reviewed after six months to assess the performance of the procedure and identify any necessary improvements.
- New activities complementary to the introduction of a grievance procedure are critical to improve working conditions and achieve the aim of 'zero tolerance' of abuse and sexual harassment of BPs in the workplace, and should be initiated as a matter of urgency, e.g.
 - continuous advocacy work to raise awareness amongst outlet owners of the BSIC's 'zero tolerance' position on abuse and sexual harassment of BPs.
 - the piloting of contractual arrangements with sympathetic outlet owners, formalising their support of a minimum standard of working conditions for BPs, the zero tolerance position on abuse and sexual harassment, and a formalised grievance procedure.

Proposed Future Monitoring Activities

1. Each individual BSIC member should use the baseline survey findings to establish new targets for certain areas, against which their progress in Code of Conduct compliance can be measured.
2. Systematic monitoring of the impact of training activities on dealing with difficult clients and abuse and harassment in the workplace should be introduced immediately, with the aim of improving the contribution of these training activities, not only to individual BP-client negotiation skills, but also to BP understanding of company/BSIC grievance procedures and associated support systems, and BP demand for institutional support.
3. A repeat survey of Code of Conduct compliance should be conducted in mid-2009 to assess progress. This should consist of largely the same content as the original baseline survey, although BPs from both BSIC and non-BSIC members should be included in the sample for comparative purposes. The sample size may differ from that of the baseline survey, depending on perceived sampling need and the resources available.
4. Monitoring activities should be introduced to track progress in generating support for the Code of Conduct amongst outlet owners, customers and broader civil society.

Annex 1

List of persons met

CBL

Mr Ti Sophana, Human Resource Manager, CBL

Mr Michael van der Poel, General Manager, CBL

Five direct superiors

Cambrew Ltd

Ms Bun Chanrotha, Promotion Assistant Coordinator

Ms. Buoy Chansothea, Office Manager

Ms. Birgitte Weeke Christensen, Marketing Director

Heineken

Ms Kuch Sothyda, Promotion Women Manager, Heineken

Three Direct Superiors

Annex 2
Additional data tables

**Salary Respondents Were Promised When First Started Work
for Current Employer (Q.17)**

Company	Mean (US\$)	n	Minimum (US\$)	Maximum (US\$)
CBL	51.8118	186	35.00	85.00
Cambrew	51.9333	75	40.00	90.00
Heineken	53.9844	64	40.00	80.00
Guinness	65.0000	15	55.00	80.00
Total	52.8294	340	35.00	90.00

**Annex 3
Survey Questionnaire**

Monitoring of Progress and Effectiveness of the BSIC

**QUESTIONNAIRE FOR BASELINE SURVEY OF
BEER PROMOTERS WORKING FOR BSIC MEMBERS**

RESEARCH SITE:

Phnom Penh 1
Siem Reap 2

Serial Number:.....

Interviewer's name:.....

Date:.....

1. Which year were you born?

Year.....19.....

2. In the year of which animal were you born?

Animal.....

3. What was your age at your last birthday?

Age:.....

Note to enumerator: Question 3 needs to be cross-checked with Questions 1 and 2. If Questions 1 and 2 do not provide the same figure, calculate average

4. How long have you been working for _____ company?

Note to enumerator: Insert name of company where interview takes place

Years..... Months.....

5. Is this your first time working as a beer promoter?

Yes..... 1

No..... 2

Note to enumerator: If Yes, go to Question 7

6. Which company/companies did you work for before?

BSIC member

Asia Pacific Breweries Ltd..... 1

Cambodia Brewery Ltd (CBL)..... 2

Cambrew Ltd..... 3

Carlsberg..... 4

Guinness..... 5

Heineken International..... 6

Note to coder: Allow for more than one response

Non-BSIC member

Name of company/companies

.....

Note to coder: Allow for more than one response

7. At which beer selling outlet/s do you work at the moment?

- Beer garden..... 1
- Bar..... 2
- Karaoke..... 3
- Discotheque..... 4
- Restaurant..... 5
- Banquets..... 6
- Others (Specify).....

Note to enumerator: Add more outlets if necessary

8. Have you a written contract of employment?

- Yes..... 1
- No..... 2
- Don't know..... 9

Note to enumerator: If No or Don't know, go to Question 10

9. Have you been given a copy of your contract?

- Yes..... 1
- No..... 2
- Don't know..... 9

10. Do you know who your direct superior* is?

- Yes..... 1
- No..... 2

11. Does the beer company which you work for have a grievance procedure, according to which you can report complaints about any problems you face in the work place?

- Yes..... 1
- No..... 2
- Don't know..... 9

12. If you have any complaints about the behaviour of customers or other men at your workplace who do you report these to?

