

---

**INDEPENDENT INTERIM EVALUATION OF THE  
INITIATIVE TO GUARD AGAINST LABOR  
DISCRIMINATION PROJECT  
“IGUALDAD”**

---



**FUNDED BY THE  
UNITED STATES DEPARTMENT OF LABOR  
COOPERATIVE AGREEMENT NO. IL-26687-14-75-K-17**

**SEPTEMBER 22, 2016**

---

## ACKNOWLEDGEMENTS

---

This report describes in detail the interim evaluation conducted in July 2016 of the Initiative to Guard Against Labor Discrimination (IGUALDAD) project in Mexico. Michele Gonzalez Arroyo, an independent evaluator, conducted the evaluation in conjunction with IGUALDAD project staff and stakeholders and prepared the evaluation report according to the contract terms specified by O’Brien and Associates International, Inc. The evaluator would like to thank Mexican government officials, business leaders, and civil society organizations that participated in this evaluation. Special thanks go to Garrett Brown, an independent labor consultant, for his technical input, and to the IGUALDAD project staff for coordinating the Mexico field visit and supporting the evaluator throughout the evaluation process.



**O’BRIEN &  
ASSOCIATES**  
I N T E R N A T I O N A L

*Funding for this evaluation was provided by the United States Department of Labor under Task Order number DOL-OPS-16-T-00071. Points of view or opinions in this evaluation report do 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>Acknowledgements .....</b>	<b>ii</b>
<b>Tables and Figures.....</b>	<b>iv</b>
<b>List of Acronyms .....</b>	<b>v</b>
<b>Executive Summary .....</b>	<b>vi</b>
<b>I Project Background and Description.....</b>	<b>1</b>
1.1 Project Background .....	1
1.2 Project Description .....	2
<b>II Evaluation Purpose and Methodology .....</b>	<b>3</b>
2.1 Evaluation Purpose .....	3
2.2 Evaluator and Evaluation Advisor.....	3
2.3 Methodology.....	3
<b>III Findings.....</b>	<b>7</b>
3.1 Relevance and Strategic Fit .....	7
3.2 Project Design and Performance Monitoring .....	10
3.3 Project Progress and Effectiveness .....	14
3.4 Efficiency.....	21
3.5 Project Management .....	23
3.6 Sustainability and Impact Orientation .....	25
3.7 Emerging Good Practices and Lessons Learned .....	28
<b>IV Conclusions.....</b>	<b>30</b>
4.1 Relevance.....	30
4.2 Project Design and Performance Monitoring .....	30
4.3 Project Progress and Effectiveness .....	30
4.4 Efficiency.....	31
4.5 Project Management .....	31
4.6 Sustainability and Impact Orientation .....	31
<b>V Recommendations .....</b>	<b>32</b>
<b>Annexes .....</b>	<b>35</b>
Annex A: Terms of Reference .....	36
Annex B: Evaluation Interview Schedule.....	45
Annex C: Interview Guide .....	46
Annex D: List of Documents Reviewed .....	47
Annex E: List of Persons Interviewed .....	48
Annex F: Vignette – IGUALDAD Project, Mexico .....	49

---

## **TABLES AND FIGURES**

---

<b>Table 1: Anticipated Outcomes by Sector</b>	<b>2</b>
<b>Table 2: Stakeholders, Sample Size and Sample Characteristics</b>	<b>4</b>
<b>Table 3: Assessment of Project Strategies that Address Stakeholders’ Priorities</b>	<b>7</b>
<b>Table 4: IGUALDAD Project - Theory of Change (ToC)</b>	<b>10</b>
<b>Table 5: Assessment of Project Design against Results-based Design Criteria</b>	<b>11</b>
<b>Table 6: Comparison of PMP versus PRIME Performance Monitoring Tools</b>	<b>13</b>
<b>Table 7: Assessment of IGUALDAD Project Performance, through June 2016</b>	<b>15</b>
<b>Table 8: Project challenges and proposed solutions or action taken to resolve</b>	<b>18</b>
<b>Table 9: IGUALDAD Project Budget Allocations</b>	<b>21</b>
<b>Table 10: IGUALDAD Project Expenditures as of June 2016 by Budget Line Item</b>	<b>22</b>
<b>Table 11: Progress in Achieving Sustainability Elements for SO 1</b>	<b>25</b>
<b>Table 12: Progress in Achieving Sustainability Elements for SO 2</b>	<b>26</b>
<b>Table 13: Progress in Achieving Sustainability Elements for SO 3</b>	<b>27</b>
<b>Figure 1: The IGUALDAD project’s independent observations</b>	<b>58</b>
<b>Figure 2: Equal opportunities for women</b>	<b>59</b>

---

## LIST OF ACRONYMS

---

AmCham	American Chamber of Commerce in Mexico
CEREAL	Center for Labor Action and Studies ( <i>Centro de Reflexión y Acción Laboral</i> )
CLEM	Labor Congress for the State of Mexico ( <i>Congreso Laboral Estado de México</i> )
D-GSOPS	Discrimination based on gender, sexual orientation and pregnancy status
HAI	Heartland Alliance International
IGUALDAD	Initiative to Guard Against Labor Discrimination
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
IO	Immediate Objective
IR	Intermediate Objective
M&E	Monitoring and Evaluation
OTLA	Office of Trade and Labor Affairs is the office that oversees worker rights grants in the Bureau of International Labor Affairs
PROFEDET	Federal Attorney General for the Defense of Workers ( <i>Procuraduría Federal de la Defensa del Trabajo</i> )
SICADIT	Distance Training System for the Labor Inspectorate ( <i>Sistema de Capacitación a Distancia de la Inspección del Trabajo</i> )
STPS	Federal Ministry of Labor and Social Prevision ( <i>Secretaría del Trabajo y Previsión Social</i> )
STGEM	State of Mexico Ministry of Labor ( <i>Secretaría del Trabajo del Gobierno del Estado de México</i> )
STPSJ	State of Jalisco Ministry of Labor ( <i>Secretaría de Trabajo y Previsión Social del Estado de Jalisco</i> )
ToC	Theory of Change
ToR	Terms of Reference
TPR	Technical Progress Report
USDOL	United States Department of Labor

---

## EXECUTIVE SUMMARY

---

In December 2014, the United States Department of Labor (USDOL) awarded Heartland Alliance International (HAI) US \$1.38 million to implement a three-year project entitled *Initiative to Guard Against Labor Discrimination* (IGUALDAD). The project was established to support Mexico’s 2012 Federal Labor Law reforms that expanded protections for workers from labor discrimination including sexual harassment and discrimination based on gender, sexual orientation, and pregnancy status (D-GSOPS).

