



**BUREAU OF INTERNATIONAL LABOR AFFAIRS**  
**UNITED STATES DEPARTMENT OF LABOR**



[Photo Credit: elperuano.pe]

# FINAL EVALUATION

## ENGAGING WORKERS AND CIVIL SOCIETY TO STRENGTHEN LABOR LAW ENFORCEMENT IN PERU

November 2021

**Grantee:** American Center for International Labor Solidarity

**Project Duration:** October 2018 – June 2021

**Fiscal Year and Funding Level:** FY 2018 -2020: US\$1,046,417.00

**Evaluators:** Dwight Ordóñez (lead) & Teodoro Sanz

**Evaluation Fieldwork Dates:** June 28 – July 9, 2021

## ACKNOWLEDGEMENT

This report describes the final evaluation of the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement project in Peru. Fieldwork for this evaluation was conducted during June – July 2021. Sistemas, Familia y Sociedad Ltd. (SFS) conducted this independent evaluation in collaboration with the project team and stakeholders and prepared the evaluation report according to the terms specified in its contract with the United States Department of Labor. The evaluation team would like to express sincere thanks to all parties involved for their support and valuable contributions.

Evaluators: Dwight Ordóñez (lead) and Teodoro Sanz

Funding for this evaluation was provided by the United States Department of Labor under contract number 47QRAA20D0045, task order number 1605C1-21-F-00030. This material does not necessarily reflect the views or policies of the United States Department of Labor, nor does the mention of trade names, commercial products, or organizations imply endorsement by the United States Government.

## TABLE OF CONTENTS

<b>ACKNOWLEDGEMENT</b>	<b>I</b>
<b>LIST OF ACRONYMS</b>	<b>III</b>
<b>EXECUTIVE SUMMARY</b>	<b>IV</b>
<b>1. PROJECT CONTEXT AND DESCRIPTION</b>	<b>1</b>
1.1. PROJECT CONTEXT	1
1.2. PROJECT DESCRIPTION	2
1.3. PROJECT SCOPE	3
<b>2. EVALUATION PURPOSE</b>	<b>4</b>
2.1. EVALUATION PURPOSE	4
2.2. EVALUATION SCOPE	4
<b>3. EVALUATION RESULTS</b>	<b>7</b>
3.1. RELEVANCE AND VALIDITY	7
3.2. COHERENCE	10
3.3. EFFECTIVENESS	11
3.4. EFFICIENCY	19
3.5. IMPACT	20
3.6. SUSTAINABILITY	21
<b>4. LESSONS LEARNED AND PROMISING PRACTICES</b>	<b>23</b>
4.2. LESSONS LEARNED	23
4.3. PROMISING PRACTICES	23
<b>5. CONCLUSION</b>	<b>24</b>
<b>6. RECOMMENDATIONS</b>	<b>26</b>
6.1. GENERAL RECOMMENDATIONS – FOR USDOL ILAB	26
6.2. SPECIFIC RECOMMENDATIONS – FOR IMPLEMENTING PARTNER	26
<b>ANNEX A. LIST OF DOCUMENTS /AUDIOVISUAL PRODUCTS REVIEWED</b>	<b>28</b>
<b>ANNEX B. STAKEHOLDERS’ LIST (KII &amp; FGD)</b>	<b>30</b>
<b>ANNEX C. STAKEHOLDER WORKSHOP AGENDA AND PARTICIPANTS</b>	<b>31</b>
<b>ANNEX D. TERMS OF REFERENCE</b>	<b>32</b>
<b>ANNEX E. EVALUATION DESIGN MATRIX</b>	<b>47</b>

## LIST OF ACRONYMS

CFJ	PUCP's Center for Legal Training (university program)
CGTP	Confederación General de Trabajadores del Perú (national trade union)
CSO	Civil Society Organization
CTS	Case Tracking System
CTP	Confederación de Trabajadores del Perú (national trade union)
ET	Evaluation Team
FENTAGRO	Federación Nacional de Trabajadores de la Agroindustria y Afines (sectoral union)
FERETTEX	Federación Regional de Trabajadores Textiles del Sur (sectoral union)
FGD	Focus Group Discussion
FTTP	Federación de Trabajadores en Tejidos del Perú (sectoral union)
FOA	Funding Opportunity Announcement
GOP	Government of Peru
ICT	Information and Communications Technology
IDEHPUCP	PUCP's Institute for Democracy and Human Rights
IESI	Instituto de Estudios Sindicales (CSO linked to CGTP)
ILAB	USDOL Bureau of International Labor Affairs
INDECOPI	Instituto Nacional de Defensa de la Competitividad y la Propiedad Intelectual (national patent register)
KII	Key Informant Interview
LE	Lead Evaluator
LLC	Labor Law Course
LOP	Life of Project
LTO	Long-term Outcome
M&E	Monitoring and Evaluation
MTO	Medium-Term Outcome
OECD DAC	Organization for Economic Cooperation and Development - Development Assistance Committee
OSH	Occupational Safety and Health
PMP	Performance Monitoring Plan
PUCP	Pontifical Catholic University of Peru
SC	American Center for International Labor Solidarity
SUNAFIL	Superintendencia Nacional de Fiscalización Laboral (Labor Inspectorate)

ToC	Theory of Change
TOR	Terms of Reference
USDOL	United States Department of Labor

## EXECUTIVE SUMMARY

### BACKGROUND AND CONTEXT

In 2018, the United States Department of Labor's (USDOL) International Labor Affairs Bureau (ILAB) awarded the American Center for International Labor Solidarity (also called Solidarity Center, SC) a three-year, US\$2,850,000 cooperative agreement for the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement project in Peru, Georgia, and Mexico.<sup>1</sup> The Peru country component began implementation in late 2018 and ended on June 30, 2021. The funding for this component was US\$1,046,417.

The purpose of the SC project in Peru was to improve the enforcement of labor laws and standards by strengthening workers' and unions' capacity to identify and address potential violations of labor rights in the workplace and to develop strategies for political and union advocacy.

During the past five years, Peru has been affected by continuous political conflict, which has affected the functioning of government institutions and brought instability and turmoil. Since 2016, the country has had four presidents (three of these resigned or were deposed). Congress was shut down by a previous president in November 2020, and the new Congress deposed the president in November 2021. A new president assumed power at the end of July 2021.

According to the Peruvian government, by 2019, 73% of the employed population in Peru worked in the informal sector,<sup>2</sup> many of them under dire work conditions and with little or no protection of their labor rights. In the absence of a unified labor code in Peru, and due to the existence of various labor regimes, compliance with labor law in the formal sector was often limited and working conditions remained poor (e.g., low wages, increased use of short-term contracts, noncompliance with occupational safety and health [OSH] provisions, and limited access to collective bargaining and freedom of association).

During the past 18 months, COVID-19 ravaged the country and severely affected the Peruvian economy. From January 3, 2020, to June 12, 2021, there were 1,998,257 confirmed cases of COVID-19 in Peru, with 187,847 deaths reported to the World Health Organization. According to the National Institute of Statistics, more than two million people lost their jobs between March-April 2020 and the similar period in 2021 due to the economic crisis following the pandemic.<sup>3</sup> The COVID-19 crisis affected project implementation, being that most project activities had to be conducted remotely.

---

<sup>1</sup> Mexico was included as the third project country after the award. The total award funding was increased to \$8,050,000, and the duration of the project extended to four-and-a-half years.

<sup>2</sup> [https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib1764/cap04.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1764/cap04.pdf) This figure may have increased with the pandemic.

<sup>3</sup> <https://www.inei.gob.pe/prensa/noticias/empleo-en-lima-metropolitana-disminuyo-en-2-millones-318-mil-300-personas-durante-el-trimestre-marzo-abril-mayo-del-presente-ano-12253/>

## KEY EVALUATION RESULTS

**RELEVANCE AND VALIDITY:** The project objectives and strategy were appropriate to achieve the intended results. As stated in the global project theory of change (ToC), by increasing workers' understanding of labor law, improving their capacity to identify labor violations, helping develop their skills for managing procedural requirements, increasing their capacity to follow up on cases, and developing their ability to implement an advocacy strategy, the project effectively contributed to strengthening workers' and labor unions' capacity to successfully address labor violations and defend workers' rights.

**COHERENCE:** The project coordinated efforts with the Pontifical Catholic University of Peru (PUCP), the Institute of Human Rights (IDEHPUCP), and the Center for Legal Training (CFJ) from the same university on matters related to the labor course and the provision of legal assistance to unions. The project also worked with the Instituto de Estudios Sindicales (IESI, a think-tank belonging to one of the national trade unions) to raise awareness on working conditions in the export-oriented agricultural sector and to develop proposals on labor law issues, and with the Labor Inspectorate (Superintendencia Nacional de Fiscalización Laboral, SUNAFIL) to bring together the targeted trade unions and labor inspection authorities. Coordination with other institutions was limited.

**EFFECTIVENESS:** The project met or exceeded its targets for most of the indicators in its Performance Monitoring Plan, except those that referred to the number of cases which received follow-up from promoters and the number of cases submitted to/addressed by government-related legal mechanisms (e.g., labor inspection/SUNAFIL and labor courts). In fact, trade unions established direct negotiations with employers to save time and financial costs.

Regarding the project's effectiveness toward Long-term Outcome 1 (**LTO 1**), the project trained 43 worker-promoters who acquired relevant knowledge on labor law, the ability to defend labor rights, and self-confidence to develop legal assistance and advocacy activities. In turn, the worker-promoters replicated training and awareness-raising activities among other workers. Regarding **LTO 2**, lawyers hired by the project and national and sectoral union leaders provided legal assistance to unions in the export-oriented agriculture and textile/apparel sectors, a fact which allowed unions to successfully submit their complaints directly before employers (80% of cases) and, to a lesser degree, before the labor inspection and labor courts. Regarding **LTO 3**, the project designed and established a case tracking system (CTS) that included easy-to-use forms, and it trained and coached worker-promoters to complete these forms online. While all promoters registered cases in the CTS, follow-up of cases varied from one region/sector to another, and less than half of cases saw a thoroughly completed follow-up. Regarding **LTO 4**, the project achieved relevant impact with regards to the dissemination of knowledge and advocacy on labor rights. Activities such as radio programs on local stations, the project's Facebook page, and the development of communications materials for the web helped raise awareness about workers' position regarding multiple issues. It also helped link trade unions with local stakeholders/organizations and with the regional representatives of SUNAFIL (Piura and Ica). Notwithstanding the above, the project was unable to establish a cooperative relationship with employers, which in most cases maintained an adversarial position toward trade unions.

**EFFICIENCY:** The project adapted to external factors such as the COVID-19 pandemic by replacing some of its activities with others (e.g., labor fairs for replicas of trainings carried out by worker-promoters), implementing activities remotely (e.g., labor clinics, CTS, legal assistance, and advocacy campaigns), and building the capacity of worker-promoters to

interact through virtual means. This involved a significant adaptation of content and a need to train workers on the use of digital tools.

The project had an adequate results framework and planning and monitoring system. The links between outputs and outcomes were clear in general terms. Monitoring data was particularly useful to inform decision making processes and to orient the successive adaptations of project activities/strategies. Given that data collection and reporting depended on workers/unions' support, particularly in the case of the CTS, the monitoring system posed the issue of underreporting. For example, in some regions there were more cases that effectively received legal assistance, and more cases addressed directly by promoters, than those reported within the CTS. Likewise, the follow-up of cases was often not registered in the CTS.

Political instability was reflected in the changes of high-level functionaries within public institutions. The project addressed the turnover of authorities and government staff by contacting the new functionaries and reestablishing institutional relationships.

**IMPACT:** In general terms, the project contributed to the substantial improvement of union leaders' knowledge of labor law and ability to defend labor rights. The project also improved the capacity of trade unions to carry out legal assistance and advocacy activities, as well as to coordinate their activities with other groups and organizations. Notwithstanding the above, addressing the pending issues of increasing unions' membership, endowing them with sufficient income, and ensuring the renewal of leadership by bringing in young leaders remain key to ensuring the project's impact. Sector-related and regional implementation contexts are also important to consider, as these may vary widely and affect the specific impact of the project in each region/sector.

**SUSTAINABILITY:** The fact that the project was mostly implemented in partnership with and through trade unions, rather than "for them," should contribute to the sustainability of several of its outcomes. Having built and strengthened trade unions' capacities to defend workers' rights, some of the project's work (e.g., legal defense and advocacy) will become sustainable on its own. Union leaders' will and commitment to continue their work, as lasting as these may be, are the prime pillars for the sustainability of results.

**Regarding LTO 1:** The knowledge and abilities developed among worker-promoters will remain in time and will accompany their work if promoters remain committed to their positions/work. Virtual trainings reduced costs and allowed the project to reach a wider audience through replication, which were often self-initiated. The labor clinics will continue operating, as these are part of the regular curricula of the Faculty of Law at PUCP. **LTO 2:** Technical assistance for the legal defense of its membership is an inherent element of trade unions' work. Thus, this type of activity will be sustained in time. **LTO 3:** The case tracking system may have limited sustainability given the lack of motivation among some promoters and the limited technical and human resources available for the consolidation and feedback of data to users. **LTO 4:** The continuation of advocacy activities seemed to be sustainable, independent of the format these adopt. However, certain activities, such as the radio programs and the technical production of communications materials for internet use, require an investment in specialized human resources and in airtime costs. Unions in the textile industry participated in a limited way in the project's advocacy activities.

**Table 1. Performance Summary**

Performance Summary	Rating
<b>LTO1: CSOs/workers accurately identify potential labor law violations in workplaces</b>	
Project targets were achieved. Worker-promoters received valuable training, customized to their needs, and were able to put this knowledge into practice. Replication of knowledge is likely to be sustainable.	<p>A horizontal scale from Low to High with markers for Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. Each row has a solid black dot at the High position and an open circle at the Low position.</p>
<b>LTO2: CSOs/workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies</b>	
Project targets were exceeded, although in most cases the legal defense of workers' rights was done through direct negotiation with employers. Support provided by national trade unions and sectoral federations should ensure the sustainability of this outcome.	<p>A horizontal scale from Low to High with markers for Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. Each row has a solid black dot at the High position and an open circle at the Low position.</p>
<b>LTO3: CSOs/workers effectively track progress of claims</b>	
Project targets were achieved with regards to the registration of cases but tracking of the same in the system was inconsistent. Textile sector members had a more limited participation in the CTS. Sustainability may be limited due to a lack of discipline/interest in following up on cases by some trade unions, limitations in the training of human resources, and the need to invest in specialized support to consolidate data.	<p>A horizontal scale from Low to High with markers for Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. 'Achievement' has a solid black dot at Above-Moderate and an open circle at High. 'Sustainability' has a solid black dot at Moderate and an open circle at High.</p>
<b>LTO4: CSOs/workers engage with the GOP &amp; employers to address potential labor law violations</b>	
The project intensively implemented advocacy activities during its second half, mostly in the export-oriented agricultural sector. Unions in the textile industry had limited participation in the advocacy component. While some links were established with labor inspection authorities/SUNAFIL in some regions, the project did not engage employers in any dialogue leading to better compliance with labor regulations. Some promising advocacy activities (e.g., radio programs, Facebook page) may have limited sustainability given the need for specialized support to upload high quality material on the web, and to cover the cost of radio airtime.	<p>A horizontal scale from Low to High with markers for Low, Moderate, Above-Moderate, and High. Two rows are shown: 'Achievement' and 'Sustainability'. 'Achievement' has a solid black dot at Above-Moderate and an open circle at High. 'Sustainability' has a solid black dot at Moderate and an open circle at High.</p>

**PROMISING PRACTICES**

**Promising Practice 1 – Building commitment and ownership: Do WITH them rather than FOR them.** The project was mostly implemented in partnership with and through trade unions, rather than “for them.” Union leaders’ willingness and commitment to continue defending workers’ rights became the prime pillars for sustainability.

**Promising Practice 2 – Establishing linkages with academia and customizing the training on labor law to the needs of agricultural and textile workers so that it became an actionable input for union leaders.** Linking academia and trade unions not only helped to provide high quality training but facilitated replication by worker-promoters and students.

**Promising Practice 3 – Promoting the replication of training activities in the workplace by worker-promoters.** The direct replication of trainings in the workplace by worker-promoters helped the project reach more beneficiaries, well beyond its original target, which contributed to its sustainability.

**Promising Practice 4 – Using information and communications technology (ICT) tools to carry out training and legal assistance activities and expand linkages with other stakeholders.** Strengthening workers' ability to use ICT (internet, software, and cell phones) as part of their day-to-day activities improved the reach and quality of their work. Worker-promoters provided support to union affiliates, connected with labor inspection staff, and ran the CTS using these means. They also used virtual advocacy to reach hundreds of thousands of people.

**Promising Practice 5 – Using radio programs to link trade unions with local organizations and the public.** The use of radio programs was an effective and low-cost means to connect unions with other local organizations and authorities and to communicate their situation and messaging to the public.