- Direct superior*..... 1
- Outlet owner/manager..... 2
- No one..... 3
- Other (specify).

Note to coder: Allow for more than one response

13. Since July 2007, how many times have you reported any complaints about your working conditions?

- None..... 1
- Once..... 2
- 2-4 times..... 3
- 5-10 times..... 4
- More than10 times... 5

Note to enumerator: If beer promoter started working at current company more recently than July 2007, only ask about complaints reported since working at this company

If None, go to Question 16

14. Please provide details on the three most recent times when you had a complaint/grievance and reported it. At which outlet were you working at the time (beer garden, karaoke or bar etc.), what was the grievance, who did you report it to, and what happened after you reported it?

Note to enumerator: If the respondents reported less than three complaints since July 2007, only these should be noted

First time:

- Outlet:.....
 - Grievance.....
 - Person that you report to.....
 - What Happened then.....
-

Second time

- Outlet:.....
 - Grievance.....
 - Person that you report to.....
 - What Happened then.....
-

Third time

- Outlet:.....
 - Grievance.....
 - Person that you report to.....
 - What Happened then.....
-

15. *For employees of CBL only*

Were these complaints written down by your direct superior*?

- Yes, they all were..... 1
- Only some were..... 2
- None were..... 3

16. Note: If the answer of Q.13 have grievance, go to Q.17.

Why have you not reported any grievances to your direct superior* or any other individual?

- Because I didn't have any..... 1
- Other reason

Note to enumerator: If Other reason, ask to specify

17. What salary were you promised when you first started work for _____ company?

Note to enumerator: Insert name of company where interview takes place

_____ Dollars

18. Can you earn incentive payments (commission) on top of your base salary?

- Yes..... 1
- No..... 2

Note to enumerator: If Yes, specify; If No, got to Question 20

19. Does the incentive payment system mean that you sometimes do things with customers which you would not normally do unless you earned money for every beer you sell?

Note to enumerator: If necessary, prompt with examples (e.g. sitting with customers, drinking alcohol with customers, allowing customers to touch your body)

- Yes..... 1
- No..... 2
- Don't know..... 9

Note to enumerator: If Yes, ask to specify

20. How much money did the company pay you last month? *If unknown put 8888*

_____ Dollars

Please disaggregate if possible:

- Salary _____ Dollars
- Commission _____ Dollars
- Rest day pay _____ Dollars
- Holiday pay _____ Dollars

Note to coder: If unknown put 8888

21. How much money did the company pay you the month before last?

_____ Dollars

If unknown put 8888

Please disaggregate if possible:

- Salary _____ Dollars
- Commission _____ Dollars
- Rest day pay _____ Dollars
- Holiday pay _____ Dollars

Note to coder: If unknown put 8888

22. Do you still receive your base salary if you are absent from work due to sickness?

- Yes..... 1

- No..... 2
- Don't know..... 9

23. Have you been given a uniform or sash to wear as part of your job?

- Uniform..... 1
- Sash..... 2
- No..... 3

Note to enumerator: If No or Sash, go to Question 25

24. In your opinion, is the uniform you have been given:

- Indecent..... 1
- Dignified..... 2
- No opinion..... 9

25. Does the company provide transport from your place of work to your home?

- Yes..... 1
- No..... 2
- Don't know..... 9

Note to enumerator: If No or Don't know, go to Question 29

26. Does your direct superior* encourage you to use the transport provided to go back home at the end of the night?

- Yes..... 1
- No..... 2
- Don't know..... 9

27. How often do you use the transport provided to get home?

- Never..... 1
- 1-3 times a week.. 2
- 4-6 times a week... 3
- Every night..... 4

Note to enumerator: If Never, go to Question 29

28. Does the transport provided take you right to your home or to a nearby point, such as a street corner?

- Right home..... 1
- To a point near my home..... 2

29. Do you know what sexual harassment is?

- Yes..... 1
- No..... 2

Note to enumerator: If No, go to Question 31

30. Please can you give me some examples of this behaviour?

31. What do you do if you experience customers or other men at the workplace making sexual comments, touching your body, or holding and kissing you, when you feel unhappy or uncomfortable with this attention and behaviour?

- Nothing..... 1
- Challenge/discuss/negotiate with man in question..... 2

- Report it to the outlet owner..... 3
- Report it to my direct superior*..... 4
- Report it to another beer company representative..... 5

Note to coder: Allow for multiple answers

32. How often do you experience this kind of behaviour in the outlets where you currently work?

- Every night..... 1
- Several nights a week..... 2
- Several times a month..... 3
- Rarely..... 4
- Never..... 5

Note to enumerator: If respondent has worked at current company for less than 4 months, go to Question 46

33. Since you started work at _____ company, have you received any training on how to deal with difficult or abusive customers?