The labor law reforms are the first of its kind since 1970. While the inclusion of gender-related anti-discrimination policies is a positive advancement, use of these provisions by workers and their organizations has been limited. This is largely attributed to the lack of awareness of the new protections and a widespread opinion among independent unions and worker rights advocates that the overall impact of the labor law reform has reduced workers’ ability to organize independent, member-controlled unions.

The IGUALDAD project aims to increase compliance with Mexico’s expanded protections against labor discrimination by increasing the capacity of the Mexican Ministry of Labor (STPS) to enforce the new labor laws, promote good practices among employers, and increase awareness among workers and civil society organizations. The project is piloting these strategies in the States of Jalisco and Mexico, as well as Mexico City. The three strategic objectives are as follows:

- 1) Improve enforcement of the expanded protections against labor discrimination by labor inspectors.
- 2) Increase employer participation in social compliance programs.
- 3) Improve worker understanding of the legal reforms on labor discrimination and willingness to report violations.

The mid-term evaluation sought to assess program design, review the ongoing progress made toward the achievement of project outcomes, and identify lessons learned from its program strategy and its key services implemented to date. Within this context, the evaluation Terms of Reference (TOR) contained a specific set of questions to guide the evaluation. These questions addressed key issues related to the project’s (1) relevance, (2) design and performance monitoring, (3) progress and effectiveness, (4) efficiency, (5) management, and (6) sustainability and impact orientation.

### **Relevance**

The IGUALDAD project has identified appropriate strategies to address the gender-related labor discrimination priorities identified by stakeholder groups including STPS officials, employers and civil society organizations. The capacity building strategies aimed at local and federal STPS officials will strengthen their ability to protect workers from D-GSOPS. At the same time, the extent to which project strategies are meeting the specific needs of workers is unknown since activities aimed at workers are not scheduled to begin until the second half of the project timeline.

## **Project Design and Performance Monitoring**

The project’s **theory of change** clearly laid out the pathways or strategies that will lead to the expected change, which in this case is increased compliance with workplace policies that protect workers from D-GSOPS. The conditions that are needed for this change to occur form the basis of the project’s objectives and activities. At the same time, these conditions did not take into account the necessity of securing sufficient political will on the part of all key stakeholders to successfully achieve project objectives.

The comprehensive design of HAI’s **PRIME performance monitoring tool** greatly facilitates on-going monitoring of activities, outputs and outcomes and is considerably more detailed than the project’s performance monitoring plan (PMP). This lack of detail may be attributed to a miscommunication between donor and grantee rather than a flawed PMP design.

## **Project Progress and Effectiveness**

The project is on track to meet the majority of **indicator targets** as demonstrated by the significant progress or achievement of 15 of 20 activities. There is no evidence of progress toward achieving key performance indicators such as the change in the number of gender discrimination violations that are detected by STPS or the change in the number of violations that are remedied, but these outcomes will be assessed at the end of the project. Activities showing poor progress to date are due to delays within specific STPS units and the slow response of STGEM, private sector employers and trade unions.

The project has effectively **engaged** the Ministry of Labor at the federal level (STPS) and the Ministry of Labor in the State of Jalisco (STPSJ) as demonstrated by the participation in project activities, awareness of labor discrimination issues and renewed commitment to protect workers from D-GSOPS. The hesitancy of the Ministry of Labor in the State of Mexico (STGEM) to support project activities can be partially attributed to a different process and timeline to gain this buy-in as well as some purposeful disengagement by the previous STPS liaison. The difficulties in engaging employers, CSOs in the State of Mexico and trade unions may be partially averted once the CSO subawardees begin conducting intensive outreach to these stakeholder groups.

## **Efficiency**

In the area of **efficiency**, the underspending of financial resources during the first half of the project is reasonable given that the project will soon be allocating a significant amount of resources to the hiring of consultants and CSOs to support project activities.

With regard to **time** and **human resources**, the project has shown good time management by completing the majority of its activities within the timeframe shown in the project timeline. Nevertheless, the slow rate of follow-up and inconsistent communication with some stakeholder groups may indicate that the project is inadequately staffed and/or the work is not being distributed or delegated effectively within the existing staffing structure.

## **Project Management**

**Management Structure:** Project implementation tasks in both pilot states and Mexico City require additional technical staff to conduct the necessary outreach and follow-up with project stakeholders. Furthermore, the inability to consistently meet as a project team to discuss progress, challenges and the division of tasks may be contributing to the delays in stakeholder communication and follow-up.

**External communication:** The project’s communication mechanism with stakeholders during the first half of the project mostly benefitted STPS officials, although this can be attributed to the vast majority of activities involving STPS units. Communication with employers and CSOs were not sufficiently adequate to keep these stakeholder groups informed of project progress, results and upcoming activities.

## **Sustainability and Impact Orientation**

At mid-term, the project has made **good progress on supporting the sustainability elements** identified in the project’s sustainability plan and in implementing viable exit strategies. The project has successfully developed or updated tools that will enable STPS to apply a gender perspective within its protocols and documents. The project’s capacity building efforts will enable stakeholders to better identify workplace discrimination and take the appropriate actions to report such violations. The pending awareness activities are expected to increase the ability of stakeholders to advocate for workplace anti-discrimination policies and increase employer participation in STPS’s social compliance mechanisms that promote such policies.

## **Recommendations**

The following **recommendations** are intended to provide the IGUALDAD project staff and the donor with suggested actions that can further strengthen project outcomes and/or be applied to similar projects.

- (1) **Conduct focused employer outreach:** Project staff should make a concerted effort to raise the awareness of employers regarding their obligations to comply with gender-related anti-discrimination policies. The project should implement personalized strategies to gain the support of specific employers and secure their participation in project activities. Project staff should aim to complete the workplace assessments by the first quarter of year three in order to allow sufficient time to assess the impact of recommendations to improve compliance with anti-discrimination policies.
- (2) **Follow-up on recent agreement with STGEM:** Project staff should immediately begin implementing the various project activities that target STGEM and provide frequent feedback to state ministry officials and the federal delegation regarding the results of these activities.
- (3) **Strengthen external communication mechanisms:** Project staff should consider publishing periodic communication bulletins on the HAI webpage to increase project visibility and help keep all stakeholders apprised of project progress. HAI should

consider redesigning the webpage so that the information can be easily accessed and reader friendly.