## LESSONS LEARNED

**Lesson Learned 1 – Direct negotiation between unions and employers, whether individual and/or collective, was the most frequent and preferred way to address labor violations/complaints.** This was one of the legal mechanisms available to promote compliance with labor law and should receive proper attention in future projects. The use of dispute resolution could be promoted by USDOL within tripartite projects.

**Lesson Learned 2 – Differences in capacity among stakeholders/regions determined different results among the same.** Issues such as differences in the size of union membership, financial resources, computer literacy, access to technology, and other factors affected implementation and the sustainability of project outcomes. These issues should be taken into account by USDOL and its grantees during the design and implementation of future activities.

**Lesson Learned 3 – Strengthening unions by including underserved communities.** USDOL and project implementers' support to unions' efforts in addressing the expectations of rural, female and young workers may help boost membership and ensure generational succession within unions.

## CONCLUSION AND KEY RECOMMENDATIONS

### CONCLUSION

The project was successful in strengthening trade unions' capacity to promote/defend the rights of their affiliates and interact with government and employers by improving their knowledge of labor law and providing them with tools to address labor law violations. One of the most relevant needs addressed by the project was to help trade unions generate data that may provide a better basis for their complaints before employers and labor authorities.

The various project components – including training worker-promoters, replicating knowledge, providing legal advice to unions, establishing a case management system, and carrying out advocacy actions – contributed to an increase in knowledge of labor law by union leaders and empowered them to better address labor law violations. At the same time, through its cooperation with the PUCP and other related institutions, the project established a promising model of cooperation among unions and local academia. However, while the project managed to work with academic and civil society organizations and to involve government institutions

to a certain extent, it did not directly engage employers from the textile/apparel or agricultural export-oriented sectors within its activities.

Despite being affected by the COVID-19 crisis and redeveloping most of its activities remotely, the project did not modify its geographical scope nor its implementation targets, which in the end it managed to achieve in most cases, or even exceed.

The project managed to generate an important degree of ownership among trade union leaders, a fact which in turn will contribute to the sustainability of its outcomes. The level of sustainability of the project’s outcomes is varied and depends on the existence of union structures that are able to continue developing some specialized activities, as well as the availability of funds to cover some related costs. Regional and sectoral differences are also important considerations in terms of the likelihood of sustainability of project activities.

**KEY RECOMMENDATIONS**

**Table 2. General Recommendations - For USDOL ILAB**

Recommendation to USDOL / ILAB	Evidence	Page Numbers
No. 1. Fund integrated projects addressed to tripartite stakeholders (e.g., government, employers, and workers) or separate projects that strengthen tripartite stakeholders in a synergistic, parallel way, to increase compliance with labor law.	The institutional context framed a “culture of noncompliance” that led to a lack of enforcement of labor law. Working exclusively with a tripartite stakeholder does not lead to systemic change.	Section 3.3 Effectiveness, EQ7, page 12
No. 2. USDOL should review projects’ cumulative annual M&E information in Annex A of the TPR to highlight any anticipated shortcomings with regards to planned targets, alert grantees, and discuss eventual changes in strategic planning.	There was little evidence during the first two years of the project life that USDOL used data from the project monitoring system for decision-making. USDOL asked for further information on several occasions and project staff provided the requested information.	Section 3.4 Efficiency, EQ16, page 20

**Table 3. Specific Recommendations - for Implementing Partner**

Recommendation to Implementer	Evidence	Page Numbers
No. 1. Strengthen trade unions by helping them implement strategies to expand their membership and increase their sources of income.	The issues of increasing unions’ membership and helping them obtain sufficient income are key to ensuring the continuation of projects’ impact after they end.	Section 3.5 Impact, EQ 17, page 21
No. 2. Promote a greater focus on gender equality and on addressing the needs of young workers by decentralizing training to specific regions, continuing to use virtual means, and engaging a greater number/percentage of female and young leaders.	An increased focus on female and young workers’ needs would help to strengthen union membership and to ensure the renewal of leadership by bringing in young leaders.	Section 3.1 Relevance and Validity, EQ4, page 9

Recommendation to Implementer	Evidence	Page Numbers
<p>No. 3. Support the development of structures/functionalities within trade unions throughout the project life, so that they can assume full responsibility for the continuation of technical support to the CTS and for handling virtual advocacy campaigns.</p>	<p>The continuation of CTS and some virtual advocacy activities depend on the availability of specialized human resources to help consolidate CTS data and produce communications materials for internet use.</p>	<p>Section 3.6 Sustainability, EQ 19, page 22</p>
<p>No. 4. Develop more advanced knowledge/abilities among trade union leaders regarding social dialogue, dispute resolution and negotiation techniques, and provide periodic updates on labor law to trade unions. Likewise, union leaders will need to remain updated regarding eventual changes in labor law.</p>	<p>As per the explicit request/perception of the interviewed beneficiaries.</p>	<p>Section 3.3 Effectiveness, EQ13, page 18</p>

## 1. PROJECT CONTEXT AND DESCRIPTION

### 1.1. PROJECT CONTEXT

During the past five years, Peru has been affected by continuous political conflict, which has affected the functioning of government institutions and brought instability and turmoil. Since 2016, the country has had four presidents (three of these resigned or were deposed). Congress was shut down by a previous president in November 2020, and the new Congress deposed the president in November 2021. A new president assumed power by the end of July 2021. Under these circumstances, there was a continuous turnover of authorities at all levels, a fact that made it difficult for the project to coordinate actions with government agencies. Annual economic growth was low in comparison to previous periods: 2.2% for 2019. Peru's economy took a big hit with the COVID-19 pandemic in 2020, and the country's gross domestic product decreased by 11.1% that year.

In December 2020 there was a major strike in the agricultural sector, and particularly in the agricultural export-oriented sector located in the coastal region of the country. Workers protested for the government to derogate the Agro-export Law #27360 of the year 2000, which was considered detrimental to workers' rights. The law had been in place for the past 20 years and was renewed for 10 more years. Road blockades on the Pan-American highway and negotiations with Congress led to the derogation of the law and the approval of a new law, conceding increased pay for workers. These events offered an opportunity for the project to support the development of advocacy activities by workers.

By 2019, 73% of the employed population in Peru worked in the informal sector,<sup>4</sup> many of them under dire work conditions and with little or no protection of their labor rights. In the absence of a unified labor code in Peru, and due to the existence of various labor regimes, compliance with labor law in the formal sector was often limited and working conditions remained poor (e.g., low wages, increased use of short-term contracts, noncompliance with occupational safety and health [OSH] provisions, limited access to collective bargaining and freedom of association). This was particularly evident in export-oriented sectors, such as agriculture in the Peruvian coastal region, agroindustry, and the textile/apparel industry. In these sectors, private companies' search for increased productivity led to the "flexibilization" of working conditions and the use of anti-union practices, and often limited the effective protection of workers' rights.

Working conditions were further affected by the economic crisis caused by the COVID-19 pandemic, which allowed for further flexibilization of the labor law by the government. During the past 18 months, COVID-19 ravaged the country and severely affected the Peruvian economy. From January 3, 2020, to June 12, 2021, there were 1,998,257 confirmed cases of COVID-19 in Peru, with 187,847 deaths reported to the World Health Organization. Peru imposed one of the earliest and strictest lockdowns in Latin America in March 2020, which lasted until the end of June 2020. The country's borders were shut, curfews were imposed, and people could only leave their homes for essential goods - yet infections and deaths continued to rise. A second lockdown was introduced in late January 2021 in the capital city Lima and nine other regions following a wave of infections which brought hospitals close to collapse. As a result, more than two million people lost their jobs during the past 14 months, rendering working conditions in the Peruvian labor market precarious. Temporary changes in labor

---

<sup>4</sup> [https://www.inei.gob.pe/media/MenuRecursivo/publicaciones\\_digitales/Est/Lib1764/cap04.pdf](https://www.inei.gob.pe/media/MenuRecursivo/publicaciones_digitales/Est/Lib1764/cap04.pdf). Note: This figure may have increased with the pandemic.

regulations were reflected in a massive furlough and the dismissal of workers in various economic sectors. The government passed significant support measures to help people who lost their jobs and companies that lost income due to the pandemic - but only about 38% of Peruvian adults had a bank account, making quick digital payments largely unfeasible. While Peru's vaccination drive was initially slow, with 16% of adults in the country fully vaccinated and 33% with one dose by the end of July, Peru secured enough doses (circa 80 million) to vaccinate its entire adult population by the end of 2021. The COVID-19 crisis affected project implementation, being that most project activities had to be conducted remotely.

## 1.2. PROJECT DESCRIPTION

In 2018, the United States Department of Labor's (USDOL) International Labor Affairs Bureau (ILAB) awarded the American Center for International Labor Solidarity (Solidarity Center, or SC) a three-year, US\$2,850,000 cooperative agreement for the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement project in Peru, Georgia, and Mexico.<sup>5</sup> The activities in all three countries had the same overall objective and were organized around the same set of long-term outcomes.

The overall objective of Solidarity Center's project was to support the effective engagement by workers and civil society organizations (CSOs) with the government and employers to improve enforcement of labor laws. Trade unions were considered by the project to be CSOs. All country components were implemented separately, by different local teams.

The Peru country component began implementation in late 2018 and ended on June 30, 2021. The funding for this component was US\$1,046,417. The purpose of Solidarity Center's project in Peru was to improve the enforcement of labor laws and standards by strengthening workers' and unions' capacity to identify and address potential violations of labor rights in the workplace, and to develop strategies for political and union advocacy.

To this end, the project in Peru established four Long-Term Outcomes (LTOs) and six corresponding Medium-Term Outcomes (MTOs):

- LTO 1: CSOs and/or workers accurately identify potential labor law violations in workplaces
  - MTO 1.1: Pontifical Catholic University of Peru (PUCP) and project-partner unions sign agreement for PUCP to continue offering labor law courses and support union field clinics for the sustainability of improving knowledge in labor law
  - MTO 1.2: Worker-promoters train other untrained workers to identify labor law violations
- LTO 2: CSOs and/or workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies
  - MTO 2.1: Workers increasingly use legal advocate teams for legal advice, accompaniment in claim submission process, and representation in litigation
- LTO 3: CSOs and/or workers effectively track progress of claims
  - MTO 3.1: CSOs/unions utilize case tracking system on a regular basis and sustain the system

---

<sup>5</sup> Mexico was included as the third project country after the award. The total award funding was increased to US\$8,050,000, and the duration of the project extended to four-and-a-half years.

- LTO 4: CSOs and/or workers engage with the government and employers to address potential labor law violations
  - MTO 4.1: Some employers change behavior because of report findings and CSOs/unions' advocacy without further judicial involvement
  - MTO 4.2: Project partners implement strategy and establish sustained linkages and partnerships with allies that support the workers' organizations to engage with government and employers in social dialogue

### 1.3. PROJECT SCOPE

The project's main activities included: A labor law course and field legal clinics; legal assistance on labor violations; the development of a case tracking system (CTS) for follow-up of workers' claims; and advocacy campaigns/activities using various means (e.g., radio, Facebook, posters, advocacy with authorities). Through these activities, the project aimed to complement other labor capacity building efforts and to contribute to USDOL's high-level goals of effective government enforcement of labor laws and voluntary employer adoption of best practices to promote workers' rights.

The direct participants of the project included 43 worker-promoters from eighteen local trade unions working in five regions across the country (Arequipa, Ica, Lima, Piura, and San Martin).<sup>6</sup> These trade unions were affiliated with three different federations: the Southern Regional Federation of Textile Workers (FERETTEX); the Federation of Textile Workers of Peru (FTTP) (Lima and Arequipa); and the National Federation of Agroindustry Workers (Federación Nacional de Trabajadores de Agroindustria y Afines, FENTAGRO) (Piura and San Martin). These federations were affiliated with two confederations: the Confederación General de Trabajadores del Perú (CGTP) and the Confederación de Trabajadores del Perú (CTP). SC selected the geographical regions in which the project was implemented based on the high number of short-term contracts in non-traditional export-oriented sectors; the presence of Labor Inspectorate (Superintendencia Nacional de Fiscalización Laboral, SUNAFIL) offices; and the presence of strong project partners with democratically elected leaders and with the legitimacy and capacity to advance educational and advocacy efforts.

The academic institution responsible for conducting training for worker-promoters, the Pontifical Catholic University of Peru (PUCP), could be considered both as an implementing partner and as an indirect beneficiary of the project. PUCP received sustained collaboration from SC and from experienced popular education facilitators. It was responsible for the design and implementation of the learning modules and the development of training materials. Other indirect beneficiaries included workers in the five regions and three sectors addressed by the project, which received information, training and legal assistance from worker-promoters and from lawyers provided by the project to help report workers' claims to authorities and to initiate legal defense actions. Other indirect beneficiaries included SUNAFIL and the Ministry of Labor and Employment Promotion, which built relationships with unions and other stakeholders.

---

<sup>6</sup> Unions in the export-oriented agricultural sector are mostly recent (around/less than 10 years old), increasing their membership, and active. Unions in the textile sector are older; in Arequipa they are export-oriented, while those in Lima are geared more to the local market. Companies and unions related to export-oriented sectors were less affected by the COVID-19 crisis. Companies managed to maintain their markets. The increased flexibility of labor relations due to COVID-19 regulations resulted in massive furloughs and dismissals in the textile sector in Lima, affecting the functioning of unions. Agroindustry-related unions are around 10 years old, larger (450 members) than those in the export-oriented agricultural sector, and like those in Arequipa, they implement collective bargaining.

## 2. EVALUATION PURPOSE

### 2.1. EVALUATION PURPOSE

The purpose of this final performance evaluation was to:

1. Assess whether the project has achieved its objectives, identifying the challenges encountered in doing so and analyzing the driving factors for these challenges,
2. Assess the intended and unintended effects of the project,
3. Assess lessons learned and emerging good practices from the project (e.g., strategies and models of intervention) and experiences in implementation that can be applied in current or future projects in the focus country(-ies) and in projects designed under similar conditions or target sectors, and
4. Assess which outcomes or outputs can be deemed sustainable, as well as assess the coherence of project's sustainability measures, the extent to which sustainability was considered in the project design, and its relevance to the country context.

The primary audience of the evaluation included ILAB, SC and its implementing partners, and the tripartite stakeholders or constituents in Peru, especially civil society.

The evaluation results, conclusions, and recommendations will serve to inform future project designs and inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

### 2.2. EVALUATION SCOPE

An independent two-person evaluation team (ET), with a Lead Evaluator (LE) and a National Monitoring and Evaluation (M&E) Expert, conducted this evaluation, including fieldwork from July 28 to June 9, 2021.

The evaluation team investigated all aspects of project implementation and assessed the performance and achievements of the project by the end of June 2021. The ET gleaned information from a diverse range of project stakeholders and institutions who participated in and were intended to benefit from interventions in Peru.

The evaluation team used multiple sources of evidence, combining primary qualitative data with secondary quantitative data. The use of mixed methods and data from mixed sources or “triangulation” helped the evaluation team overcome the bias that comes from using single information sources, single methods, or single observations. The ET obtained relevant information for this evaluation by conducting:

- A document review,
- Direct data collection from stakeholders, including remote key informant interviews (KIIs) and focus group discussions (FGDs), and
- Quantitative analysis of secondary data.

The evaluation team assessed the relevance of project services in relation to target groups and institutions' needs, the coherence of project activities with regards to other institutions' interventions, the efficiency and effectiveness of the project in attaining its expected outcomes, the impact of implementation on project objectives, and the project outcome's potential for sustainability. The ET also captured promising practices, lessons learned, and emerging trends.

At the end of the fieldwork, the ET conducted a remote (virtual), interactive and participatory validation session with project partners for clarification and the validation of preliminary findings before report writing (agenda and participant list is shown in Annex C). In addition, the ET provided a post-fieldwork debriefing to USDOL ILAB to share initial findings.

### 2.2.1. SAMPLING

The ET interviewed stakeholders remotely from all project locations, including the regions of Arequipa and Lima (textiles), Ica and Piura (export-oriented agriculture), and San Martín (agroindustry - palm oil). Stakeholders included: ILAB staff, SC and project staff, SUNAFIL staff, national and sectoral trade union leaders, worker-promoters trained by the project, representatives from project service provider institutions, project consultants, and partner institutions.

Gender representation was dependent on purposive interviews – the people involved in the project according to their position, organization, roles, and responsibilities. The evaluation’s sampling is provided in Table 4 below, and a list of KII and FGD participants is shown in Annex B.