Note to enumerator: Insert name of company where interview takes place

- Yes..... 1
- No..... 2
- Don't know..... 9

34. Since you started work at _____ company, have you received any training on what to do if you receive sexual harassment (any unwanted, overt sexual attention) from customers or any other men at your workplace?

Note to enumerator: Insert name of company where interview takes place

- Yes..... 1
- No..... 2
- Don't know..... 9

35. Since you started work at _____ company, have you received any training on how to refuse beer/alcohol offered to you by a customer politely (without insulting him)?

Note to enumerator: Insert name of company where interview takes place

- Yes..... 1
- No..... 2
- Don't know..... 9

36. Since you started work at _____ company, have you received any training on what to do if an outlet owner pressurises you to have sex with customers?

Note to enumerator: Insert name of company where interview takes place

- Yes..... 1
- No..... 2
- Don't know..... 9

37. Since you started work at _____ company, have you received any training or education on different ways of preventing pregnancy?

Note to enumerator: Insert name of company where interview takes place

- Yes..... 1

No..... 2
Don't know..... 9

38. Since you started work at _____ company, have you received any training or education on how to prevent STIs/HIV?

Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

39. Since you started work at _____ company, have you received any information on where to be tested for STIs/HIV?

Note to enumerator: Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

40. Since you started work at _____ company, have you received any training on how to persuade men you have sex with to use condoms?

Note to enumerator: Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

41. Since you started work at _____ company, have you received any training on the ways in which drinking alcohol can affect your health and your life?

Note to enumerator: Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

42. Since you started work at _____ company, have you received any training on the ways in which using drugs can affect your health and your life?

Note to enumerator: Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

43. Since you started work at _____ company, have you received any training about relationships between men and women?

Note to enumerator: Insert name of company where interview takes place

Yes..... 1
No..... 2
Don't know..... 9

44. How many times have you received training in all of these different subjects?

Once since employment..... 1
Once or more a year..... 2
Never..... 3
Don't know..... 9

45. If you have any questions about the training you have received some time after the training has taken place, who do you talk to?

No one..... 1
Colleague/friend at work..... 2
My direct superior*..... 3
The trainer (e.g. by telephone)..... 4
Other..... 5

Note to coder: Allow for multiple answers

46. Does the beer company you work for allow you to sit and drink alcohol with customers when you are working as a beer promoter?

Yes..... 1
No..... 2
Don't know..... 9

47. Are you ever put under pressure to drink alcohol when you work?

- Yes, at every outlet I work..... 1
- At some of the outlets in which I work..... 2
- Never..... 3

Note to enumerator: If Never, go to Question 49

48. If yes, by whom?

- Customers..... 1
- Outlet owner/manager..... 2
- Direct superior*..... 3
- Other beer company representatives... 4

Note to coder: Allow for multiple answers

49. Do you drink alcohol when you are working?

- Never..... 1
- Sometimes..... 2
- Often..... 3
- Always..... 4

50. Do you ever sit with customers and drink alcohol while you are working?

- Never..... 1
- Sometimes..... 2
- Often..... 3
- Always..... 4

51. Do customers ever try and force you to drink alcohol?

- Never..... 1
- Sometimes..... 2
- Often..... 3
- Always..... 4

Note to enumerator: If No, go to Question 54

52. If a customer tries to force you to drink alcohol do you report him to anyone?

- No..... 1
- Yes..... 2

Note to enumerator: If No, go to Question 54

53. Who do you report him to?

- Outlet owner..... 1
- Direct superior..... 2
- Other beer company representative..... 3

Note to coder: Allow for multiple answers

54. Which of the following statements best describes how you feel about your working conditions?

- I am happy with them..... 1
- They could be better, but they are bearable..... 2
- I am unhappy with them..... 3

55. If you could change three things about your working conditions with _____, what would they be?

Note to enumerator Insert name of company where interview takes place

1. _____

- 2. _____
- 3. _____

Note to coder and data inputter: A coding system will need to be developed to categorise responses to this question. This can include salary, contract, incentives and working rights.

Note to enumerator: Check answer to Question 6. If respondent worked for a non-BSIC member before, please ask the following questions:

56. We would like you to compare your working conditions with your current employer, _____ to those when you worked for _____ (non-BSIC member). Please tell us whether you agree or disagree with the following statements:

With my current employer:	Agree	Disagree
I feel safer in the work place	1	2
I feel better able to deal with difficult customers	1	2
I feel better supported by my direct superior*	1	2
I receive better training in how to look after my health	1	2

*NB. Regarding the term direct superior, in interviews, the Khmer term to be used may differ according to the term used in the various BSIC member companies for which the respondents work, as follows:

CBL - *meh ptol*

To be completed by CAS researcher managing enumerators

1