- (4) **Assess project staffing structure:** HAI should assess the project’s staffing structure to ensure that there is sufficient technical capability among existing staff and that work is being allocated in the most effective manner. The staffing structure and division of tasks must allow sufficient time to conduct essential communications, outreach and follow-up activities with stakeholders in both pilot states and Mexico City. HAI should discuss any additional funding needed, or reallocation of the existing budget line items, with headquarter advisory committees or donor representatives.
- (5) **Increase awareness on gender-related labor discrimination issues:** Project staff should expand its awareness efforts to help increase project participation and buy-in among employers, CSOs and worker organizations, which have been absent or reluctant to participate. Project staff should look for existing venues to promote STPS’s social compliance mechanisms, recognize good employer practices and disseminate information regarding gender-related anti-discrimination policies and reporting mechanisms to workers and worker organizations.
- (6) **Assess project performance based on HAI’s PRIME tool:** USDOL should request that HAI submit the PRIME performance monitoring tool in lieu of the standard USDOL performance monitoring template since the PRIME tool offers a more comprehensive assessment of project performance. HAI may consider highlighting the key performance indicators required by USDOL within the PRIME tool.
- (7) **Document revisions to IGUALDAD project budget and target groups:** HAI may consider requesting a formal Project Revision from USDOL to modify their Cooperative Agreement given the significant changes in budget allocations and the expanded number of target beneficiaries.
- (8) **Commit to longer-term financial support of projects that have a policy focus:** USDOL should consider extending the timeframe of financial support for projects whose focus is on supporting new policy initiatives such as Mexico’s 2012 Federal Labor Law reform. Projects need sufficient time to assess how stakeholders applied or implemented policies to protect workers from D-GSOPS and the results of that implementation.

---

# I PROJECT BACKGROUND AND DESCRIPTION

---

## 1.1 PROJECT BACKGROUND

In December 2014, the United States Department of Labor (USDOL) awarded Heartland Alliance International (HAI) US \$1.38 million to implement a three-year project entitled *Initiative to Guard Against Labor Discrimination* (IGUALDAD). This technical cooperation project aims to protect workers in Mexico from labor discrimination including sexual harassment and discrimination based on gender, sexual orientation, and pregnancy status (D-GSOPS).

The project was established to support Mexico’s 2012 Federal Labor Law reforms<sup>1</sup>—the first revision of the labor law since 1970—that expanded protections for workers against D-GSOPS.<sup>2</sup> While the inclusion of gender-related anti-discrimination policies is positive, use of these provisions by workers and their organizations has been limited. This is largely attributed to the lack of awareness of the new protections and a widespread opinion among independent unions and worker rights advocates that the overall impact of the labor law reform has reduced workers’ ability to organize independent, member-controlled unions.<sup>3</sup>

The Mexican Ministry of Labor (Secretaría del Trabajo y Previsión Social or STPS) is ultimately responsible for enforcing the new labor discrimination protections, but knowledge of the new protections is not widespread, and enforcement remains weak. One significant challenge to effective enforcement is the small number of workers filing labor discrimination complaints with authorities. In Jalisco and the State of Mexico, the STPS Attorney General’s Office only documented one labor discrimination complaint for each state during all of 2015.<sup>4</sup> One contributing factor, according to State officials and civil society organizations, is the low level of awareness among workers regarding the expanded list of prohibited categories of discrimination under the law. Another factor cited by the STPS Attorney General’s office is that workers are often encouraged by officials receiving the complaints to file discrimination cases under more general labor law provisions, such as the ban on unjustified firing, since discrimination cases are so hard to prove.<sup>5</sup>

The lack of State action has led some workers’ rights organizations to lack faith in government authorities to resolve labor discrimination cases. For example, in the state of Jalisco, representatives of the Center for Labor Action and Studies (CEREAL) commented that they receive approximately 1,200 discrimination complaints every year from workers in the electronics industry alone, none of which are referred to the STPS Attorney General’s Office.

---

<sup>1</sup> Mexican Standards for Labor Equality and non-discrimination known as “Norma Mexicana NMX-R-025-SCFI-2015 en Igualdad Laboral y No Discriminación”.

<sup>2</sup> The 2012 Federal Labor Law states that there should not be any form of discrimination on the basis of gender and sexual orientation, and that the law protects the right to substantive equality amongst female and male employees (Ley Federal del Trabajo, NMX-R-025-SCFI-2015, Article 2).

<sup>3</sup> LaBotz, Dan, “Mexico’s Labor Law Changes Undermine Worker Rights,” *Labor Notes*, September 25, 2012. <http://labornotes.org/blogs/2012/09/mexico%E2%80%99s-labor-law-changes-undermine-worker-rights>

<sup>4</sup> Statistics on discrimination reported in 2015 for the States of Mexico and Jalisco from the database known as Sistema Integral de Procuración de la Defensa del Trabajo (SIPRODET)

<sup>5</sup> Attorney General for the Defense of Workers (PROFEDET), Personal communication, July 6, 2016.

Rather, CEREAL takes on the role of legal advocate and whistleblower on behalf of workers, with perhaps five percent of cases reaching any kind of resolution.<sup>6</sup> Of these, however, only ten percent or roughly six cases per year are gender related.

## 1.2 PROJECT DESCRIPTION

The IGUALDAD project aims to increase compliance with Mexico’s expanded protections against labor discrimination based on gender, sexual orientation and pregnancy status by increasing the capacity of the Mexican Ministry of Labor (STPS) to enforce the new labor laws, promote good practices among employers, and increase awareness among workers and civil society organizations. The project is currently piloting strategies in the States of Jalisco and Mexico, as well as Mexico City. The three strategic objectives are as follows:

- 1) Improve enforcement of the expanded protections against labor discrimination by labor inspectors.
- 2) Increase employer participation in social compliance programs.
- 3) Improve worker understanding of the legal reforms on labor discrimination and willingness to report violations.

The IGUALDAD project intends to achieve important outcomes for the Government of Mexico (GoM), employers, workers and civil society organizations. These results are summarized below in Table 1.