**Table 4. Interviewees per Type of Institution**

<b>KII AND FGD DATA COLLECTION STRATEGY</b>		
<b>KII Stakeholder Type</b>		<b>KII Sample Size</b>
Solidarity Center Headquarters and Regional Office		2
SC Project Staff		2
US Government (ILAB)		2
Government of Peru (SUNAFIL)		2
National/Sectoral Trade Union Leaders		4
Worker-promoters		11
Service Provider Institutions (PUCP, other)		3
Project Consultants/Service Providers		5
Partner Institutions		1
<b>TOTAL</b>		<b>32</b>
<b>FGDs</b>		<b>FGD Sample Size</b>
2		7 (*)
<b>TOTAL NO. INDIVIDUALS</b>		<b>39</b>
<b>FGD</b>	<b>Focus Group Discussion</b>	<b>Location</b>
<b>FGD-1</b>	Export-oriented agriculture – 3 people	Participants from various regions
<b>FGD-2</b>	Textile/ apparel industry – 4 people	Participants from various regions

(\*) A greater number of participants were planned for inclusion in the FGDs but were not able to connect remotely to the meetings.

KIIs and FGDs were conducted using semi-structured guided questions (please see Annex E.2: Evaluation Tools). Both KII and FGD evaluation tools included two questions with rating scales – an Achievement Rating and a Sustainability Rating, with a scale from 1-5 indicating Low, Moderate, Above-Moderate, High, and Other (No Answer) – to provide quantifiable evidence to support the qualitative data collection.

### 2.2.2. ETHICAL CONSIDERATIONS

The evaluation team observed utmost confidentiality related to sensitive information and feedback elicited during the KIIs and FGDs.

The evaluation team respected the rights and safety of participants in the evaluation. No information, opinions or data provided by interviewees were explicitly linked to any participant in the evaluation. Companies' identities have been omitted when highlighting any labor violations cited in the report. The version of the report that will be published by USDOL will omit all key informants' personal information.

### 2.2.3. LIMITATIONS

The evaluation team based its conclusions on information collected from background documents, KIs, FGDs, and secondary quantitative data. The evaluation team assessed the integrity of this information to determine the accuracy of the evaluation results.

The application of ratings may in no way be considered as a non-formal impact assessment. Scorecard ratings expressed the opinion of the majority of stakeholders interviewed, using broadly defined scales. The criteria used by each interviewee to rate the project's levels of achievement and sustainability varied from one person to another. Scorecards do not replace an in-depth analysis of the issues presented in the report.

Primary data collected from beneficiaries may reflect the opinions of the most dominant groups without capturing the perceptions of less vocal groups. The evaluation team considered this possibility and made sure that all parties could freely express their views. Notwithstanding the above, five people who were intended to participate in FGDs did not attend. Although people from the same regions were interviewed individually, this fact may limit the representativeness of the opinions collected.

The evaluation relied on secondary performance information contained in quarterly and biannual reports and in available monitoring databases. The quality of the data affects the accuracy of the statistical analysis. The evaluation team was not able to check the validity and reliability of performance data given the limited time and resources.



PHOTO CREDIT: elperuano.com

### 3. EVALUATION RESULTS

Following the Organization for Economic Cooperation and Development's Development Assistance Committee (OECD DAC) evaluation criterion, this section provides an assessment of the relevance, coherence, effectiveness, efficiency, and the sustainability of the project across its major outcomes, following the evaluation questions included in the evaluation Terms of Reference (TOR).<sup>7</sup>

#### 3.1. RELEVANCE AND VALIDITY

##### 1. Were the project strategy, objectives, and assumptions appropriate for achieving the planned results? To what extent did the project's objectives and interventions respond to relevant stakeholders' needs?

The project aimed to strengthen trade unions' capacity to defend the rights of their affiliates and interact with government and employers by improving their knowledge of labor law and providing them with tools to address labor law violations. One of the most relevant needs addressed by the project was to help trade unions generate data that may provide a better basis for their complaints before employers and labor authorities. The project objectives and strategy were appropriate to achieve the intended results: Training worker-promoters, replicating knowledge, providing legal advice to unions, establishing a case management system, and carrying out advocacy actions all contributed to an increased knowledge of labor law by union leaders and empowered them to better address labor law violations.

Project actions also responded to relevant stakeholders' needs: Most beneficiaries interviewed by the evaluation team highlighted that project support significantly improved their knowledge of labor law and enabled them to better defend workers' interests in the face of abuse from their employers. The project helped generate evidence that was useful to inform negotiations and orient decision making.

##### 2. To what extent did the global project theory of change (ToC), assumptions and Long-Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Peru? What were the benefits and limitations of the prescribed ToC and LTOs?\*

As stated in the global project ToC, by increasing workers' understanding of labor law, improving their capacity to identify labor violations, helping to develop their skills for managing procedural requirements, increasing their capacity to follow up on cases, and developing their ability to implement an advocacy strategy, the project effectively contributed to strengthening workers' and labor unions' capacity to successfully address labor violations and defend workers' rights.

However, the hypothesis that labor law violations would be addressed using the various mechanisms of the legal system (e.g., labor inspection, labor courts) was not verified: In most cases, workers managed to successfully address labor violations through direct negotiations

---

<sup>7</sup> ILAB's institutional learning-related questions are highlighted in red characters and marked with an asterisk\*.

with employers/enterprises. Workers preferred to engage directly with employers to avoid the intricacies, longer delays, and higher costs of acting through the Peruvian legal system.

Several project assumptions, such as the existence of enough political will from government institutions, agreement among tripartite stakeholders that compliance is a desirable outcome, and the sufficient allocation of government resources to enforcement, did not prove to be true throughout the life of the project (LOP). Likewise, the country was affected by relevant political and economic instability throughout the project's implementation period. Notwithstanding the above and the crisis ensuing the emergence of the COVID-19 pandemic, the project managed to deliver most results as expected.

The benefit of the prescribed ToC and LTOs was to provide a simple and clear framework that allowed the project to assemble the different kinds of activities and stakeholders towards a higher-level goal. However, while the project managed to involve government institutions to a certain extent, it did not directly engage employers from the textile/apparel or agricultural export-oriented sectors within its activities. Thus, while all LTOs held mostly true, project implementation did not lead industry and employers to voluntarily adopt best practices that protect workers' rights.

Greater employers' involvement, particularly in export-oriented sectors, could be addressed, whether under bipartite (employers-workers) or tripartite projects, through the promotion of dispute resolution mechanisms with a sectoral (e.g., agriculture, apparel) or regional (region/valley-based) focus. Employers should be engaged in this type of initiative since their inception.

### **3. What drives workers' perceptions and behavior vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?\***

Salary increase/protection and occupational safety and health-related issues were the most frequent interests that workers had in mind when approaching trade unions. Workers perceived trade unions as a vehicle to address labor violations and improve their working conditions. However, sometimes they also distrusted trade unions' effectiveness and feared that affiliation to trade unions may lead to eventual retaliation from employers. This is often the case among young workers employed under short-term contracts, who often avoid affiliation out of fear of not being hired again.

In other cases, the fact that the benefits obtained by unionized workers are also applicable to those who are non-unionized made unionization appear to be needless for some workers. As unions demonstrated their effectiveness in addressing workers' individual cases and collective claims, their reputation was strengthened. However, the unions' relatively small size and limited financial resources, together with employers' anti-union practices (e.g., threats to those intending to affiliate, harassment or dismissal of union members, setting up parallel pro-employer unions, monetary incentives for those who decided to disaffiliate) weakened their capacity to increase their membership.

Union membership in the agricultural export-oriented sector in Ica and the textile sector in Arequipa increased during the life of the project, while membership in several textile/apparel unions in Lima decreased steeply. Unions, particularly in Lima, were weakened due to massive dismissals following the changes in regulations passed by government, which allow for the flexibilization of labor relationships in response to the COVID-19 crisis.

#### 4. To what extent has the project met the needs and addressed the priorities of workers and underserved communities<sup>8</sup> regarding workers' rights and working conditions?

Women and youth, particularly youth migrating from other regions for work, may be considered in this case as “underserved communities.”

Although women constitute the majority of labor in the export-oriented agriculture and textile/apparel sectors, women's affiliation to unions and participation in union leadership is limited and much smaller than men's.<sup>9</sup> Difficulties for women's affiliation or assumption of leadership roles within unions include a lack of time (women having to perform parallel household roles), gender-typed bias among unions' male leadership, workers' fear of retaliation from employers (some women being the head of single-parent households), and other family members' illnesses (in some cases, when husbands die, women disaffiliate themselves from unions).

The project addressed gender issues in a nonspecific way, as part of its global approach on the defense of workers' rights (e.g., right to maternity leave, complaints on sexual harassment). At the start of the project, SC established a target of 30% female participation in the course on labor law at the PUCP. Given the low rate of female affiliation and participation in union leadership, the project only reached 25% (11 out of 43 worker-promoters, of which 5-6 women were clearly active by the end of LOP). Only those workers who already had a permit and were recognized by law to attend union activities during work time (e.g., *licencia sindical*) were allowed to participate in the course.

Another vulnerable or underserved group is that of young workers less than 30 years old, particularly those migrating from the Andean provinces to work in the fields. These workers are not aware of their rights and know little about unionization. Sometimes they see their participation in the sector as transitory while waiting to get better job opportunities, and in other cases they feel threatened by the possibility that their short-term contracts would not be renewed by employers if they joined a union. Young workers' needs were not specifically addressed by the standard set of project interventions (training, legal assistance, case tracking system, advocacy).

The factors above rendered it difficult to enroll younger generations in unions. However, in some cases (e.g., in Uchiza) the young leaders trained by the project later assumed positions in the General Secretariat of their union, replacing union leaders who occupied their positions for more than a decade. Recently, some young leaders trained by the project moved on to occupy leadership positions in the national Federation of Agricultural Workers (FENTAGRO).

The project did not implement a specific strategy that aimed to increase the affiliation of women and youth in unions. Unions also seemed to lack a strategy on this key aspect, which would contribute to the unions' strengthening and renovation. In fact, two relevant needs of the unions were not addressed by the project:

---

<sup>8</sup> “Underserved communities” refers to populations who have been historically underserved, marginalized, or denied equitable treatment based on disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. In the case of this project, women, youth, and migrants may be considered as “underserved communities.”

<sup>9</sup> In some workplaces, such as agroindustry plants in San Martín, most work involves handling heavy loads and there are only two women per workgroup, who are in charge of labeling.

- The need to increase the size of union membership in order to strengthen union bargaining capacity, and
- The need for unions to generate income to cover the costs of union training and advocacy activities, such as the ones funded under this project, as membership fees are low and provide unreliable and extremely limited income.

These two issues were particularly relevant when looking toward the future sustainability of key activities after the end of the project life.

### 3.2. COHERENCE

#### 5. To what extent did the project coordinate with other SC interventions in Peru, as well as other stakeholder' interventions, to avoid duplication of efforts?

There were no other SC interventions in the sector with which the project could coordinate its interventions. However, the project coordinated several of its interventions with other stakeholders.

Project staff coordinated efforts with the PUCP and the Institute of Human Rights from the same university (IDEHPUCP) to produce and implement the labor law course. The project also worked with the PUCP's Center for Legal Training (CFJ) with the aim of establishing a labor clinic to provide legal advice to workers. These activities helped to build knowledge and capacity among workers and at the same time to establish a model of cooperation among unions and local academia.

Related to the above, students from PUCP's law department developed a proposal for the reform of the agro-export law, a proposal on an inspection protocol in the agriculture sector, and a proposal on collective bargaining per branch of activity for the textile sector. These developments opened a promising road for further collaboration between the labor movement and local academia. However, further steps should be taken to formalize these linkages through a memorandum of understanding between the CFJ and national and/or sectoral unions.

The project strengthened the link between trade unions and SUNAFIL (e.g., in Piura and Ica) by arranging for SUNAFIL officials to accompany union advocacy campaigns in different regions (radio programs, training of workers, etc.). Advocacy activities through the project's Facebook page (Trabajadores frente a la Crisis) and radio programs, plus the use of images, videos and other awareness materials, helped unions to create awareness among the general public on workers' rights and the need to change the agro-export law,<sup>10</sup> as well as to establish linkages with local authorities, the rondas campesinas (local self-defense groups), and other grassroots organizations. Radio programs allowed unions to reach distant audiences, such as people living in small villages and surrounding rural zones that had not yet heard about workers' rights.

The project's coordinated action with the Instituto de Estudios Sindicales (IESI), a think-tank belonging to one of the national trade unions (CGTP), helped raise awareness on working conditions in the export-oriented agricultural sector and facilitated the submission of proposals to the national Congress. The project also submitted a proposal to the National Institute for the Defense of Competitiveness and Intellectual Property (INDECOPI) on safeguards for textile imports.

---

<sup>10</sup> E.g., the fan page had more than 1.5 million views.

Exchanges with the International Labor Organization and other international cooperation agencies was limited, and mainly focused on coordination during the debate on the new agro-export law.<sup>11</sup>

### 3.3. EFFECTIVENESS

#### 6. How did the COVID-19 pandemic and other external factors (political, economic, etc.) affect project implementation? How were these factors navigated in order to move the project forward? How effective were the different methods of addressing these factors in maintaining the project's progress?

The health and economic crisis that resulted from the COVID-19 pandemic had a negative effect both on trade unions and on project implementation. A law on the “perfect suspension of labor activities” decreed by the Government of Peru (GOP) led in practice to a massive wave of furloughs and unjustified dismissals of workers, including union leaders, while in less than 18 months the effects of the pandemic brought illness to almost two million people and eventual death to nearly 200,000 people. A mandatory national shutdown, implemented from March through June 2020 and again in February and March 2021, severely affected livelihoods activities. While occupational safety and health measures were implemented nationwide and the GOP provided subsidies to individuals with low income on two occasions, these measures were not enough to palliate the effects of the crisis.

The events described above led in turn to a weakening of trade unions and greatly affected project activities. For example, due to the restrictions imposed in response to COVID-19, the project could not implement some key activities, such as the labor fairs, and had to convert all other activities (labor clinics, legal assistance, case tracking system, and advocacy) to a remote, virtual format. Many stakeholders mentioned that project results concerning the replication of knowledge,<sup>12</sup> the case tracking system (CTS) and advocacy activities would have been greater if project implementation had not been affected by the context of the pandemic. Textile unions, particularly in Lima, were more affected than the rest, a fact which was reflected in the dismissal of hundreds of workers, including union leaders, who had to search for jobs in other sectors. This hampered their ability to participate in the CTS system and in advocacy activities. In turn, this led to a reduced involvement/permanence in the project among union leaders from local market-oriented apparel businesses in Lima, a fact which may account for differences in the project's effectiveness.

Notwithstanding the above, the project did not modify its geographical scope nor its implementation targets, which in the end it managed to achieve in most cases, or even exceed. This was a significant challenge, given that the quality of information and communications technology (ICT) infrastructure, online communications, and bandwidth outside Lima are often limited, particularly in the rural zones where most promoters resided. To allow beneficiaries to access remote communications, the project invested in training worker-promoters on how to use digital technology and software (for many this was a first-time experience). It also covered

---

<sup>11</sup> On December 31, 2020, GOP published Law 31110: The Law on the Agriculture Labor Regime and on Incentives for the Agriculture and Irrigation, Agro-export and Agro-industrial Sectors.

<sup>12</sup> Replication of training was done mostly in virtual ways, and although this modality was cheaper, it was considered by many interviewees to be less effective, in the sense that since workers were less familiar with virtual learning, they may be less able to benefit from the same. Likewise, several interviewees highlighted that in some rural zones, workers had no adequate computers or cell phones and they often had difficulties connecting to the internet.

the cost of microchips and internet time-use for promoters. Thus, COVID-19, while creating a difficult environment for implementation, led the project to discover the opportunities of virtual interaction as an effective means to reach people.

Introducing union leaders to the digital world opened a whole new way of relating for them, in “real time” and with fewer costs than before. Suddenly national federation leaders were able to provide legal assistance to their affiliates at faraway locations with no need to travel, exchange legal documents with affiliates and employers through emails, and address labor inspectors through the web. The evaluation team is of the opinion that the above will have a lasting effect on the way in which trade unions conduct their activities.

Another external factor that influenced the project was the continuous political crisis that the country has been immersed in for the past five years, which resulted in the frequent changeover of authorities at all levels, including labor administration authorities. This hampered the project’s ability to establish relevant and stable relationships with government authorities.

#### **7. How effectively did the project assess and mitigate institutional environment-related risk factors that could hamper project implementation?**

Various risk factors (expressed as assumptions in the results framework) were not directly addressed by the project, as any mitigation action remained far from the project’s effective ability to influence the institutional environment.

For example, there is no clear agreement among tripartite stakeholders that an increase in compliance of international labor standards would be a desirable outcome. The tripartite National Labor Council stopped meeting two years ago, and the national policy on competitiveness was enacted by the government without consulting trade unions.

The existence of diverse labor regimes in the country is often used by employers to evade their obligations with labor law. Employers understand relevant labor standards and labor law, but many do not comply with them. Enterprises often prefer to take labor conflicts to court, where cases will take years to be resolved. Some employers do not pay the fines and penalties they receive, and government authorities remain relatively toothless to collect dues. Depending on their political orientation, certain government officials tend to view labor conflicts more as a sort of “public relations problem” than an issue affecting workers’ rights, and thus do not focus on the causes of these problems. The project could not do much with regards to the limitations of this legal framework.

While the government often allocates limited and insufficient resources to labor inspection, the visibility of the strikes in the export-oriented agriculture sector in December 2020 led to an increase in the number of labor inspections implemented by SUNAFIL. As GOP recently showed political will toward engaging CSOs and/or workers in addressing labor violations, significant differences remain in the equipment, staffing and capacity among SUNAFIL regional offices, as well as in their responsiveness to workers’ complaints.

Thus, notwithstanding how conducive the labor regulations may be in a country, the institutional context described above greatly contributes to a lack of strict enforcement, thus promoting the persistence of a “culture of noncompliance” with regards to labor law. Project designs should take this feature into account: While a case-by-case or piecemeal approach may help to start some “pilot” action, a cascade effect within a certain group of stakeholders (e.g., trade unions) would not generate a systemic change in the end unless the prevailing labor relations culture is addressed. To influence the latter, parallel or convergent sets of actions may be needed with regards to each tripartite group of stakeholders (Ministry of Labor,

employers, and workers) under the umbrella of one integrated project or of multiple, convergent initiatives.

**8. Which project outcomes show the greatest level of achievement during the project's period of performance\* (as per each project's specific PMP indicators)? To what extent were the expected outcomes achieved within the life of the project?**

In general terms, the project was effective in achieving most of its expected outcomes.

Regarding Long-term Outcome 1 (LTO1), the project trained 43 worker-promoters who acquired relevant knowledge on labor law, the ability to defend labor rights, and self-confidence to develop legal assistance and advocacy activities. In turn, the worker-promoters replicated training and awareness-raising activities among other workers.

Regarding LTO 2, lawyers hired by the project as well as national and sectoral union leaders provided legal assistance to unions in the export-oriented agriculture and textile/apparel sectors in order to successfully submit their complaints directly before employers and, to a lesser degree, before labor inspection and labor courts. Through project support, union leaders learned about the phases of the process and about how to prepare adequate complaints, how to submit documents in appropriate legal language, how to address letters to labor inspectors, and how to introduce better-reasoned complaints.

Most complaints (80%) were addressed and solved through direct negotiations with employers. Throughout project life, the number of justiciable claims submitted to competent authorities was much smaller in the textile sector, and the number of legal consultations provided by legal advocates in the textile sector was less than two thirds of that in the agriculture sector. This trend was more evident in Lima (1/6 of total consultations in the textile sector), where consultations by legal advocates stopped after March 2020 due to COVID-19. In comparison to the textile workers in Arequipa and the agriculture sector (FENTAGRO, CGTP), the textile federations (FTTP, CTP) could not provide workers with legal support of their own, given the lack of resources and the fact that many union leaders lost their jobs.

Regarding LTO 3, the project designed and established a case tracking system that included easy-to-use forms in Google Form, Google Drive and Excel. Worker-promoters were trained on how to use these forms and on the use of internet tools and received online coaching during their work. All promoters registered cases in the CTS; however, follow-up of cases varied from one region/sector to another, and less than half of cases saw a thoroughly completed follow-up. This was due to several factors, such as promoters' lack of time to use the system due to household and other parallel responsibilities, insufficient or inadequate access to digital equipment and internet, or promoters' limited digital literacy. As informed by several interviewees, the number of cases legally addressed by worker-promoters was higher than the number of cases that were eventually registered in the CTS. The textile sector, particularly in Lima, trailed the agriculture sector with regards to the number of cases tracked in the CTS.

Regarding LTO 4, the project achieved relevant impact with regards to the dissemination of knowledge and advocacy on labor rights. Activities such as radio programs on local stations, the project's Facebook page, and the development of communications materials for the web helped raise awareness about workers' position regarding safeguards in the textile sector and the agro-export law (derogation of law 27360), and rallied stakeholders for political action around this issue. The project managed to support coordination between SUNAFIL and trade unions at the local level (Piura and Ica) and created awareness on the need to unionize to better defend workers' rights. However, it was unable to establish a cooperative relationship

with employers, which in most cases maintained an adversarial position with regards to trade unions.

The following table summarizes the results achieved during the LOP.

**Table 5. Results during LOP, as per the Project's Performance Monitoring Plan (PMP)<sup>13</sup>**

Indicators (as per PMP)	Actual <sup>14</sup>	Target
<b>Indicator 1:</b> Percent of violations addressed administratively before presented in judicial proceedings	80%	30%
<b>Indicator 2:</b> Percent of cases resolved in favor of workers of the total cases resolved	90%	40%
<b>Indicator 3:</b> DR.6.1-2 Number of human rights defenders trained and supported	43 (25% female)	30 (30% female)
<b>Indicator 4:</b> Number of cases reported in Union Case Tracking System [Agriculture: 27; Textile: 14]; [Arequipa: 10; Lima:4; Piura: 13; San Martín: 14]	41	40
<b>Indicator 5:</b> Number of courses about labor law in regular offering at academic institutions	1	1
<b>Indicator 6:</b> Number of workers trained by worker-promoters [Male: 327; Female: 77; no gender ID: 36]	440	120
<b>Indicator 7:</b> Percent of training participants that exceed the minimum level of necessary knowledge of laws and labor standards	92.5%	90%
<b>Indicator 8:</b> Percent increase in the participants' average level of knowledge about labor laws and standards	36.8%	20%
<b>Indicator 9:</b> Number of workers trained on identifying labor law violations in workplaces [Male: 32; Female: 11]	43	40
<b>Indicator 10:</b> Number of appropriate and justiciable claims submitted by CSOs or workers to competent authorities	5	4
<b>Indicator 11:</b> Number consultations provided by legal advocates	53	32
<b>Indicator 12:</b> Percent of training participants with basic knowledge and skills in documenting and reporting labor law violation claims	93%	75%
<b>Indicator 13:</b> Percent increase in the participants average level of knowledge and skills in documenting and reporting labor law violation claims	12%*	20%
<b>Indicator 14:</b> Percent of workers-promoters who submit administrative and judicial claims	11.6%†	35%
<b>Indicator 15:</b> Number of advocacy activities substantiated with evidence developed in Union's Case Tracking System	5	3
<b>Indicator 16:</b> Number of worker's organizations that adopt Union's Case Tracking System	12	3
<b>Indicator 17:</b> Number of cases tracked	25*	30
<b>Indicator 18:</b> DR4.5-1: Number of independent worker organizations supported (by USG) to promote international labor standards	4	3

<sup>13</sup> Green cells, with no other marking, indicate that the target has been met. Yellow cells, marked with an asterisk \*, indicate that the project has met 50% or more of the target. Red cells, marked with a dagger †, indicate that the project has met less than 50% of the target.

<sup>14</sup> By end of LOP

Indicators (as per PMP)	Actual <sup>14</sup>	Target
<b>Indicator 19:</b> Percent of complaints filed that are investigated by government inspectors	88%	40%
<b>Indicator 20:</b> Number of organizations or allies with linkages or partnerships generated	3*	5
<b>Indicator 21:</b> Percent of worker - promoters developing advocacy, organizing and awareness-raising activities about labor law violations	51%*	75%
<b>Indicator 22:</b> Number of successful engagements between CSOs/workers with members of government or employers	4	3

Sources: TPR Oct 2020-Mar 2021\_ Annex A: Data Tracking Table; Project PMP

As per the table above, it can be said that the project met or exceeded the targets set for most of its PMP indicators, except those related to the percentage of promoters submitting cases for administrative/judicial claims, the number of cases which received follow-up from promoters, the percentage of promoters developing advocacy and awareness-raising activities, and the number of cases submitted to/addressed by government-related legal mechanisms (e.g., labor inspection/ SUNAFIL and labor courts), among a few others. As mentioned earlier, to save time and costs, most cases were addressed by unions through direct negotiations with employers. The possibility of workers complaining before SUNAFIL and allowing the latter to gain access to employers’ financial information remained a relevant incentive for employers to solve labor disputes through social dialogue. SC had identified this issue during its internal midterm review in 2021 and suggested to USDOL about the need to expand the definition of indicators to include direct negotiations with employers. By end of LOP (June 2021) this had not yet been addressed.

**9. How effective were the trainings at changing behaviors or awareness? What factors may have played a role?**

The Labor Law Course (LLC) organized by the PUCP in Lima was of high quality and was particularly useful for worker-promoters, providing them with the needed knowledge and abilities to improve their role as advocates of labor rights. Most participants had never received university-level education before and felt very thankful and proud that they participated in the LLC. Promoters acquired greater self-confidence and felt empowered to carry out their role. As one worker expressed:

“For us it was the first time - I am more than 50 years old and in all my life I had never gone through this, an important training, with labor law teachers, lawyers. We have learned a lot, strategies, law, things we did not know. For example, regarding strikes, that there are some documents that have to be submitted first for a strike to be declared legal.”

- Trade union leader at a textile company

Legal assistance activities provided through project support contributed to improving the quality of unions’ legal action before employers and labor inspection. Legal advice not only improved unions’ defense of individual cases but better prepared them for collective bargaining. As highlighted by one union leader:

“This has been very helpful, not only for us but to share with our fellow workers, to show them we can do collective bargaining, solve conflicts in the company.”

- Trade union leader at agro-export plant

Improving workers' level of computer literacy helped when implementing the case tracking system, but was not enough in all cases to ensure the continuity of activities by all promoters.

"I did not know much about computers, but I followed the course and with my daughter's help I managed to learn a little bit more. I would like to learn much more, to be able to write legal documents."

- Worker-promoter from Piura region

The training on how to prepare advocacy strategies provided relevant tools for workers to design and implement unions' advocacy plans. The workshop on advocacy strategies was particularly appreciated by participants. As one respondent said:

"The advocacy workshop was fruitful. We were told that alone we are nothing, that we need to relate to the environment, link with other unions, associations, neighbors, be open to society. This advocacy work has results: In San Martín we have linked with the Municipality, the associations of motorbike taxis. These alliances, openness is part of modern unionism. We worry not only about wages but also about the problems of our surrounding environment."

- Agroindustry trade union leader at San Martín

The project's use of digital tools and advocacy through the web were relevant developments that may contribute to reducing the generational divide among unions and allow better access for youth.

**10. What interventions were most effective at strengthening civil society organizations and empowering workers to engage with government and employers on labor issues?\* What were the factors that contributed to workers engaging with employers and/or government and having a positive outcome?**

The LLC empowered worker-promoters to perform their role more effectively in both the textile and agriculture sectors. The workshop on the design of strategic advocacy plans and the use of radio programs strengthened labor unions, particularly in the agricultural sector. Empowered worker-promoters felt more confident to engage successfully with employers and address labor rights violations.

The project helped trade unions generate credible and objective information on cases of labor rights' violations and use it for various purposes, such as evidence in social dialogue and negotiations with employers, as data to sustain labor complaints before SUNAFIL, and as information to be disseminated in the media through specific advocacy initiatives. While unions in the textile sector in Arequipa continued using the CTS throughout the LOP, CTS activities stopped in Lima after textile unions were hit with furloughs and dismissals during the COVID-19 crisis.

Advocacy activities allowed workers to establish linkages among trade unions from different regions of the country and to set up relationships with other non-labor stakeholders, such as local authorities, community self-defense groups (ronderos), health sector authorities, neighborhood boards (juntas vecinales), etc. The latter helped to better position trade unions' image before the community and to establish partnerships at the local level. Advocacy in the

textile sector was primarily focused on activities/messages related to protecting the textile industry from imports.

**11. How effective was the project in bringing different worker organizations together, whether for information exchange, joint advocacy, or other coordination?**

At various levels, depending on the sector (agriculture or textile/apparel) and region of the country, the project promoted synergies among unions with the support of the national federations of trade unions. In a limited number of cases, some unions developed training activities (replicas) on behalf of other unions within the same region/sector. The strike against the agro-export labor law in December 2020 encouraged the unions affiliated with FENTAGRO to work together in publicly advocating their position and in submitting/discussing their complaints before the Peruvian Congress.

Notwithstanding the above, the fact that the trade union movement in Peru remains deeply divided along diverse ideological/political lines led the project to develop parallel, separate activities for unions belonging to each the two national federations (CGTP and CTP). Thus, the project was not able to bridge this ideological divide and ran duplicate activities for direct beneficiaries under LTOs 2, 3 and 4. This issue, which weakens the strength of trade unions, is a negative feature to be addressed in future projects.

**12. Which institutional actors or structures at local, country, regional or global levels were the most willing/effective partners and what factors facilitated or limited their engagement (in achieving and sustaining desired outcomes)?\***

The institutional support provided by national trade unions (e.g., CGTP and CTP) and sectoral federations (FENTAGRO and FTTP) was key for engaging and partnering with local trade unions and implementing the program.

PUCP and IDEHPUCP were effective and relevant technical partners, which allowed for the development of high-quality learning processes. PUCP's Center for Legal Training (CFJ), through the implementation of law clinics and the involvement of students in legal assistance services to workers, pioneered an interesting and promising model to link academia with trade unions.

Employers' adversarial approach toward unions limited the possibility of engaging them in the project and its desired outcomes. The relationship with government agencies (e.g., SUNAFIL) played a limited role in project implementation. SC tried to engage SUNAFIL in Lima in early 2019, but trade unions resisted the idea of doing joint activities with government agencies at that time. After that, there was no evidence of a consistent, ongoing strategy from the project to address both employers and government agencies.

The intensity of SUNAFIL's activities varies from one region to another, depending on the level of engagement among its staff. When closer relationships are established with SUNAFIL, these are generated based on initiatives from local unions at the regional level. For example, a FENTAGRO representative participates in monthly meetings organized by SUNAFIL in Piura, and in Ica, union representatives communicate regularly through email with SUNAFIL staff.

Labor inspection remains a valid means to establish which types of jobs are seasonal and which are permanent, thus allowing for greater formalization of agricultural work by using the right contracts. The assessment of job positions facilitated the identification of workers to be targeted by trade unions for affiliation, and for eventually becoming union leaders. In this sense, labor inspection is key to establishing affiliation rights, promoting collective bargaining and protecting workers' jobs.

**13. How did the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Did the project design adequately account for differences in institutional capacity?\***

Organizational capacity within the PUCP, IDEHPUCP and CFJ facilitated the effectiveness of the LLC and labor law clinics. Organizational capacity within trade unions was not uniform: It varied according to their size, region, and sector (agro-export, textiles, and agroindustry). CGTP is the largest national-level trade union. FENTAGRO, the sectoral federation in the agro-export sector, is affiliated to the above and is regularly active in organizing workers. However, some of the regions where it works (e.g., Ica region) hire mostly migrant workers who move from one company to another, a fact that limits union growth. Trade unions' organizational capacity in the Piura region is stronger, a fact that is reflected in a high number of labor law replicas.

The involvement of youth in union leadership plays a role in increasing the reach of the unions: In Uchiza for example, union leaders have adopted the concept of "digital advocacy" as a key modality for their activities. CTP, the other national-level trade union, is an old institution but several of its member unions are disappearing, particularly in Lima, as the sector was strongly hit by the economic crisis. The "perfect suspension" law passed by the government in response to COVID-19 seriously affected trade unions in Lima. By the end of the project, there was only one active FTTP union leader left, who had been trained by the project. Many union leaders had already been dismissed from their jobs when they attended the LLC at PUCP.

Regional differences are also important in terms of the likelihood of sustainability of project activities: Legal assistance work seems to be more sustainable in Piura and Arequipa, and replicas of the course were more frequent in Piura. CTS activities in the San Martín region were carried out more consistently than in other regions. There are also educational level differences among sectors, which reflect on the unions' ability to implement actions: Most union leaders from the textile sector participating in the project had some level of technical studies, while those in the agro-export sector had barely completed high school. In the San Martín region, many leaders had only completed high school or primary school level studies, a fact which led them to participate less actively (raising hands or talking openly) during the LLC.

The project design did not foresee the diverse difficulties in organizational capacity that staff later confronted in the ground. SC actively tried to address these issues. For example, project staff addressed differences in capacity among union leaders by providing coaching when accompanying their work and as mentioned before, SC helped participants develop digital abilities in order to continue communicating during the COVID-19 crisis. Limited internet and communications infrastructure, particularly in the rural sector, sometimes affected the project's ability to communicate with stakeholders. This happened for example in both Arequipa and Uchiza.

As per their own perception/request, some of the capacities that should be further enhanced among trade union members included social dialogue, dispute resolution and negotiation techniques. Likewise, union leaders need to remain updated regarding eventual changes in labor law.

**14. How effectively did ILAB and the project implementer(s) engage underserved communities over the project life cycle? How could ILAB and project implementers improve engagement with underserved communities to ensure future programming is equitable and responsive to their needs and priorities?\***

Apart from establishing a quota for women's participation in the LLC, ILAB and SC did not implement specific strategies to engage "underserved communities" (women, young workers, or migrants) in project activities, which would have helped to better tailor the project's response to these groups. In order to address these groups' needs, future projects may consider carrying out, prior to implementing project activities, assessments at the regional level that aim to identify their priorities. The path towards union leadership being both a personal choice and a multiple step "career," trade unions should adopt a more proactive approach towards underserved communities and establish incentives that entice women and youth to get involved in unions' action.