**Table 1: Anticipated Outcomes by Sector**

Sector	Anticipated Outcomes
GoM/STPS	<ul style="list-style-type: none"> <li>• STPS labor inspectors better identify and remedy violations related to unlawful labor discrimination practices.</li> <li>• STPS increases its reach to monitor compliance with 2012 federal anti-discrimination laws.</li> </ul>
Employers	<ul style="list-style-type: none"> <li>• STPS formally promotes the use of best practices with respect to combating discrimination in accordance with the 2012 laws in its social compliance mechanisms among employers and other stakeholders.</li> <li>• Employers participate in STPS social compliance mechanisms that promote and recognize good practices.</li> <li>• Safe spaces for employer collaboration and exchange to promote social compliance mechanisms are created and used.</li> </ul>
Workers	<ul style="list-style-type: none"> <li>• Workers are well informed of their updated labor rights with a focus on D-GSOPS.</li> <li>• Workers are knowledgeable of how to report violations and have access to reporting mechanisms</li> </ul>
Civil Society Organizations	<ul style="list-style-type: none"> <li>• Workers rights organizations and networks in pilot states better advocate for and advance their affiliates’ rights in the workplace when they report violations related to gender discrimination and violence.</li> </ul>

<sup>6</sup> CEREAL, Personal Communication, July 13 2016.

---

## II EVALUATION PURPOSE AND METHODOLOGY

---

### 2.1 EVALUATION PURPOSE

The mid-term evaluation sought to assess program design, review the ongoing progress made toward the achievement of project outcomes, and identify lessons learned from its program strategy and its key services implemented to date. Within this context, the evaluation Terms of Reference (TOR) contained a specific set of questions to guide the evaluation. These questions addressed key issues related to the project’s (1) relevance, (2) design and performance monitoring, (3) progress and effectiveness, (4) efficiency, (5) management, and (6) sustainability and impact orientation. The entire list of evaluation questions can be found in the Terms of Reference (TOR) in Annex A.

### 2.2 EVALUATOR AND EVALUATION ADVISOR

An external evaluator with a background in labor, education and public health conducted the interim evaluation. The evaluator has extensive experience planning and implementing education and training programs on occupational safety and health and workers’ rights, including six workshops in Mexico for workers in garment and electronic industries, leaders of community-based organizations and organizers of independent unions.

The evaluator has conducted over 30 evaluations of international development projects in Central and South America, the Caribbean and Southeast Asia. Projects focused on workers’ rights, child labor, and occupational health and safety. The evaluator, in consultation with USDOL and IGUALDAD project staff, was responsible for developing the evaluation methodology, conducting interviews and other data collection processes, analyzing the data, and preparing the evaluation report.

The evaluation team also included the advisory services from an OSH expert. The advisor provided bilingual OSH inspection services for over 20 years in California and along the Mexican border. The advisor is well versed in Mexican Federal Labor Law, and has conducted numerous OSH and workers’ rights training for civil society organizations in Mexico.

### 2.3 METHODOLOGY

The methodology used for the data collection was primarily qualitative in nature. Quantitative data were obtained from project documents and reports and incorporated into the analysis. Data collection methods and stakeholder perspectives were triangulated for many of the evaluation questions to bolster the credibility and validity of the results. A structured interview protocol was followed, with adjustments for each person’s background knowledge and level of involvement in project activities. The data collection process included a document review, development of data collection tools, field visits, stakeholder interviews, and the compilation of data into a matrix for final analysis.

**Evaluation Schedule:** The evaluation was conducted over a six-week period extending from June to August 2016. The evaluator contributed to the development of the TOR, reviewed project

documents, and developed interview tools prior to carrying out fieldwork in Mexico. The fieldwork was conducted from July 4-15. The majority of the data analysis and writing of the report occurred from July 18-August 8. The complete schedule of evaluation activities appears in Annex B.

**Data Collection:** The evaluation questions developed by USDOL and HAI served as the basis for the guides and protocols used in the key informant interviews and document reviews. The master interview guide can be found in Annex C. Following is a description of the methods employed to gather primary and secondary data.

- *Document Reviews:* The evaluator reviewed and referenced numerous project documents and other reference publications. These documents included the project narrative (April 2015), performance monitoring plan (PMP), technical progress reports, training material and other supporting project documents obtained during the fieldwork component. Annex D shows a complete list of documents that were reviewed.
- *Observations:* The evaluator conducted observations of four activities: 1) training course for STPS officials focusing on labor discrimination issues, 2) diagnostic study of workplace to assess D-GSOPS, 3) ceremony for STPS Jalisco officials who completed the 20-hour training on labor discrimination, and 4) signing ceremony commemorating the agreement between STPSJ and IGUALDAD.
- *Key Informant Interviews:* The evaluator conducted interviews with stakeholders in Mexico City and in the two pilot states—Jalisco and the State of Mexico. A total 84 stakeholders—41 males and 43 females were interviewed individually or in small groups. These included IGUALDAD project staff/HAI representatives; state and federal Ministry of Labor representatives; employer sector representatives; members of civil society organizations; and representatives of independent and “company-backed” unions.<sup>7</sup> Table 2 provides a summary of the stakeholder groups interviewed, sample size and their characteristics. A complete list of individuals interviewed appears in Annex E.

**Table 2: Stakeholders, Sample Size and Sample Characteristics**

Stakeholder Group	Sample Size		Sample Characteristics
	M	F	
IGUALDAD project staff /Heartland Alliance International (HAI)	3	4	Five members of the IGUALDAD project staff based in Mexico City and Guadalajara; two members of the larger HAI staff

---

<sup>7</sup> Company-backed unions are often called “protection” unions, “false” trade unions or “ghost” unions since they are often unknown to the workers that they represent. The vast majority of union contracts in Mexico are negotiated with company-backed unions rather than independent unions.

Stakeholder Group	Sample Size		Sample Characteristics
	M	F	
Mexican Ministry of Labor (Secretaría del Trabajo y Previsión Social: STPS), Federal Level	14	16	Individual or group interviews conducted with eight different units within the Mexican Ministry of Labor: Inspection, Inclusion, International Affairs, Domestic Legal Affairs, Attorney General, Gender, Communications, Professional Development, Health and Safety. The Ministry of Labor is the project’s primary counterpart
STPS Federal Delegation	6	6	Group interviews with STPS Federal Delegates in Jalisco and the State of Mexico
Ministry of Labor in the State of Jalisco (STPSJ)	5	4	Group interview with STPSJ staff who participated in the project’s training on labor discrimination issues; individual interview with State Minister of Labor
Ministry of Labor in the State of Mexico (STGEM)	1	--	Interview with the chief advisor for the STGEM
Private Sector	8	2	Representatives of private enterprise, outsourcing agency and employer organization
Trade Unions	--	2	Representatives from one independent trade union and one “company-backed” union (dominated or influenced by employer)
Civil Society Organizations	2	7	Non-governmental organizations and trade unions addressing issues of D-GSOPS
U.S. Government	--	1	Representative from U.S. Embassy in Mexico City
Other	2	1	External consultants
<b>TOTAL</b>	<b>41</b>	<b>43</b>	

**Discussion:** All efforts were made to ensure that the evaluator interviewed an equal number of male and female tripartite stakeholders representing the GoM, private sector, and CSOs in Mexico City and the two pilot states. Stakeholders were selected based on their knowledge of and participation in project activities. The vast majority of interviews (70%) took place with STPS officials since activities during the first 18 months primarily focused on this sector. The project has experienced difficulty accessing workers through their respective trade unions; therefore, workers were not included in the evaluation interview agenda. According to the project work plan, project activities directly benefitting workers are scheduled to begin during the final 18 months of the project.