In order to reach to these groups in an equitable way, training activities should be organized at regional level, trying to involve a greater number of women and youth in the same. Training activities could be organized at/near the workplace, immediately after worktime, to favor workers' attendance. Unions' advocacy strategies should include women's and young workers' priorities and develop specific activities to create awareness on the same.

### 3.4. EFFICIENCY

#### **15. How has the project adapted in light of external factors such as global health crises, political crises, etc.?**

As described earlier, the project adapted to external factors such as COVID-19 by replacing some of its activities with others (e.g., labor fairs for replicas of trainings carried out by worker-promoters), implementing activities remotely (e.g., labor clinics, CTS, legal assistance and advocacy campaigns), and building the capacity of worker-promoters to interact through virtual means. Notwithstanding the above, the lack of face-to-face interaction affected the depth and extension of activities among project staff and stakeholders. The gravity of the pandemic severely affected both workers and project activities. Some union leaders died, and many workers, including promoters trained by the project, became ill or had to support family members who became ill. Under these circumstances, it was a challenge to continue operating, but the project managed to deliver.

Political instability was reflected in the changes of high-level functionaries in public institutions. The project addressed the turnover of authorities and government staff by contacting the new functionaries and reestablishing institutional relationships with the same. However, the unending political crisis did not allow for the project to work closely with employers and government representatives. Lack of face-to-face interaction did not help either. Repeated changes in Ministry authorities were followed by the shutdown of Congress, election of new congressmen, the vacancy of the president, the strike of agro-export workers by the end of 2020, the election of a new congress and president, and other events that obliged the project to constantly rethink how to relate with government stakeholders whose attention was barely directed toward labor issues.

Notwithstanding the above, from 2020 onward the project focused intensely on its advocacy activities. Before COVID-19, the project planned to hold massive events in open spaces where different organizations could meet; however, the pandemic forced the project to revise the format of advocacy activities, turning them into virtual events. This involved a significant adaptation of content and the need to train workers on the use of digital tools. While a large part of advocacy activities is usually based on direct interactions and on building trust in personal and institutional relationships, the strike in the agro-export sector shed some light on the project's awareness activities, and particularly, on its digital campaign (webpage): "Trabajadores frente a la Crisis." The quality of the products (images, infographics, and videos)

used for this campaign was very good and covered a wide variety of topics, including the Reactiva Perú program, the impact of the COVID-19 crisis on workers, labor violations against agricultural workers, labor violations against textile workers, the agro-export law, labor regimes, and multiple other topics.

**16. Did the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? Was it used in an effective way? How did USDOL use the performance monitoring information that the project reported? What were the barriers, if any, to using project performance data to demonstrate and share results? How could it have been used more effectively?**

The project had an adequate results framework and planning and monitoring system. The links between outputs and outcomes were clear in general terms. Information (from the CTS) was generated/collected at the local level (e.g., by unions in the regions) and consolidated at the central level. It was then fed back to local stakeholders. Monitoring data was particularly useful to inform decision making processes and to orient the successive adaptations of project activities/ strategies. SC conducted an internal midterm review in the first quarter of 2021, which informed the close-out process.

Project staff members' knowledge of the Peruvian political context, plus their constant communication with union leaders, allowed for a very dynamic follow-up process and ongoing assessments. For example, whenever the project assessed that there were insufficient conditions to promote legal changes, the project focused on OSH conditions instead.

Given that data collection and reporting depended on workers/unions' support, the monitoring system posed the issue of underreporting. For example, as highlighted by certain interviewees, in some regions there were more cases that effectively received legal assistance, and more cases addressed directly by promoters, than those reported within the CTS. Likewise, case follow-up was often not registered in the CTS.

Since CTS data was consolidated at the central level, after the end of LOP this function would need to continue to be carried out by national or sector-level unions. The original idea was for regional actors to be able to monitor themselves, but this was not achieved.

There was little evidence from the first two years of LOP that USDOL used data from the project monitoring system for decision making. USDOL asked for further information on several occasions and project staff provided the requested information. USDOL formulated initial comments on the M&E plan and later provided feedback on the project's sustainability plan.

In March 2021, SC made a request to USDOL to change a project indicator, asking to include direct negotiations as one of the means to successfully address labor cases (together with access to labor inspection and labor courts). At the time of this evaluation, approval from USDOL was pending.

### 3.5. IMPACT

**17. How can ILAB and its Grantees better capture impact on long-term outcomes for workers and workers' organizations?\***

Long-term impact is difficult to measure, given that it is mediated by various factors which are currently out of the control of project implementers.

In general terms, the project has contributed to a substantial improvement in union leaders' knowledge of labor law and of their ability to defend labor rights. The project has also improved

the capacity of trade unions to carry out legal assistance and advocacy actions, as well as to coordinate its activities with other groups and organizations.

The remaining question would be whether improving unions' leadership capacities is enough to guarantee the substantial strengthening of these trade unions and the sustainability of project achievements, or if the latter would rather depend on other internal, complementary processes at union level.

The issues of increasing unions' membership, endowing them with sufficient income, and ensuring the renewal of leadership by bringing in young leaders are keys to assessing and ensuring the project's impact. In this sense, the project has contributed to the renewal of leadership within some unions by training young male and female leaders who would ensure the continuity of actions. However, in other cases, employers' anti-union practices along with the unions' own vulnerabilities have led to the demobilization of unions after a wave of dismissals.

Sector-related and regional implementation contexts are also important to consider, as these may vary widely and affect the specific impact of the project in each region/sector. For example, employers' level of hostility towards unions is greater in San Martín and Arequipa than in Piura, and trade unions in the textile sector in Lima have been affected to a greater extent than other regions. Thus, project impact on long-term outcomes will be mediated by all these factors: Some unions saw an increase in membership, others suffered a substantial reduction, and each factor had a different effect on the unions' capacity to continue their work.

To ensure long-term impact, it may be beneficial for future projects to focus not only on the development of capacities, but on the strengthening of unions' membership, their finances and the leadership renewal processes. Likewise, in future projects it may be beneficial to develop complementary activities with regards to government organizations and employers, to promote an institutional environment that's conducive to increased compliance with labor law.

### 3.6. SUSTAINABILITY

#### **18. Is there a clear exit strategy in place, aimed to ensure the sustainability of project outcomes?**

The project produced a document called the "Sustainability Strategy." Its content lists project implementation activities such as "sustainability strategies," but it really does not describe how the project will ensure the sustainability of its outcomes in view of the future. In fact, beyond organizing a couple of meetings in June 2021 with key stakeholders to assess achievements and pending issues in project implementation (e.g., two "data analysis workshops" and two sectoral "stakeholders forums"), the project did not implement a clear exit strategy. These events were meant to facilitate the handover of responsibility for continuing project activities after the end of LOP. While trade unions saluted and participated in the meetings, employers did not attend these events.

Notwithstanding the above, it must be said that the sustainability of the project's results depended less on the formal transfer of responsibilities than on the way it was effectively implemented to generate ownership throughout the LOP. In this sense, the fact that the project was mostly implemented with and through trade unions, rather than "for them," should contribute to the sustainability of several of its outcomes. Having built and strengthened trade unions' capacities to defend workers' rights, some of the areas of project work (e.g., legal defense and advocacy) will become sustainable on their own. Union leaders' willingness and

commitment to continue their work, as lasting as these may be, are the prime pillars for the sustainability of results.

**19. Which project outcomes (and major outputs) show the greatest likelihood of being sustained after external support has ended? Which outcomes have more difficulties in being sustained, and why?\***

The level of sustainability of the project's outcomes is varied and depends on the existence of union structures that are able to continue developing some specialized activities, as well as the availability of funds to cover some related costs.

**LTO 1:** The knowledge and abilities developed among worker-promoters will remain in time and will accompany their work if promoters remain committed to their positions/work. Virtual trainings reduced costs and allowed the project to reach a wider audience through replication. The labor clinics will continue operating, as these are part of the regular curricula of the Faculty of Law at PUCP. The main issue regarding the sustainability of knowledge is to establish internal mechanisms (e.g., training of trainers) that ensure the update and dissemination of this knowledge to other workers or new leaders that may later replace the current ones.

**LTO 2:** Technical assistance for the legal defense of its membership is one of the inherent elements of trade unions' work. Thus, this type of activity will be sustained in time. However, it would be important to strengthen human resources within trade unions' national and sectoral levels, to improve and continue the development of legal assistance work.

**LTO 3:** The case tracking system may have limited sustainability given the lack of motivation among some promoters and the limited technical and human resources for the consolidation and feedback of data to users. This responsibility could be assumed by national trade unions or sectoral federations if these entities find the system useful beyond the LOP. This seems more doable in the case of agro-export-related unions than textile-related unions. However, the unions would need to allocate financial resources for this endeavor, which are currently scarce, and to ensure the use of dynamic tables to generate more automated reports. Likewise, efforts should be made to ensure that there are enough digitally literate users within all relevant unions and to improve CTS users' access to the internet.

**LTO 4:** The continuation of advocacy activities seems to be sustainable, independent of the format these adopt. However, certain activities, such as the technical production of communications materials for internet use, require an investment in specialized human resources and imply financial costs. Likewise, radio programs, which are a relevant means for advocacy action, require trade unions to cover the cost of airtime (e.g., around US\$130 for 2 hours of airtime), for which they currently lack funds given the limited financial contributions from unions' membership. Unions in the textile industry participated in a limited way in the project's advocacy activities.

## 4. LESSONS LEARNED AND PROMISING PRACTICES

### 4.2. LESSONS LEARNED

**Lesson Learned 1 – Direct negotiation between unions and employers, whether individual and/or collective, was the most frequent and preferred way to address labor violations/complaints.** Direct negotiation was a modality which, together with mediation and resources provided to the judiciary, was one of the legal mechanisms available to promote compliance with labor law. This modality should receive proper attention in future projects. The use of dispute resolution could be promoted by USDOL within tripartite projects.

**Lesson Learned 2 – Differences in capacity among stakeholders/regions determined different results among the same.** Issues such as differences in the size of union membership, financial resources, computer literacy, access to technology, and other factors affected implementation and the sustainability of project outcomes. These issues should be taken into account by USDOL and its grantees during the design and implementation of future activities.

**Lesson Learned 3 – Strengthening unions by including underserved communities.** USDOL and project implementers' support to unions' efforts in addressing the expectations of rural, female and young workers may help boost membership and ensure generational succession in unions.

### 4.3. PROMISING PRACTICES

**Promising Practice 1 – Building Commitment and Ownership: Do WITH them rather than FOR them.** The project was mostly implemented in partnership with and through trade unions, rather than “for them.” Union leaders' willingness and commitment to continue defending workers' rights became the prime pillars for sustainability.

**Promising Practice 2 – Establishing linkages with academia and customizing the training on labor law to the needs of agricultural and textile workers so that it became an actionable input for union leaders.** Linking academia and trade unions not only helped to provide high quality training but facilitated replication by worker-promoters and students.

**Promising Practice 3 – Promoting replication of training activities in the workplace by worker-promoters.** The direct replication of trainings in the workplace by worker-promoters helped the project reach more beneficiaries, well beyond its original target, which contributed to its sustainability.

**Promising Practice 4 – Using ICT tools to carry out training and legal assistance activities and expand linkages with other stakeholders.** Strengthening workers' ability to use ICT (internet, software, and cell phones) as part of their day-to-day activities improved the reach and quality of their work. Worker-promoters provided support to union affiliates, connected with labor inspection staff, and ran the CTS using these means. They also used virtual advocacy to reach hundreds of thousands of people.

**Promising Practice 5 – Using radio programs to link trade unions with local organizations and the public.** The use of radio programs was an effective and low-cost means to connect unions with other local organizations and authorities and to communicate their situation and messaging to the public.

## 5. CONCLUSION

The project was successful in strengthening trade unions' capacity to promote/defend the rights of their affiliates and interact with government and employers by improving their knowledge of labor law and providing them with tools to address labor law violations. One of the most relevant needs addressed by the project was to help trade unions generate data that may provide a better basis for their complaints before employers and labor authorities.

The various project components – including training worker-promoters, replicating knowledge, providing legal advice to unions, establishing a case management system, and carrying out advocacy actions – contributed to an increase in knowledge of labor law among union leaders and empowered them to better address labor law violations. At the same time, through its cooperation with PUCP and other related institutions, the project established a promising model of cooperation among unions and local academia. However, while the project managed to work with academic and civil society organizations and to involve government institutions to a certain extent, it did not directly engage employers from the textile/apparel or agricultural export-oriented sectors within its activities. Given that employers play a substantial role in ensuring compliance with labor law, this relevant exclusion should be addressed in future projects.

Despite being affected by the COVID-19 crisis and having to develop most of its activities remotely, the project did not modify its geographical scope nor its implementation targets, which in the end managed in most cases to achieve, or even exceed. To allow beneficiaries to access remote communication, the project invested in training worker-promoters on how to use digital technology and software. Introducing union leaders into the digital world opened a whole new way of relating, in “real time” for them, and with less costs than before. This project effort will have a lasting effect on the way in which trade unions conduct their activities in the years to come.

Two relevant union needs were not addressed by the project. These could be part of any future effort aimed to strengthen trade unions' role and help them foster greater compliance with labor law:

- The need to increase the size of union membership, in order to increase unions' bargaining capacity, and
- The need for unions to generate income to cover the increasing costs derived from their work.

Women and youth, particularly youth migrating from other regions for work, may be considered as “underserved communities” for this project. While the project included women and young workers within its activities, it did not implement a strategy aimed to increase the affiliation of women and youth in unions. The project design did not foresee the diverse difficulties in organizational capacity that staff later confronted in the ground. However, SC actively tried to address these issues. There were some educational level differences among individuals and differences in capacity among unions, sectors, and regions, which reflected on the unions' ability to implement actions. The project provided support to try to compensate for these differences.

The project managed to generate an important degree of ownership among trade union leaders, a fact which in turn will contribute to the sustainability of its outcomes. The level of sustainability of the project's outcomes is varied and depends on the existence of union structures that are able to continue developing some specialized activities, as well as the availability of funds to cover some related costs. Regional differences are also important in terms of the likelihood of sustainability of project activities.

The remaining question would be whether improving unions' leadership capacities is enough to guarantee a substantial strengthening of these trade unions and the sustainability of project achievements, or if the latter would rather depend on other internal, complementary processes at union level. Under the latter view, the need to increase union membership, endow unions with sufficient revenue and ensure the renewal of leadership, by bringing in young leaders, remain key, pending issues for strengthening unions' ability to carry out their role in a relevant and sustainable way.

Funding "integrated projects" addressed to tripartite stakeholders (e.g., government, employers, workers) or to separate projects that strengthen tripartite stakeholders' capacities in a synergic, parallel way, could be an alternative and productive means to help increase compliance with labor law.