**Data Analysis:** The document review and stakeholder interviews generated a substantial amount of raw qualitative data, which was then categorized, synthesized, and summarized. The data analysis process was driven by the TOR evaluation questions.

**Debriefing:** The evaluator conducted a debriefing meeting in Mexico City with 28 project stakeholders on July 15, 2016 to present preliminary findings, solicit clarifications, and gather further input regarding strategies to help overcome challenges identified to date.

**Limitations:** The findings for this evaluation are based on information collected from background documents and interviews with project stakeholders. The evaluator did not have access to workers to directly include their perceptions of workplace discrimination or their knowledge of mechanisms to report any violations. The accuracy and usefulness of the evaluation findings relies on the integrity and relevance of the information provided to the evaluator from the available sources.

## III FINDINGS

The following findings are based on fieldwork interviews with project stakeholders in Mexico, and a review of project documents and reports. The findings address the questions in the TOR (appearing in italics) and are organized according to the following evaluation areas: relevance, project design and validity, effectiveness, efficiency, project management, and impact orientation and sustainability.

### 3.1 RELEVANCE AND STRATEGIC FIT

The IGUALDAD project’s relevance and strategic fit examines 1) the priorities and needs of key stakeholders; 2) the extent to which the project activities are relevant to current priorities identified; and 3) any additional initiatives that should be considered in order to meet current needs.

#### 3.1.1 Stakeholders’ Priorities and Needs

*To what extent are the project’s interventions consistent with the needs (and obligations) of key stakeholders including trade union representatives, workers, employers, the Government of Mexico (particularly officials within the Labor inspectorate), and Justice ministries? Have stakeholders’ needs changed that would warrant a change in interventions?*

Stakeholders reflected on project activities during the first half of the project and whether or not these interventions addressed their current needs to address workplace discrimination issues. These perceptions, which were discussed in depth during the evaluation stakeholder meeting on July 15, are summarized in Table 3. This analysis only includes the perceptions of STPS officials, employer organizations and CSOs. The evaluator was unable to directly access workers to document their perceptions.

**Table 3: Assessment of Project Strategies that Address Stakeholders’ Priorities**

Labor Discrimination Priorities Identified	Assessment of Project Strategies that Address Priorities Identified
<p><b>Increase awareness of discrimination</b> based on gender, sexual orientation and pregnancy status targeting STPS, employers, workers, and civil society organizations</p>	<p>Year 2 project activities include the creation of a working group to develop and implement an awareness campaign on labor discrimination issues and effective reporting mechanism. The project is currently focusing on a campaign to increase employer participation in social compliance mechanisms. Staff turnover in the STPS Communications Office has contributed to slower advancement in the development of the campaign targeting employers.</p>
<p><b>Strengthen the capacity of STPS</b> labor inspectors to better detect workplace discrimination issues and make proper referrals.</p>	<p>A large group of STPSJ inspectors and two federal inspectors in Mexico City have been trained on the expanded labor discrimination policies as well as detecting and reporting cases of D-GSOPS. STGEM inspector training is scheduled for August 2016. An electronic version of the training has also been developed, however, this needs to be adjusted for use by the labor inspectorate. IGUALDAD also plans to update the labor inspectorate’s training platform so that the training can be</p>

Labor Discrimination Priorities Identified	Assessment of Project Strategies that Address Priorities Identified
	accessible to all labor inspectors nationwide.
<p><b>Raise awareness of STPS personnel</b> regarding expanded anti-discrimination laws and ensure these are being respected/applied within the agency before enforcing them outside of the agency.</p>	<p>The project has implemented diagnostic studies with state and federal STPS offices to assess their adherence to laws protecting employees from discrimination based on gender, sexual orientation, and pregnancy status. This was followed by strategic training workshops with STPS staff and follow-up discussions on labor discrimination issues within STPS.</p>
<p><b>Build the capacity of the STPS Attorney General’s office</b> (PROFEDET) in order to better identify cases of D-GSOPS and reach a fair resolution.</p>	<p>Training conducted with PROFEDET attorneys to raise awareness on labor discrimination issues and better support those workers who file discrimination complaints. Due to the positive feedback, PROFEDET requested additional training workshop.</p>
<p><b>Expand project activities and training</b> on labor discrimination to include all STPS personnel, employers and civil society organizations.</p>	<p>The project originally targeted just two STPS units in Mexico City; however, HAI requested including six additional STPS units since the project deliverables required approval from other units including Communications, IT, Legal, Safety and Health, Gender and Human Resources. The project will be working with the STPS training department within the labor inspectorate to train trainers and further scale-up project activities and training. A training of trainers is also planned for civil society organizations, including trade unions, during the second half of 2016.</p>
<p><b>Increase employer awareness and participation in STPS’s social compliance mechanisms</b> i.e., Distinguished Enterprise award that recognizes companies implementing inclusion and anti-discrimination policies.</p>	<p>The project supported the development of an electronic platform to facilitate the nationwide participation of employers in the “Distinguished Enterprise” awards.<sup>8</sup> HAI has proposed creating new, separate electronic platform for the states of Jalisco and Mexico.</p>

**Discussion:** The labor discrimination priorities identified by stakeholder groups interviewed (Table 3) suggest that the project is responding to the needs of these stakeholders. The original project design had not included some of the planned activities such as a training of trainers and the development of separate electronic platforms for the local social compliance mechanisms in each of the pilot states; however, as needs have emerged, the project has adjusted its planned activities to accommodate additional activities or beneficiaries that could further promote good business practices related to gender. At the same time, this expansion did not come with any additional funding or project staff.

<sup>8</sup> STPS’s Distinguished Enterprise awards website: [www.distintivos.stps.gob.mx](http://www.distintivos.stps.gob.mx)

### **3.1.2 Building the capacity of the GoM to protect workers from labor discrimination**

*Is the project relevant to enabling the GoM’s obligation to fulfill its duties of protecting workers from workplace discrimination on the basis of gender, as well as implementing and enforcing the new protections against labor discrimination?*

The project has successfully implemented a number of activities to strengthen the capacity of the GoM/STPS to fulfill its duties of protecting workers from workplace discrimination based on gender, sexual orientation, and pregnancy status. These activities include the following:

- Diagnostic study of STPS staff in Mexico City and with the Federal Delegations in each of the pilot states to assess knowledge and presence of D-GSOPS within the workplace.
- Implementation of six 20-hour training courses for STPS and STPSJ personnel focusing on labor discrimination issues.
- Roundtables with tripartite stakeholders to discuss the 2012 reforms to the Mexican Federal Labor Law focusing on expanded labor discrimination issues.

*Diagnostic study:* The project conducted a “gender assessment” of seven different units within the STPS, along with the local labor ministries in Jalisco and the State of Mexico, in order to assess employees’ knowledge of the expanded labor discrimination laws and to determine the existence of D-GSOPS within STPS. The results of the study were widely disseminated within the participating STPS units. According to STPS officials in Jalisco, the State of Mexico and Mexico City, the findings from these diagnostic studies were “surprising.” This led to the development of a plan of action to better address workplace discrimination. The results of the diagnostic study helped identify key issues to include within the training curriculum targeting STPS staff.

*Training on workplace discrimination issues:* Interviews with 15 STPS staff members who participated in the project training courses agreed that the course content increased their awareness regarding discrimination based on gender, sexual orientation and pregnancy status. Specifically, STPS staff stated that the training would help them identify a broader range of workplace discrimination issues and the proper mechanisms for reporting such cases. STPS officials noted that the training course has been recognized as part of the Professional Career Service program, which requires 40 continuing education hours per year. The training on labor discrimination issues can account for 20 of those hours.

*Roundtables:* The project conducted two roundtables in each of the targeted states and Mexico City with representatives from the GoM, local labor authorities, employer groups, academia and civil society organizations. The roundtables focused on the 2012 Mexican Federal Labor Law reforms on gender equality and non-discrimination and each sector’s response to address these changes. Several GoM representatives stated that these forums were particularly useful since combating D-GSOPS requires a multi-stakeholder effort. Project staff stated that the roundtables also helped in the development of a self-assessment strategy for enterprises to assess their compliance with laws that protect workers from D-GSOPS.

## 3.2 PROJECT DESIGN AND PERFORMANCE MONITORING

The following section assesses the logical integrity of the project design and the effectiveness of the performance monitoring tools against the USDOL requirements for project design and performance monitoring as stipulated in the 2014 Management Procedures and Guidelines (MPGs) for USDOL Cooperative Agreements.

### 3.2.1 Project Design Planning Process

In 2013, USDOL conducted a fact-finding mission to Mexico to discuss a technical assistance project that would support efforts to enforce the strengthened discrimination clause in the Federal Labor Law Reform of 2012. STPS officials from three units participated in a meeting with USDOL officials, along with U.S. Embassy representatives, to discuss a project design focused on combating labor discrimination based on gender, sexual orientation, and pregnancy status. While all of the STPS participants stated that they were satisfied with their level of input, other units were disappointed that they had not been invited to participate in the early project design process. According to IGUALDAD project staff, this omission affected the full buy-in from Ministry staff during the project’s first year, but they were later able to meet with the individual units to assess their needs.

### 3.2.1 The Project’s Theory of Change

*Is the project design consistent with the criteria in the (applicable) MPG(s)?*

At the core of every project design is the project’s hypothesis or its theory of change (ToC). A project’s ToC should tell us how and why a given intervention would lead to change. More specifically, the ToC should clarify what change is expected to occur, the conditions that are necessary for this change to occur, and the complementary activities to foster these conditions.<sup>9</sup> Table 4 outlines the IGUALDAD project’s theory of change, followed by an analysis of its content and viability.

**Table 4: IGUALDAD Project - Theory of Change (ToC)**

*ToC: IF the Mexican Ministry of Labor (Secretaría del Trabajo y Previsión Social) strengthens its capacity to enforce the 2012 labor reform, the number of employers participating in STPS social compliance mechanisms increases, and there is a rise in the number of workers willing to seek remedy to labor violations, THEN there will be increased compliance with the new protections against sexual, gender and pregnancy-based discrimination and violence in the workplace.*

**Discussion:** The project’s theory of change clarifies how the change is expected to occur—by increasing compliance with the expanded anti-discrimination policies. In order for this to happen, however, the project strategies must aim to (1) strengthen STPS capacity, (2) increase employer

<sup>9</sup> USDOL ILAB, Management Procedures and Guidelines: Cooperative Agreements, 2014.

participation, and (3) increase workers’ awareness and willingness to report labor violations. These conditions form the basis for the project objectives and activities.

While the project’s ToC is based on a logical set of factors, there still must be sufficient political will on the part of key stakeholders in order to achieve project objectives. The first half of the project was slow in securing project buy-in from ministry officials at the federal level and especially in the State of Mexico (STGEM). Some of these challenges are discussed in further detail in Section 3.3.2, “Factors Affecting Project Progress.”

### 3.2.2 Results-based Design

*Is the project design consistent with the criteria in the (applicable) MPG(s)?*

USDOL/OTLA requires a results-based design approach for all of its technical assistance projects. Result-based design approach simply means making sure that the project design focuses on *results* rather than activities and outputs. USDOL’s 2014 Management Procedures and Guidelines (MPG) requires projects to use a **Results Framework** to graphically depict the project design as a sequence of cause-and-effect events that include activities, outputs, objectives (both short- and medium-term), a long-term outcome, and critical assumptions. Table 5 examines a sample of the IGUALDAD project design components and the extent to which they meet the criteria for a result-based design.