## 6. RECOMMENDATIONS

### 6.1. GENERAL RECOMMENDATIONS – FOR USDOL ILAB

**Table 6. General Recommendations for Future Projects and Supporting Evidence**

Recommendation to USDOL/ILAB	Evidence	Page Numbers
No. 1. Fund integrated projects addressed to tripartite stakeholders (e.g., government, employers, and workers) or separate projects that strengthen tripartite stakeholders in a synergistic, parallel way, to increase compliance with labor law.	The institutional context framed a “culture of noncompliance” that led to a lack of enforcement of labor law. Working exclusively with a tripartite stakeholder does not lead to systemic change.	Section 3.3 Effectiveness, EQ7, page 12
No. 2. USDOL should review projects’ cumulative annual M&E information in Annex A of the TPR to highlight any anticipated shortcomings with regards to planned targets, alert grantees, and discuss eventual changes in strategic planning.	There was little evidence during the first two years of LOP that USDOL used data from the project monitoring system for decision-making. USDOL asked for further information on several occasions and project staff provided the requested information.	Section 3.4 Efficiency, EQ16, page 20

### 6.2. SPECIFIC RECOMMENDATIONS – FOR IMPLEMENTING PARTNER

**Table 7. Specific Recommendations for Future Projects and Supporting Evidence**

Recommendation to Implementer	Evidence	Page Numbers
No. 1. Strengthen trade unions by helping them implement strategies to expand their membership and increase their sources of income.	The issues of increasing union membership and helping them obtain sufficient income are key to ensuring the continuation of projects’ impact after end of LOP.	Section 3.5 Impact, EQ 17, page 21
No. 2. Promote a greater focus on gender equity and on addressing the needs of young workers by decentralizing training to specific regions, continuing to use virtual means, and engaging a greater number/percentage of female and young leaders.	An increased focus on female and young workers’ needs would help to strengthen union membership and to ensure the renewal of leadership by bringing in young leaders.	Section 3.1 Relevance and Validity, EQ4, page 9
No. 3. Support the development of structures/functionalities within trade unions throughout the project life, so that they can assume full responsibility for the continuation of technical support to the CTS and for handling virtual advocacy campaigns.	The continuation of CTS and some virtual advocacy activities depends on the availability of specialized human resources that help consolidate CTS data and produce communications materials for internet use.	Section 3.6 Sustainability, EQ 19, page 22

Recommendation to Implementer	Evidence	Page Numbers
<p>No. 4. Develop more advanced knowledge/abilities among trade union leaders regarding social dialogue, dispute resolution and negotiation techniques, and provide periodic updates on labor law to trade unions. Likewise, union leaders will need to remain updated regarding eventual changes in labor law.</p>	<p>As per the explicit request/perception of the interviewed beneficiaries.</p>	<p>Section 3.3 Effectiveness, EQ13, page 18</p>

## **ANNEX A. LIST OF DOCUMENTS /AUDIOVISUAL PRODUCTS REVIEWED**

### **1. Basic Project Documents**

- Peru Project Document (05.16.19)
- Peru Annex 1 – Results Framework (05.16.19)
- Peru Annex 2 – Work Plan (05.16.19)
- Peru Annex 3 – MEL Plan (05.16.19)
- Peru Annex 4 – PMP (05.16.19)
- Project Document - C and\_Q (06.25.19)

### **2. Technical Progress Reports (TPR) and their annexes**

- Attachment 2\_ Full TPR Perú - Oct 2020 - Mar 2021
- Attachment 2A\_Data Tracking Table Oct 2020 - Mar 2021 PERU
- Attachment 2\_ Full TPR Perú - April - Sep. 2020\_SC responses -revisions
- Attachment 2A\_Peru\_Data Tracking Table April - Sept 2020\_Revised\_12-8
- Attachment 2\_IL-32531-18-75 K TPR Peru Apr-June 2020\_USDOL\_Comments
- Attachment 2\_IL-32531-18-75 K TPR Peru Oct 2019 - Mar 2020
- TPR - Peru\_Data Tracking Table March 2020
- 2020\_02\_26\_IL-32531-18-75 K\_TPR Peru\_Oct-Dec 2019\_comments
- 2019\_08\_13\_IL-32531-18-75 Georgia Peru TPR April - June 2019\_QC SC responses\_09-04
- IL-32531-18-75 K\_Full TPR Oct-March\_Revised\_06-28-2019

### **3. Sustainability Strategy**

- IL-32531-18-75-K\_Peru\_Sustainability Strategy
- Attachment 2B\_Sustainability Matrix Oct 2020 - Mar 2021 PERU
- Matriz de Riesgos ENG-SPAN – 05.28.2021
- Attachment\_Sustainability\_June 2021

### **4. Revised Version of Project Documents**

- IL-32531-18-75-K\_Peru\_Revised Work Plan 2.12
- USDOL Perú\_PMP\_revised 06 2021

### **5. Other**

- Línea de Base (2019)
- Internal Midterm Review\_3.3.2021

### **6. Project Outputs in Spanish**

- FENTAGRO (June, 2020), Guía de Orientación para Organizaciones Sindicales del Sector Agroexportador en el Contexto del COVID-19

- CLSS – PUCP (2021), Proyecto de Ley del régimen laboral de actividades agroindustrial, agropecuaria y agroexportación (documento para discusión)
- CLSS – PUCP (2020), Protocolo de cumplimiento de normas laborales en la actividad agroexportadora, agroindustrial y agropecuaria
- Cavero, O. (Jun 2020), Estrategia de incidencia social y política – Campaña Comunicacional
- López, M. Estrategia Digital de Incidencia Política y Social

## **7. Project M&E Documents in Spanish**

- Informe de Taller M&E
- Tablas Adicionales
- Presentación del Proyecto y Actividades de M&E
- Taller de M&E – Presentaciones R1, R2, R3 y R4
- Notas finales CDL-CFJ
- Notas finales CDL- IDEHPUCP – VF
- Reporte de Resultados – Trabajadores Frente a la Crisis - Integrado
- Lista de instituciones aliadas

## **8. Radio Programs**

- 15 audios on diverse topics
- 4 opening and end segments for “La Voz de Fentagro” and “La hora de FENTAGRO”.

## **9. *Trabajadores Frente a la Crisis* Campaign**

- Three files corresponding to the four stages of the campaign with near 100 images, graphics, videos, and other digital material

## **10. Labor Law Course**

- PUCP (2019), Curso de Derecho Laboral - Manual del curso
- PUCP (2019), Curso de Derecho Laboral -Guía Metodológica
- PUCP (2019), Guía – Anexo 1 – Módulo 1 (PPT presentation)
- PUCP (2019), Guía – Anexo 2 – Módulo 2 (PPT presentation)
- IDEHPUCP (2019), Manual de Curso de Aplicación y Seguimiento de la Legislación Laboral para Organizaciones Sindicales
- IDEHPUCP (2019), Syllabus, presentations, articles, activity guidelines and other work materials corresponding to 5 sessions of the course
- IDEHPUCP (2019), Información General sobre el Curso de Aplicación y Seguimiento de la Legislación Laboral para Organizaciones Sindicales

## **ANNEX B. STAKEHOLDERS' LIST (KII & FGD)**

This page is intentionally left blank in accordance with the Federal Information Security Management Act (FISMA) of 2002, Public Law 107-347.

## **ANNEX C. STAKEHOLDER WORKSHOP AGENDA**

USDOL Final Evaluation

**Engaging Workers and Civil Society to Strengthen Labor Law Enforcement in Peru**

VIRTUAL (REMOTE) PRESENTATION & VALIDATION SESSION ON PRELIMINARY RESULTS

**Objective: To clarify and validate the final evaluation preliminary findings**

### **AGENDA**

- Welcome and introduction of participants
- Evaluation team presentation of preliminary findings and conclusions
- Questions for clarification and discussion
- Check and validation of current Project results
- Next steps
- End of meeting

## ANNEX D. TERMS OF REFERENCE

### Independent Final Evaluation

#### Engaging Workers and Civil Society to Strengthen Labor Law Enforcement in PERU

**Project Award Number:** IL-32531-18-75-K

**Financing Agency:** U.S. Department of Labor

**Grantee Organization:** Solidarity Center

**Dates of Project Implementation:** September 2018 – June 30 2021

**Type of Evaluation:** Independent Final Evaluation

**Evaluation Field Work Dates:** June 28 – July 9, 2021

**Preparation Date of TOR:** May 2021

**Total Award Amount from USDOL for  
Three Project Countries:** US \$8,050,000

**Total Amount Allocated to Peru Project:** US \$1,046,417

**Evaluation Order Number:** 1605C1-21-F-00030



*Sistemas, Familia y Sociedad*  
*Consultores Asociados*

Dwight Ordoñez: [dwightor@gmail.com](mailto:dwightor@gmail.com)

Azure Maset: [azure.maset@gmail.com](mailto:azure.maset@gmail.com)

## I. INTRODUCTION

The United States Department of Labor (USDOL), through its Bureau for International Labor Affairs (ILAB), has contracted with Sistemas, Familia y Sociedad (SFS) under order number 1605C1-21-F-00030 to conduct performance evaluations of technical assistance projects in Georgia, Peru, and Mexico. These projects are all implemented by Solidarity Center (SC) and have been designed in conjunction with one another. Thus, these three evaluations will be conducted with consideration of the results from the other project evaluations under this evaluation order.

The present terms of reference (TOR) pertain to the final performance evaluation of the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement in Peru. project. This document serves as the framework and guidelines for the evaluation. It is organized into the following sections:

1. Background
2. Purpose, Scope, and Audience
3. Evaluation Questions
4. Evaluation Design and Methodology
5. Evaluation Team, Management, and Support
6. Roles and Responsibilities
7. Evaluation Milestones and Timeline
8. Deliverables and Deliverable Schedule
9. Evaluation Report

## II. BACKGROUND <sup>15</sup>

Like their counterparts all over the world, workers in Peru are digging out from the impact of earlier labor laws that devastated worker rights. In Peru, laws and decrees originally intended to spur growth in nascent export-oriented industries, have outlived their original purpose, resulting in a massive shift from full-time, permanent work to short-term (temporary) contracts. This has thrown workers formerly in thriving export sectors into economically precarious situations similar to those faced by workers in traditionally informal jobs like street vending, construction, day labor, and domestic work.

As a result of concerted pressure from civil society, including complaints filed under trade agreements with the U.S., the Peruvian government recently implemented legal and administrative reforms aimed at improving labor law compliance, and professionalized and continues to expand its labor inspectorate. However, overall worker understanding and use of the improved systems remains limited, even among unionized workers. Workers' organizations in Peru are now beginning to use their role and position to promote government enforcement action and are testing and improving the use of new mechanisms and laws but require technical and material assistance to develop the sustainable, long-term capacity to effectively contribute to labor law enforcement.

Beyond labor inspections and legal processes, collective bargaining and other forms of labor-management dialogue are tools that Peruvian unions could use to address concerns and close gaps in protections for workers employed on short-term contracts. However, unions in the textile/apparel and export-oriented agriculture sectors must expand their memberships to gain greater leverage in negotiations with employers. Legal and capacity constraints are obstacles

---

<sup>15</sup> Adapted from SC Project Document

to organizing large numbers of workers in these sectors —particularly women, youth, and temporary workers— which excludes these marginalized workers from most organized labor-management dialogue processes. Consequently, the majority of negotiated collective bargaining agreements focus on wage increases and do not address short-term contracting or the issues that workers hired on these temporary contracts face. Low union density in the textile/apparel and agriculture sectors also makes it more difficult for workers to draw attention to problems and compel corrective action from government.

In 2018, ILAB awarded Solidarity Center a three-year, \$2,850,000 cooperative agreement for the Engaging Workers and Civil Society to Strengthen Labor Law Enforcement project in Peru, Georgia, and one additional trade partner country to be selected by USDOL after award. The award has since been amended to include Mexico as the third project country, to increase the total award funding to \$8,050,000, and to extend the duration to four-and-a-half years. Funding for the Peru country component of the project is \$1,046,417, and the Peru implementation end date is June 30, 2021. The overall project objective is effective engagement by workers and civil society organizations (CSOs) with the government and employers to improve enforcement of labor laws. The Solidarity Center’s project in Peru is two-fold. On the one hand, the project seeks to improve the enforcement of labor laws and standards and to encourage employers to adopt practices that respect workers’ rights. On the other hand, the project focuses on strengthening the workers’ and unions’ capacity to identify and address potential violations of labor rights in the workplace, and to develop strategies for political and union advocacy.

The project’s main activities include: a labor law course, labor law clinics, local labor law fairs, the development of a case tracking system for claims, and advocacy campaigns. Through these activities, the project will complement other labor capacity building efforts to contribute to USDOL’s high-level goals of effective government enforcement of labor laws and voluntary employer adoption of best practices to promote worker rights.

To this end, the project has established four Long-Term Outcomes (LTOs) and six corresponding Medium-Term Outcomes (MTOs):

- LTO 1: CSOs and/or workers accurately identify potential labor law violations in workplaces
  - MTO 1.1: PUCP (Pontifical Catholic University of Peru) and project-partner unions sign agreement for PUCP to continue offering labor law courses and support union field clinics for sustainability of improving knowledge in labor law
  - MTO 1.2: Worker-promoters train other untrained workers to identify labor law violations
- LTO 2: CSOs and/or workers submit well-supported, well-articulated, justiciable claims to initiate inspections and seek legal remedies
  - MTO 2.1: Workers increasingly use legal advocate teams for legal advice, accompaniment in claim submission process, and representation in litigation
- LTO 3: CSOs and/or workers effectively track progress of claims
  - MTO 3.1: CSOs/unions utilize case tracking system on a regular basis and sustain the system
- LTO 4: CSOs and/or workers engage with the government and employers to address potential labor law violations
  - MTO 4.1: Some employers change behavior because of report findings and CSOs/unions advocacy without further judicial involvement

- MTO 4.2: Project partners implement strategy and establish sustained linkages and partnerships with allies that support the workers' organizations to engage with government and employers in social dialogue

The direct participants of the project include 43 worker-promoters and their organizations--the Southern Regional Federation of Textile Workers (FERETTEX), the Federation of Textile Workers of Peru (FTTP) [Lima and Arequipa] and the National Federation of Agroindustry Workers (Federación Nacional de Trabajadores de Agroindustria y Afines, FENTAGRO) [Piura and San Martin], as well as the confederations to which the three federations are affiliated, the CGTP and the CTP. The academic institution responsible for conducting training for worker-promoters, the Pontifical Catholic University of Peru, will also benefit indirectly from sustained collaboration with the SC and experienced popular education facilitators in the implementation of learning modules and development of training materials that can be used in other courses.

As the worker-promoters and their organizations utilize skills and deploy strategies developed during the project, they will educate and assist additional workers, indirect beneficiaries, in both sectors across the four target regions to report claims and initiate inspections. Other indirect beneficiaries include the labor inspection superintendency (SUNAFIL) and the Ministry of Labor and Employment Promotion. These activities will support relationship building between stakeholders. Furthermore, engagement with workers and their unions will provide government institutions with opportunities to apply, reinforce, and improve functions developed through parallel capacity-building programs.

The SC selected the geographic regions based on the high number of short-term contracts in non-traditional export sectors; the presence of SUNAFIL offices; and the presence of strong project partners with democratically elected leaders with the legitimacy and capacity to advance educational and advocacy efforts.

Covid 19-related context: Peru has the highest Covid death rate as a proportion of population in the world, according to the latest data. From January 3, 2020, to June 12, 2021, there have been 1'99,257 confirmed cases of COVID 19, with 187,847 deaths reported to the WHO. Cramped housing makes social distancing harder and allows the virus to spread more easily in the country. Likewise, 75% of the employed population works in the informal sector, and in despite of the pandemic, many go out to work using public transport and accessing very crowded markets, thus facing great risk of contagion.

The country's healthcare system was underprepared to face the pandemic: There has been a shortage of oxygen needed to treat Covid patients, and the entire country has around 1,600 intensive care unit beds. Covid cases remain high - with more than 4,000 reported daily. As of 4 June 2021, a total of 4,207,543 vaccine doses have been administered. While Peru's vaccination drive has been slow, with less than 4% of the country fully vaccinated, Peru has secured enough doses to vaccinate its entire population by end of 2021.

Peru imposed one of the earliest and strictest lockdowns in Latin America back in March 2020, which lasted until the end of June 2020. The county's borders were shut, curfews were imposed, and people could only leave their homes for essential goods - but infections and deaths continued to rise. A second lockdown was introduced in late January 2021 in the capital Lima and nine other regions following a wave of infections which brought hospitals close to collapse. The government passed significant support measures to help people who lost their jobs and companies that lost income due to the pandemic - but only about 38% of Peruvian adults have a bank account, making quick digital payments largely impossible.

The above situation had relevant effects on the project, affecting the implementation of activities and its consequent results. It is expected that Peru may face a third wave of COVID in late June-July.

### III. PURPOSE, SCOPE AND AUDIENCE

This final performance evaluation will assess the performance and achievements of the project to date. The evaluation team will glean information from a diverse range of project stakeholders and institutions who participated in and were intended to benefit from interventions in Peru. Because the SC projects in Georgia, Peru and Mexico were designed together and share the same project objective and long-term outcomes, the results and conclusions of this evaluation will also consider information and analysis from the other two evaluations, as available at the time of fieldwork.

The purpose of this final performance evaluation is to:

1. Assess if the project has achieved its objectives, identifying the challenges encountered in doing so, and analyzing the driving factors for these challenges;
2. Assess the intended and unintended effects of the project;
3. Assess lessons learned and emerging practices from the project (e.g., strategies and models of intervention) and experiences in implementation that can be applied in current or future projects in the focus country(ies) and in projects designed under similar conditions or target sectors; and
4. Assess which outcomes or outputs can be deemed sustainable, as well as assessing the coherence of project's sustainability measures, the extent to which sustainability was considered in the project design, and its relevance to the country context.

The primary audience of the evaluation includes ILAB, SC and its implementing partners, and the tripartite stakeholders or constituents in Peru, especially civil society. The evaluation results, conclusions, and recommendations will serve to inform future project design and inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

### IV. EVALUATION QUESTIONS

Following discussions with ILAB and SC, the evaluation team developed key questions for this evaluation in accordance with the Organization for Economic Co-operation and Development Assistance Committee criteria: Relevance/Validity, Coherence, Effectiveness, Efficiency, Impact, and Sustainability.<sup>16</sup>

This final evaluation will assess the project's performance and achievements in meeting their objectives, the relevance of project services to target groups' and institutions' needs, project efficiency and effectiveness, the impact on project objectives, and the potential for sustainability.

---

<sup>16</sup> Note that the OECD/DAC criteria have been revised as of January 2020: <https://www.oecd.org/dac/evaluation/revised-evaluation-criteria-dec-2019.pdf>.