**Table 5: Assessment of Project Design against Results-based Design Criteria**

Development Objective/Long-term Outcome Identified	Analysis of Results-based Criteria for Development Objective
<p>Increased compliance with expanded protection against labor discrimination and sexual harassment in the workplace under Mexican law, with a focus on discrimination based on gender, sexual orientation, and pregnancy status (D-GSOPS)</p>	<p><b>The development objective or long-term outcome</b> is the change that the project seeks to achieve—its impact. The project alone probably cannot achieve the identified long-term outcome, but it should contribute significantly to its attainment. In this case, the development objective meets results-based design criteria of addressing the change the project seeks to achieve: <i>Increase compliance with the expanded labor anti-discrimination laws.</i></p>
Strategic/Medium-term Objectives (SO)	Analysis of Results-based Criteria for Strategic/Medium-term Objectives
<p><b>SO 1:</b> Improved enforcement of the expanded protections against labor discrimination under Mexican labor law by STPS labor inspectors with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and mandatory pregnancy testing.</p> <p><b>SO 2:</b> Increased employer participation in STPS social compliance programs that incorporate best practices with respect to combating D-GSOPS.</p> <p><b>SO 3:</b> Improved worker understanding of the 2012 legal reforms on D-GSOPS, and increased knowledge of how and willingness to report violations.</p>	<p><b>Strategic or medium-term objectives</b> are outcomes or results that represent changes/improvements in policies, knowledge, skills, behaviors or practices that a project expects to accomplish and that would lead to the long-term outcome. The intermediate objectives listed for the IGUALDAD project <i>all</i> meet the results-based design criteria of changes in policies, knowledge, skills, behavior or practices that the project expects to accomplish and <i>all</i> of these lead to the long-term objective of increased compliance with reformed labor laws.</p>

<b>Intermediate Results/Short-term Objectives (Sample)</b>	<b>Analysis of Results-based Criteria for Intermediate Results/Short-term Objectives</b>
<p><b>IR 1.1:</b> STPS labor inspectors have improved tools and skills to help them better identify and facilitate the remedying of violations related to unlawful labor discrimination practices.</p> <p><b>IR 2.1:</b> STPS takes ownership of best practices with respect to combating discrimination in accordance with the 2012 laws in its social compliance programs.</p> <p><b>IR 3.1:</b> Workers inform STPS work by participating in a campaign aimed at providing information on workplace labor discrimination through a reporting mechanism.</p>	<p><b>Immediate results or short-term objectives</b> are smaller milestones that should be achieved when moving toward a medium-term objective or long-term outcome. All three of these short-term objectives meet the results-based design criteria for short-term objectives since they can be interpreted as smaller milestones contributing to the larger objectives.</p>
<b>Outputs (sample)</b>	<b>Analysis of Results-based Criteria for Outputs</b>
<p>1.1.1 Improved labor inspection tools</p> <p>2.1.1 Training program for STPS personnel on the use of the new online platform to be used with STPS’s Distinguished Enterprises award.</p> <p>3.1.1 Electronic-based reporting mechanism to facilitate the process of workers reporting cases of discrimination directly to labor authorities</p>	<p><b>Outputs</b> are the tangible results (i.e., products, services or systems) that lead to achieving the intermediate objectives. The project is responsible for producing outputs, which must support both short-term and medium-term objectives. Each of the outputs listed are tangible results (inspection tools, trainings and reporting mechanism). Each has a direct causal link to one or more of the short- or medium-term objectives listed above.</p>
<b>Activities (sample)</b>	<b>Analysis of Results-based Criteria for Activities</b>
<p>1.1.1.1 Support STPS to update/finalize their inspection toolkit</p> <p>2.1.1.1 Work with STPS to create an online database and documentation platform to be used with the Distinguished Enterprise award.</p> <p>3.1.1.1 Assess accessible data on gender discrimination to evaluate current impediments to reporting violations and government awareness-raising campaigns on the subject</p>	<p><b>Activities</b> are the specific actions that the project executes to produce outputs. All activities are directly linked to produce outputs.</p>
<b>Critical Assumptions (sample)</b>	<b>Analysis of Results-based Criteria for Project Assumptions</b>
<ul style="list-style-type: none"> <li>• Local actors will be willing to collaborate with STPS and HAI</li> <li>• Local actors will be willing to undergo independent monitoring or diagnosis other than inspection visits, since official inspections can only be carried out by local and federal inspectors</li> </ul>	<p>All critical assumptions identified specific circumstances that are beyond the control of the project but are critical for its success.</p>

Sources: (1) USDOL ILAB, Management Procedures and Guidelines: Cooperative Agreements, 2014; (2) IGUALDAD Project Narrative; (3) IGUALDAD Project’s Results Framework

Table 5 demonstrates the logical connection between the IGUALDAD project components. The logical sequence tells us how changes are expected to occur at different levels: activities lead to outputs, which lead to outcomes, which ultimately contribute to achieving the long-term outcome.

### 3.2.3 Performance Monitoring Tools

*How appropriate and useful is the PMP (including indicators) in assessing the project’s progress?*

A performance monitoring plan (**PMP**) is required of all USDOL ILAB/OTLA projects. The PMP is a tool to assist in managing the process of monitoring, analyzing, evaluating, and reporting progress toward achieving the stated project objectives. A well-designed PMP enables a project to compare data over time by clearly defining performance indicators, specifying the method and frequency of data collection, and identifying the responsible parties for data collection and analysis. Each of the performance indicators must establish baseline values and end-of-project target values. Indicator measurements are stored in the project’s Data Tracking Tables, which are submitted to USDOL every six months to demonstrate progress.

For the purposes of performance monitoring, the project’s PMP is fairly limited since it only includes data for the key performance indicators pertaining to the three strategic objectives. According to project staff, USDOL requested that only the key performance indicators (KPI) be included in the PMP. However, according to USDOL, this was a misunderstanding. USDOL wanted the project to identify the KPIs in order to add the data collected as part of ILAB’s annual project outcomes within the larger USDOL performance reporting, but the project’s PMP should reflect all of the performance indicators that the project is using.

In addition to the PMP, HAI requires all of its projects worldwide to develop an internal performance monitoring tool known as “PRIME Dashboard” (**PRIME**). The most outstanding difference between the PMP and PRIME tool is that the PRIME tool includes performance indicators at all results levels—from outputs to outcomes. The comprehensive design of the PRIME tool greatly facilitates on-going monitoring of activities, outputs and outcomes.

**Performance indicators** are the measures or benchmarks that determine whether, or the degree to which, the project has successfully achieved its objectives or produced its outputs. USDOL’s 2015 MPG recommends that each short- or medium-term objective have at least one indicator. Prior to 2015, USDOL did not give any specific recommendations regarding the number or type of performance indicators.

The PRIME tools contain a mix of outcome and output indicators. The two monitoring plans contain the same performance indicators for the strategic objectives; however, the PRIME tool has indicators for intermediate results and some additional output indicators that are required of HAI projects worldwide. Table 6 compares the performance indicators and data tracking tables of the PMP and PRIME performance monitoring tools.