It will also capture promising practices, lessons learned, and emerging trends. The team may identify further areas of inquiry that may be included in the analysis as appropriate.

With this in mind, the evaluation team will apply the following evaluation questions<sup>17</sup>:

### Relevance and Validity

1. Were the project strategy, objectives, and assumptions appropriate for achieving the planned results? To what extent did the project's objectives and interventions respond to relevant stakeholders' needs?
2. To what extent did the global project theory of change (ToC), assumptions and a set Long Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Peru? What were the benefits and limitations of the prescribed ToC and LTOs?\*
3. What drives workers' perceptions and behavior vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?\*
4. To what extent has the project met the needs and addressed the priorities of workers and underserved communities<sup>18</sup> regarding workers' rights and working conditions?

### Coherence

5. To what extent did the project coordinate with other SC interventions in Peru, as well as other stakeholder' interventions, so as to avoid duplication of efforts?

### Effectiveness

6. How did the COVID-19 pandemic and other external factors (political, economic, etc.) affect project implementation? How were these factors navigated in order to move the project forward? How effective were the different methods of addressing these factors in maintaining the project's progress?
7. How effectively did the project assess and mitigate institutional environment-related risk factors that could hamper project implementation?
8. Which project outcomes show the greatest level of achievement during the project's period of performance\* (as per each project's specific PMP indicators)? To what extent were the expected outcomes achieved within the life of the project?

---

<sup>17</sup> ILAB's institutional learning-related questions are highlighted in red characters and marked with an asterisk \*.

<sup>18</sup> "Underserved communities" refers to populations who have been historically underserved, marginalized, or denied equitable treatment on the basis of disability, gender identity, sexual orientation, race, ethnicity, religion, migration status, and persons or groups otherwise adversely affected by persistent poverty or inequality. In accordance with Executive Order 13985 of January 20, 2021, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, the term "underserved communities" refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life. Trade unions not considered as project participants, and which are part of FENTAGRO (CGTP) and FFTP (CTP) are considered as "underserved communities".

9. How effective were the trainings at changing behaviors or awareness? What factors may have played a role?
10. What interventions were most effective at strengthening civil society organizations and empowering workers to engage with government and employers on labor issues?\* What were the factors that contributed to workers engaging with employers and/or government and having a positive outcome?
11. How effective was the project in bringing different worker organizations together, whether for information exchange, joint advocacy, or other coordination?
12. Which institutional actors or structures at local, country, regional or global levels were the most willing/ effective partners and what factors facilitated or limited their engagement (in achieving and sustaining desired outcomes)?\*
13. How did the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Did the project design adequately account for differences in institutional capacity?\*
14. How effectively did ILAB and the project implementer(s) engage underserved communities over the project life cycle? How could ILAB and project implementers improve engagement with underserved communities to ensure future programming is equitable and responsive to their needs and priorities?\*

#### Efficiency

15. How has the project adapted in light of external factors such as global health crises, political crises, etc.?
16. Did the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? Was it used in an effective way? How did USDOL use the performance monitoring information that the project reported? What were the barriers, if any, to using project performance data to demonstrate and share results. How could it have been used more effectively?

#### Impact

17. How can ILAB and its Grantees better capture impact on long-term outcomes for workers and workers' organizations?\*

#### Sustainability

18. Is there a clear exit strategy in place, aimed to ensure the sustainability of project outcomes?
19. Which project outcomes (and major outputs) show the greatest likelihood of being sustained after external support has ended? Which outcomes have more difficulties in being sustained, and why?\*

These evaluation questions will provide the structure for the evaluation and be tailored to the specific objectives, expected results, activities, and stakeholders of the project. The evaluation team identifies the data sources it intends to use to answer these questions in Appendix A.

## V. EVALUATION DESIGN AND METHODOLOGY

An evaluation team composed by a Lead Evaluator (LE) and a National Consultant/Monitoring and Evaluation Expert will be responsible for this evaluation. The evaluation team will address the evaluation questions using multiple sources of evidence, combining primary qualitative data with secondary quantitative data. It will obtain data for this evaluation by conducting:

- A document review
- Fieldwork including key informant interviews (KIIs) and focus group discussions (FGDs), which will be conducted either remotely or in-person as relevant during the COVID-19 pandemic
- Quantitative analysis of secondary data

The evaluation team will use the sources described below to evaluate the project.

### a. Document Review

The evaluation team will review the following documents, if available, before conducting field visits. The team will use the documents to assess the six evaluation criteria.

- Project documents, including Results Framework and Performance Monitoring Plan (PMP)
- Technical Progress Reports (TPRs), including performance Data Tracking Tables
- Reports on needs assessments, stakeholder analysis, and specific project activities
- Sustainability Plans and Risk Management Plans
- Work plans and activity logical sequencing
- Federal Financial Reports (FFR), Budgets and Records of Expenditures
- Interim evaluation report for the project
- Any other relevant documents or deliverables

### b. Fieldwork

Prior to beginning fieldwork, the evaluation team will host a logistics call with the project's staff to plan the field visit and data collection. SC will assist the evaluation team in scheduling KIIs and FGDs. The evaluation team reserves the right to add to or modify this list in the process of fieldwork or desk review, as appropriate.

The fieldwork itinerary will be determined based on scheduling and the availability of KII and FGD participants. Meetings will be scheduled in advance of the field visit and coordinated by SC project staff, in accordance with the evaluation team's requests. The evaluation team will conduct KIIs and FGDs with stakeholders without the participation of any project staff. The lead evaluator will conduct KIIs remotely, and the local consultant will conduct face-to-face or remotely KIIs and FGDs. Whenever possible and with the permission of the informants, audio recordings will be made for the purpose of the study only; the recordings will be destroyed once the analysis is completed. These recordings will be for the evaluation team only and will not be shared with ILAB, SC, or anyone else.

## Key Informant Interviews

The evaluation team will conduct approximately 20 KII/4 FGDs over 10 days with project stakeholders in Peru or remotely by internet conference calls or phone calls, as appropriate. The national consultant will interview remotely key stakeholders in the following project target regions: Arequipa, Ica, Lima, Piura, San Martín.

The evaluation team will attempt to interview an equal distribution of male and female respondents. As appropriate, the evaluation team will maximize efficiency by conducting KIIs with 2-3 respondents simultaneously. The evaluation team will also conduct a KII with the ILAB Project Managers (former and current) and with representatives of the implementing organizations; however, the number of KIIs and participants for each organization will depend on availability.

**Figure 1. KII Data Collection Strategy**

Stakeholder Type	Method	Sample Size	Potential Respondents
US Government	KII	2	USDOL/ILAB representatives; US Embassy Labor Reporting Officer, USDOL Trade Policy Advisor
Grantee and Implementing Partners	KII	2	Solidarity Center Staff Pontificia Universidad Católica del Perú, IDEHPUCP, various consultants
Trade Union Representatives	KII, FGD	15	CGTP (FENTAGRO, FERETTEX) and CTP (FTTP) representatives. Representatives of Trade Unions in each of the target regions of the project (Lima, Arequipa, Ica, Piura, San Martín)
Host-Country Government	KII	2	Representatives of SUNAFIL offices (labor inspection administration) in Piura and Ica.
Civil Society Stakeholders	KII	5	International and non-governmental organizations: ILO, IESI, Trabajo Digno; employers in high-risk sectors targeted by the project (if appropriate)

## Focus Group Discussions (FGD)

Pending discussions with ILAB and SC, the evaluation team will facilitate a number FGDs with identified stakeholder group(s). Each will be composed of 6-12 participants in Peru. In identifying FGD participants, the evaluation team will work with SC to select a random sample of participants across a meaningful range of characteristics pertinent to the project.

## Ethical Considerations

The evaluation team will observe utmost confidentiality related to sensitive information and feedback elicited during the KIIs and FGDs. To mitigate bias during the data collection process and give informants maximum freedom of expression, only the lead evaluator and the local consultant will be present during KIIs. However, when necessary, SC staff may accompany the evaluation team to make introductions, facilitate the evaluation process, make respondents feel comfortable, and allow the evaluator to observe the interaction between SC staff and the interviewees.

The evaluation team will respect the rights and safety of participants in this evaluation. During this study, the evaluation team will take several precautions to ensure the protection of respondents' rights:

- No interview will begin without receipt of informed consent from each respondent.
- The evaluation team will conduct KIIs and FGDs in a confidential setting, so no one else can hear the respondent's answers.
- COVID-19 precautions and social distancing will be implemented during face-to-face interviews and FGDs.
- The evaluation team will be in control of its written notes at all times.
- The evaluation team will transmit data electronically using secure measures.
- The evaluation team will talk with respondents to assess their ability to make autonomous decisions and their understanding of informed consent. Participants will understand that they have the right to skip any question with which they are not comfortable or to stop at any time.

### **Interactive Validation Session and Post-Trip Debriefing**

After the end of fieldwork, the lead evaluator will conduct a virtual, interactive and participatory validation session with stakeholders, including SC staff, to review initial results, collect any clarifying information to improve evaluation accuracy, and obtain input on recommendations of the evaluation. The date and format of the meeting will be determined in consultation with ILAB and SC.

When fieldwork is complete, the evaluation team will provide a post-trip debriefing by video call to relevant ILAB staff to share initial results and PowerPoint slides from the stakeholder validation session, and to seek any clarifying guidance needed to prepare the report.

### **c. Quantitative Analysis of Secondary Data**

Secondary data will consist of available monitoring data. The evaluation team will work with ILAB to secure prompt access to secondary data from SC, relevant government bodies, and external sources. After gaining access to the data, the evaluation team will immediately assess their quality and relevance in answering the research questions and develop a list of relevant indicators. The evaluation team's analysis of these data will inform the correlation and validation of results from the qualitative data collection.

The evaluation team will analyze project monitoring data to assess the performance of activities relative to expected results. The evaluation team's analysis, which will rely on descriptive statistics such as counts, tabulated proportions, and means, will identify common trends, patterns, and any changes in stakeholders' motivation, behavior, capacity, practices, policies, programs, relationships, or resource allocation as a result of project activities.

The evaluation team will also use project monitoring data and quantitative data collected during evaluation fieldwork (please see Appendix D for rapid scorecard template), triangulated with relevant qualitative data collected during interviews and FGDs, to develop summary achievement and sustainability ratings for the project on a four-point scale: low, moderate, above-moderate, and high.

Achievement ratings on outcomes will be based on the most recent information on project's effectiveness, comparing actual information to the project's expected performance according to

the PMP and workplan. Ratings on likelihood of sustainability of project's components and practices will be based on the triangulation of qualitative information obtained from interviews and focus groups.

#### d. Limitations

The evaluation team will base its conclusions on information collected from background documents, KIs, FGDs, and secondary quantitative data. The evaluation team will assess the integrity of this information to determine the accuracy of the evaluation results. The application of ratings may in no way be considered as a non-formal impact assessment. Primary data collected from beneficiaries may reflect the opinions of the most dominant groups without capturing the perceptions of less vocal groups. The evaluation team will consider this possibility and make sure that all parties can freely express their views. The evaluation team will mitigate this potential limitation by conducting FGDs and KIs in a place where informants can speak freely and where no one but the evaluation team can hear the respondents' answers.

Some stakeholders may lack access to, or capability of, the technology necessary for conducting virtual interviews. Additionally, some respondents may lack the ability to connect remotely from a location that allows for privacy and confidentiality. Wherever possible, the evaluation team will work with the project to provide a computer connection and private room for stakeholders who do not have a reliable and/or confidential place to be interviewed.

This evaluation will rely on secondary performance information in quarterly and annual reports and in available monitoring databases. The quality of the data will affect the accuracy of the statistical analysis. The evaluation team will not be able to check the validity and reliability of performance data given the limited time and resources.

## VI. EVALUATION TEAM, MANAGEMENT AND SUPPORT

**Dwight Ordoñez** will serve as Lead Evaluator. He will be responsible for overseeing the implementation of the evaluation methodology, conducting the remote virtual interviews during fieldwork, consolidating the results from all data collection methods, conducting the post-fieldwork validation session, and writing the evaluation report. A Peruvian national, Dwight has more than 20 years of experience working with international organizations, including the ILO and USDOL, in various M&E roles, including operations management, strategic planning, policy and program design, M&E frameworks and evaluation for programs focusing on technical areas including decent work, occupational safety and health, livelihoods-related issues, forced labor and child labor.

**Teodoro Sanz Gutierrez** will serve as Monitoring and Evaluation Expert/Local Consultant. Mr. Sanz will be conducting the face-to-face interviews and FGD for the evaluation and will support Mr. Ordoñez with scheduling and data analysis, as appropriate. Also a Peruvian national, Teodoro has more than 15 years of experience in research and the design, monitoring, and evaluation of international projects and plans related to social development, job training, decent employment, industrial relations, trafficking, forced labor, child labor, institutional strengthening and capacity building.

The evaluation team will promote transparency and dialogue with a clear dissemination strategy. This process includes:

- Developing and sharing with ILAB and SC an explicit plan that details how the data collected will be used.
- Providing a draft report in a timely fashion that gives ILAB and SC enough time for a thorough review.

- Producing a professional, complete report, along with a utilization-focused executive summary that support dissemination and publication.

SFS' monitoring and evaluation experts and management personnel will provide logistical, administrative, and technical support to the evaluation team, including in-country travel arrangements, as relevant, and all materials needed to provide the deliverables specified in the TOR. SFS staff will also be responsible for providing technical oversight necessary to ensure consistency of methods and technical standards. During fieldwork, the lead evaluator will be supported by the local consultant, who will provide support with scheduling, information on the country context, and, as appropriate, data analysis.

In light of the COVID-19 pandemic, to protect the health and safety of the evaluators and the respondents, SFS will also ensure that social distancing measures are implemented and masks are worn during all interviews and interpersonal interactions. Masks will also be provided for participants who may not already have them. To the greatest extent possible, in-person interviews will be conducted outdoors or arranged in locations where there is good ventilation.

## **VII. ROLES AND RESPONSIBILITIES**

The evaluation team will conduct the evaluation according to the TOR. SFS (the Evaluator) is responsible for accomplishing the following items:

- Receiving and responding to or incorporating input from SC and ILAB on the TOR draft
- Finalizing and submitting the TOR and sharing concurrently with SC and ILAB
- Reviewing project background documents
- Reviewing the evaluation questions and refining them as necessary
- Developing and implementing an evaluation methodology, including document review, remote and face-to-face KIIs and FGDs, and secondary data analysis, to answer the evaluation questions
- Conducting planning meetings or calls, as necessary, with ILAB and SC
- Deciding the composition of field visit KII and FGD participants to ensure the objectivity of the evaluation
- Capturing photographs of and anecdotes or quotes from stakeholders interviewed during fieldwork to incorporate in the stakeholder validation session presentation, final report and infographics
- Ensuring that appropriate health and safety, informed consent, ethics and do no harm protocols are understood and followed throughout the evaluation process
- Presenting preliminary results verbally to project field staff and other stakeholders as determined in consultation with ILAB and SC
- Preparing an initial draft of the evaluation report for 48-hour and a second draft for two-week review and sharing it with ILAB and SC

- Preparing and submitting the final report, infographics as well as three communication products identifying relevant messages and audiences, according to a dissemination plan to be agreed by SFS with USDOL.
- Organizing a virtual learning presentation (for ILAB, SC and other stakeholders as requested) using communication products, which summarizes and synthesizes the results from the three SC evaluations in Georgia, Peru and Mexico, once all three evaluations have been completed.

ILAB (the Donor) is responsible for the following items:

- Reviewing the TOR, providing input to SFS as necessary, and agreeing on final draft
- Providing project background documents to SFS, in collaboration with SC
- Briefing SC on the upcoming field visit and working with them to coordinate and prepare for the visit and to ensure health and safety of evaluation team members and participants
- Reviewing and providing comments on the draft evaluation report and infographics
- Approving the final draft of the evaluation report and infographics
- Participating in the pre- and post-trip debriefing and interviews
- Including the ILAB evaluation contracting officer's representative (COR) on all communication with SFS

SC (the Grantee) is responsible for the following items:

- Reviewing the TOR, providing input to SFS as necessary, and agreeing on the final draft
- Providing project background materials to SFS, in collaboration with ILAB
- Preparing a list of recommended interviewees with feedback on the draft TOR
- Scheduling meetings during the field visit and coordinating all logistical arrangements
- Reviewing and providing comments on the draft evaluation reports
- Organizing, financing, and participating in the interactive stakeholder validation meeting
- Providing in-country ground transportation to meetings and interviews
- Taking appropriate health and safety measures for themselves, the local consultant, and participants, in the COVID-19 environment (please see precautions described in Evaluation Management section above)
- Including the ILAB program office on all written communication with SFS.

## VIII. EVALUATION MILESTONES AND TIMELINE

Activity	Date (2021)
Evaluation launch call	May 14
Draft TOR submitted to ILAB and SC	May 14
ILAB and SC feedback on draft TOR due to SFS	May 26
Final TOR, submitted to ILAB and SC	June 16
Field itinerary and list of stakeholders submitted to ILAB and SC	June 18
Logistics call with ILAB and SC	June 22
Submission of evaluation matrix to ILAB	June 23
Fieldwork in Peru	June 28 – July 9
Interactive stakeholder validation session (remote, if needed)	July 13
Post-evaluation debriefing with ILAB	July 15
Initial draft report for 48-hour review submitted to ILAB and SC	August 5
48-hour review comments due to SFS	August 9
Disseminate draft report and executive summary to ILAB, SC, and other key stakeholders for 2-week review	August 13
2-week review comments due to SFS	August 27
Revised report and draft 1-page infographic summary submitted to ILAB and SC	September 3
Final 508-compliant report and 1-page infographic summary submitted to ILAB and SC	September 17
SFS submits draft communication products, synthesizing the results of the evaluations in Georgia, Peru and Mexico	To be agreed by USDOL and SFS
Communication products finalized	To be agreed by USDOL and SFS
<b>Virtual learning event</b>	To be agreed by USDOL and SFS

## IX. DELIVERABLES AND DELIVERABLE SCHEDULE

- A. Draft TOR: May 14, 2020
- B. Final TOR, field itinerary, and draft list of stakeholders: June 9
- C. Logistics call, including TOR feedback: June 15
- D. Draft data collection instruments: June 23
- E. Remote interactive stakeholder validation session: July 13
- F. Initial draft report for 48-hour review: August 5
- G. Draft report for 2-week review: August 13

- H. Final draft report and draft 1-page infographic summary: September 3
- I. Final 508-compliant report and final 1-page infographic summary: September 17
- J. Virtual learning event: To be determined

## X. EVALUATION REPORT

Within 3 weeks after the stakeholder meeting, the lead evaluator will complete a draft report of the evaluation following the outline below and SFS will share it with the ILAB COR, ILAB Project Managers, and SC for an initial 48-hour review. Once the lead evaluator receives comments, they will make the necessary changes and submit a revised report. ILAB, SC, and other stakeholders will then have 2 weeks (10 business days) to provide comments on the revised draft report. The lead evaluator will respond to comments from stakeholders, where appropriate, and provide a final version within 2 weeks of ILAB acceptance of the revised draft evaluation report. The evaluation team will also produce a one-page summary using data visualization techniques and infographics to facilitate dissemination of major results.

A quality report is an “action-oriented evaluation report” meaning that its content is focused, concise, and geared toward a particular audience, calling their attention to important results. It highlights desired changes in practice, behavior or attitudes (both at the individual and organizational level) and outlines possible next steps through the use of a variety of media, including data visualization. The final version of the report will follow the format below, be no more than 30 pages in length, excluding the annexes, and will be Section 508 compliant:

1. Table of Contents
2. List of Acronyms
3. Executive Summary (providing an overview of the evaluation, summary of main results/lessons learned/good practices and key recommendations, not to exceed five pages)
4. Evaluation Objectives and Methodology
5. Project Context and Description
6. Evaluation Results (answers to evaluation questions with supporting evidence)
7. Lessons Learned and Promising Practices
8. Conclusions (interpretation of facts including criteria for judgements)
9. Recommendations (specific actions the evaluation team proposes be taken by ILAB and/or SC that are based on results and conclusions and critical for successfully meeting project objectives; as well as judgements on what changes need to be made for future programs)
10. Annexes, including: TOR; List of documents reviewed; Stakeholder validation session agenda and participants; List of Meetings and Interviews; Any other relevant documents.

The electronic submission will include 2 versions: one version, complete with all appendices, including personally identifiable information (PII) and a second version that does not include PII such as names and/or titles of individuals interviewed.

## ANNEX E. EVALUATION DESIGN MATRIX

OECD DAC Evaluation Criterion:

### RELEVANCE AND VALIDITY

#### Evaluation Questions:

1. Are the Project strategy, objectives, outcomes, and assumptions appropriate for achieving the planned results? To what extent did the projects' objectives and interventions respond to relevant stakeholders' needs?
2. To what extent did the global Project Theory of Change (TOC) and set Long-Term Outcomes (LTO) as prescribed in the Funding Opportunity Announcement (FOA) hold true in Peru? What were the benefits and limitations of the prescribed TOC and LTOs?
3. What drives workers' perceptions and behavior vis-à-vis trade unions and other civil society organizations that aim to serve and advance their interests?
4. To what extent has the project met the needs and addressed the priorities of workers and underserved communities regarding workers' rights and working conditions?

**Evaluation Question Background:** These evaluation questions aim to determine the relevancy of the Project design and planning to ensure that the overall Project objective, the aim for the Peruvian component, and all their associated activities and outcomes are completed successfully by July 2021 – particularly by indicator targets and results accordingly to the latest TPR -March 2021 (as detailed in the Project's Theory of Change). They also aim to determine whether there were challenges and gaps to fulfilling the Project's objective. Furthermore, the questions aim to determine the extent of stakeholder engagement and ownership of the Project, and whether unions and workers (the Project's main beneficiaries) are being supported in terms of their priorities and labor rights.

**Overall Project Objective:** Effective engagement by workers and civil society organizations (CSOs) with the government and employers to improve enforcement of labor laws.

**Peru Project Aim:** Enable and build the capacity of workers and their CSOs in the Agroindustry and Textile sectors through the following main activities: 1) Labor Law course, Labor Law Clinics and Labor Law Fairs 2) Legal and technical assistance to workers' CSOs to submit well-supported and justiciable claims to Labor Inspection authorities 3) Follow-up of cases through Case Tracking System assistance, and 4) Awareness-raising and engagement of workers with the government and employers to address potential labor law violations

Investigation	Source of Information	Data Collection Tool	Comments
Is the Project scope, objectives & activities in line with key USDOL & SC strategies? Are sectors appropriate and well-selected?	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• USG &amp; SC KIIs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; context analysis</li> <li>• Probe rationale for selection of regions and sectors</li> </ul>
Examine TOC and LTOs in the Peruvian context.	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• TPRs</li> <li>• USG and IP KIIs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; context analysis</li> </ul>
Stakeholder analysis, and beneficiary rapid priorities and needs assessment.	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• TPRs</li> <li>• KIIs &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Stakeholder analysis</li> <li>• Content &amp; context analysis</li> <li>• Gap analysis</li> </ul>

Investigation	Source of Information	Data Collection Tool	Comments
Analysis of selection of relevancy of regions, sectors, and beneficiaries (underserved communities) for Project implementation.	<ul style="list-style-type: none"> <li>Project documents</li> <li>KII interviews</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>Content &amp; context analysis</li> </ul>

OECD DAC Evaluation Criterion:

**COHERENCE**

**Evaluation Question:**

5. What efforts have been made by the Project to increase its coherence? To what extent did the Project coordinate efforts with other SC interventions in Peru, as well as other stakeholders’ interventions, so as to avoid duplication of efforts?

**Evaluation Question Background:** A key feature of the OECD DAC revised evaluation criteria in 2020 is the addition of one major new criterion – coherence – “to better capture linkages, systems thinking, partnership dynamics, and complexity” (p. 3). For example, a lack of coherence can lead to duplication of efforts. Hence, the criterion aims to focus on determining the synergies, or trade-offs, between policy and cross-government coordination and the extent to which they support or undermine the Project. This could include *internal coherence* (synergies and interlinkages between the Project and other IP interventions) and *external coherence* (synergies with interventions by other actors). The evaluation question focuses both types of coherence.

OECD DAC (2020). Revised Criteria, January: <https://www.oecd.org/dac/evaluation/revised-evaluation-criteria-dec-2019.pdf>.

Investigation	Source of Information	Data Collection Tool	Comments
What were the IP’s learnings from similar previous USG programs in Peru?	<ul style="list-style-type: none"> <li>Project documents</li> <li>USG documents</li> <li>USG &amp; IP KIIs</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> </ul>	Key, labor-related USG projects in Peru to be identified by USDOL.
What are the coordination efforts between existing IP projects in Peru to leverage results?	<ul style="list-style-type: none"> <li>Project documents</li> <li>USG documents</li> <li>USG &amp; IP KIIs</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> </ul>	Key, labor-related USG projects in Peru to be identified by USDOL.
What are the coordination efforts between the project and existing USG in Peru to leverage results?	<ul style="list-style-type: none"> <li>Project documents</li> <li>USG documents</li> <li>USG &amp; IP KIIs</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> </ul>	Key, labor-related USG projects in Peru to be identified by USDOL.

OECD DAC Evaluation Criterion:

**EFFECTIVENESS**

**Evaluation Questions:**

6. How did the COVID-19 pandemic and other external factors (political, economic, etc.) affect project implementation? How were these factors navigated in order to move the project forward? How effective were the different methods of addressing these factors in maintaining the project’s progress?

7. How effectively did the project assess and mitigate institutional environment-related risk factors that could hamper project implementation?
8. Which project outcomes show the greatest level of achievement during the project's period of performance (as per each project's specific PMP indicators)? To what extent were the expected outcomes achieved within the life of the project?
9. How effective were the trainings at changing behaviors or awareness? What factors may have played a role?
10. What interventions were most effective at strengthening civil society organizations and empowering workers to engage with government and employers on labor issues? What were the factors that contributed to workers engaging with employers and/or government and having a positive outcome?
11. How effective was the project in bringing different worker organizations together, whether for information exchange, joint advocacy, or other coordination?
12. Which institutional actors or structures at local, country, regional or global levels were the most willing/ effective partners and what factors facilitated or limited their engagement (in achieving and sustaining desired outcomes)?
13. How did the organizational capacity of project implementers, target institutions, and implementing partners limit or facilitate the effectiveness and sustainability of project interventions? Did the project design adequately account for differences in institutional capacity?
14. How effectively did ILAB and the project implementer(s) engage underserved communities over the project life cycle? How could ILAB and project implementers improve engagement with underserved communities to ensure future programming is equitable and responsive to their needs and priorities?

**Evaluation Question Background:** The Project aims to effectively engage workers and CSOs with the GOP and employers to improve enforcement of labor laws through : 1) Labor Law course, Labor Law Clinics and Labor Law Fairs 2) Legal and technical assistance to workers' CSOs to submit well-supported and justiciable claims to Labor Inspection authorities 3) Follow-up of cases through Case Tracking System assistance, and 4) Awareness-raising and engagement of workers with the government and employers to address potential labor law violations.

Investigation	Source of Information	Data Collection Tool	Comments
Analysis of performance results	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• TPR</li> <li>• Related statistics</li> <li>• KIIs &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Gap analysis</li> <li>• Analysis of Achievement Rating Scores (in KIIs &amp; FGDs)</li> </ul>
Analysis of capacity building (training) on labor law and its effectiveness w/r to the needs and priorities of stakeholders and beneficiaries	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• KIIs &amp; FGDs</li> <li>• Labor Law course modules and training materials</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> </ul>
Analysis of the relevance of technical and legal assistance provided by the project to workers and CSOs to improve claims to LI authorities/ handling of labor law violations	<ul style="list-style-type: none"> <li>• Project documents</li> <li>• KIIs &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> </ul>

Investigation	Source of Information	Data Collection Tool	Comments
Analysis of the effectiveness of the case tracking system implemented by the project and its usefulness according to the needs and priorities of stakeholders	<ul style="list-style-type: none"> <li>Project documents</li> <li>Online access to CTS</li> <li>KIIs &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> <li>FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>Content &amp; contribution analysis</li> <li>Trend analysis</li> <li></li> </ul>
Indication of the quality of AR campaigns (media/ materials) developed by the project	<ul style="list-style-type: none"> <li>Project's media/ materials and documents</li> <li>KIIs &amp; FGDs</li> <li>AR strategy</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> <li>FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>Content &amp; contribution analysis</li> </ul>
Increase in capacity to engage workers and CSOs with government (labor inspection) and employers.	<ul style="list-style-type: none"> <li>Project documents</li> <li>KIIs &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> <li>FGD Guide</li> <li>Analysis of data</li> </ul>	<ul style="list-style-type: none"> <li>Stakeholder analysis</li> <li>Content &amp; contribution analysis</li> <li>Gap analysis</li> </ul>

OECD DAC Evaluation Criterion:

**EFFICIENCY**

**Evaluation Questions:**

- How has the project adapted in the light of external factors such as global health crises, political crises, etc.?
- Did the project have a solid planning, monitoring and evaluation (M&E) framework or system in place? Was it used in an effective way? How did USDOL use the performance monitoring information that the project reported? What were the barriers, if any, to using project performance data to demonstrate and share results? How could it have been used more effectively?

**Evaluation Question Background:** This criterion assesses whether the resources were adequate, and the management of resources was efficiently coordinated. Likewise, it assesses the functioning of the Monitoring & Evaluation (M&E) framework or system, and if the project took into account the country context in terms of political and health crises, whether country-specific or global.

Investigation	Source of Information	Data Collection Tool	Comments
Sufficient staffing, and efficient management and communication practices between the IP and the sub-grantees (Project partners)?	<ul style="list-style-type: none"> <li>PPRs</li> <li>Project documents</li> <li>KII interviews</li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>Content &amp; contribution analysis</li> <li>Gap analysis</li> </ul>
SC's adaptation to external factors (health or political crisis, etc.)	<ul style="list-style-type: none"> <li>PPRs</li> <li>Project documents</li> <li>KIIs &amp; FGDs</li> <li></li> </ul>	<ul style="list-style-type: none"> <li>Document content &amp; context</li> <li>KII Interview Guide</li> <li>FGD Guide</li> </ul>	Content & contribution analysis

Investigation	Source of Information	Data Collection Tool	Comments
Monitoring & documentation of activities, outputs, and risk management in place (i.e., COVID-19) along with relevant Project corrections, strategy changes?	<ul style="list-style-type: none"> <li>• PMP, PPR</li> <li>• MEL Plan</li> <li>• KII interviews</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• M&amp;E analysis</li> </ul>

OECD DAC Evaluation Criterion:

**IMPACT**

**Evaluation Question:**

17. How can ILAB and its Grantees better capture impact on long-term outcomes for workers and workers' organizations?

**Evaluation Question Background:** As impacts are determined over a longer period, the Project, from its inception, outlined 4 long-term outcomes (LTOs): 1) CSOs/workers accurately identify potential labor law violations in workplaces, 2) CSOs/workers submit well-supported, well-articulated, justiciable claims to initiate inspections & seek legal remedies, 3) CSOs/workers effectively track progress of claims, and 4) CSOs/workers engage with the government & employers to address potential labor law violations.

Investigation	Source of Information	Data Collection Tool	Comments
Analysis of LTOs	<ul style="list-style-type: none"> <li>• KII &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>• Document content &amp; context</li> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Achievement Rating Scores (in KIIs &amp; FGDs)</li> </ul>
Indications of change among the Project participants	<ul style="list-style-type: none"> <li>• KII &amp; FGDs</li> </ul>	<ul style="list-style-type: none"> <li>• KII Interview Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Achievement Rating Scores (in KIIs &amp; FGDs)</li> </ul>

OECD DAC Evaluation Criterion:

**SUSTAINABILITY**

**Evaluation Questions:**

18. Is there a clear exit strategy in place, that aims to ensure the sustainability of the project outcomes?

20. Which project outcomes (and major outputs) show the greatest likelihood of being sustained after external support has ended? Which outcomes have more difficulties in being sustained, and why?

Investigations	Source of Information	Data Collection Tool	Comments
Follow-up of claims – processes and procedures	<ul style="list-style-type: none"> <li>• KIIs &amp; FGDs</li> <li>• Relevant documents</li> </ul>	<ul style="list-style-type: none"> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Sustainability Rating Scores (in KIIs &amp; FGDs)</li> </ul>
Continuous opportunities for Project participants raise issues, identify violations, submit justiciable claims, and track progress of claims.	<ul style="list-style-type: none"> <li>• KIIs &amp; FGDs</li> <li>• Relevant documents</li> </ul>	<ul style="list-style-type: none"> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Sustainability Rating Scores (in KIIs &amp; FGDs)</li> </ul>
Evidence of continued application of systems and skills acquired through the Project	<ul style="list-style-type: none"> <li>• KIIs &amp; FGDs</li> <li>• Relevant documents</li> </ul>	<ul style="list-style-type: none"> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Sustainability Rating Scores (in KIIs &amp; FGDs)</li> </ul>
Evidence of IP (e.g. PUCP), CSOs and trade unions able to sustain themselves and key project-supported components operationally, financially, and administratively after completion of the Project	<ul style="list-style-type: none"> <li>• KIIs &amp; FGDs</li> <li>• Relevant documents</li> </ul>	<ul style="list-style-type: none"> <li>• KII Interview Guide</li> <li>• FGD Guide</li> </ul>	<ul style="list-style-type: none"> <li>• Content &amp; contribution analysis</li> <li>• Trend analysis</li> <li>• Analysis of Sustainability Rating Scores (in KIIs &amp; FGDs)</li> </ul>