**Table 6: Comparison of PMP versus PRIME Performance Monitoring Tools**

Points of Comparison	PMP	PRIME	Comments
(1) Performance Indicators	<ul style="list-style-type: none"> <li>6 key performance indicators (KPI)</li> </ul>	<ul style="list-style-type: none"> <li>19 outcome indicators (including the six KPIs required by USDOL)</li> <li>38 output indicators (five of</li> </ul>	<ul style="list-style-type: none"> <li>The PMP only includes the KPIs; therefore, the PRIME tool is used to examine intermediate results.</li> </ul>

Points of Comparison	PMP	PRIME	Comments
		which are standard indicators of all HAI projects)	• Output indicators in the PRIME tool are appropriately linked to activities.
(2) Data Tracking Tables	<ul style="list-style-type: none"> <li>The PMP’s Data Tracking Table is a separate spreadsheet that contains the data to determine progress toward achieving the three strategic objectives (percent change). The PMP data tracking tables are updated biannually and submitted to USDOL.</li> </ul>	<ul style="list-style-type: none"> <li>The PRIME annual target tables are embedded within the same spreadsheet as the PRIME performance monitoring plan. The data that is inputted into the PRIME data tracking tables are linked to different spreadsheets e.g., attendance lists and training participants’ scores. The project submits the PRIME data tracking tables to HAI headquarters on a monthly basis.</li> </ul>	<ul style="list-style-type: none"> <li>The PRIME annual target tables are easily accessible within the PRIME performance monitoring tool. The target values and monthly progress are easy to identify within this document. The PMP data tracking tables are useful for monitoring progress toward achieving strategic objectives but not for monitoring the project’s activities or outputs.</li> </ul>

**Discussion:** The comprehensive nature of HAI’s PRIME performance monitoring tool includes monthly updates and annual summaries for all indicator targets. IGUALDAD staff commented that the PRIME tool is useful for closely monitoring project progress and determining the need to make adjustments to keep the project on track. Project staff commented that the PMP is a tool for communication and accountability with the donor while the PRIME tool is useful for monitoring all aspects of the project’s work plan. USDOL representatives clarified, however, that the project’s PMP should reflect all performance indicators, including output indicators.

### 3.3 PROJECT PROGRESS AND EFFECTIVENESS

*Is the project on track to achieve the indicator targets according to schedule? If not, what have been the obstacles to achievement both in terms of factors that the project is able to influence and external factors beyond its control?*

This section provides a quantitative and qualitative assessment of the project’s effectiveness by examining the performance indicator targets, factors that have affected project progress and stakeholder buy-in of project strategies.

#### 3.3.1 Indicator Targets

An assessment of the project’s *indicator targets* provides an objective way to determine the project’s progress toward achieving the stated outputs and outcomes. Indicator targets for all results levels are listed by time period in the PRIME Data Tracking Table. Table 7 shows the performance indicators for the project activities under each strategic objective, the end-of-project target value and the actual achievement as of June 30, 2016 (50% of the life of project).

**Table 7: Assessment of IGUALDAD Project Performance, through June 2016<sup>10</sup>**

Strategic Objectives and Activities	Performance Indicators	End-of-Project Targets	Total as of June 2016	% of Target Achieved	Status
<b>SO 1: Improved enforcement of the expanded protections against labor discrimination under Mexican labor law by STPS labor inspectors with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and mandatory pregnancy testing.</b>					
Act 1.1.1.1. HAI will assess STPS tools, methods, and expertise on gender equality	# of assessment reports produced	1	1	100%	
Act 1.1.1.2. HAI will support STPS to update/finalize inspection toolkit	# of inspection toolkits updated and finalized for compliance to Mexico's non-discrimination law	1	1	100%	
Act 1.1.1.3. Tech consultant, HAI and STPS develop/ incorporate electronic module into labor inspectorate's long distance learning system	# of electronic modules created and incorporated into STPS's system	1	0	30%	The technical and user requirements have been completed and the bidding process has started. HAI will be hiring the winning proposal during the first half of August 2016.
Act 1.1.1.4. Train (on site and online) STPS labor inspectors on new electronic module and updated inspection toolkit	% of STPS personnel trained that score at least 70/100 on the new electronic module and updated inspection toolkit.	60	0	0%	Training will take place once the electronic system has been finalized.
Act 1.1.1.5 Ongoing monitoring, documentation & refining of tools and methods	# of follow-up reviews conducted on inspection toolkits	2	0	0%	The project has completed analysis of 7 inspection tools for inclusive language and gender perspective. To continue monitoring, the project is completing a manual for STPS officials to assess tools and methods and is proposing two follow-ups: one in late 2016 and one in 2017.
Act 1.1.2.1. HAI conducts gender diagnostic in key departments of STPS	# of staff surveyed in key STPS departments	N/A	533	100%	The unit of measurement is the number of staff surveyed; however, a target number was not initially established. The gender diagnostic was completed and distributed to key STPS departments. A total of 533 surveys were returned which reflects a 71% response rate.
Act 1.1.2.2. Design tailored training curriculum based on the diagnostic of Act 1.1.2.1	# of trainings with tailored curricula created.	1	1	100%	
Act 1.1.2.3: Conduct strategic training workshops with STPS staff using curriculum created on gender	% of STPS staff in key departments that complete at least 80% of	70	73	103%	

<sup>10</sup> The percentage of target achieved is based on the data found in the PRIME tracking table and information gathered during the evaluation fieldwork.

Strategic Objectives and Activities	Performance Indicators	End-of-Project Targets	Total as of June 2016	% of Target Achieved	Status
equality that will make participants generate an implementation plan tackling gender discrimination within STPS	training on gender equality.				
Act 1.2.1.1: Map relevant actors that could contribute to STPS efforts in monitoring compliance with labor law reform	# of maps produced	1	1	100%	
Act 1.2.1.2: Assist in defining relationships between local actors and STPS regarding monitoring compliance with the law					
Act 1.2.1.3: Guide STPS labor inspectors and allies on how to ensure local actors fully embrace and comply with the new legislation to combat gender discrimination through roundtable discussions	# roundtable discussions held	4	4	100%	
Act 1.2.1.4. Monitor collaboration between local actors and STPS inspectors to provide adequate guidance on how to facilitate referral networks and follow up on cases related to gender-based labor discrimination	# strategic reviews applied by HAI	2	0	0%	This is related to the lack of participation from the private sector. Diagnostic observations are delayed but also will be part of the CSO sub-award deliverables.
<b>SO 2: Percent change in the number of employers participating in STPS social compliance mechanisms</b>					
Act 2.1.1: Work with STPS to create an online database and documentation platform to be used with the social compliance mechanisms	# of electronic platforms created	1	0	90%	The database program has been completed; however, HAI still requires additional information from STPS for the actual data entry.
Act 2.1.2: Train relevant personnel to use the online platform	# of personnel that completed minimum sessions (80%) on use of platform	N/A	0	65%	The unit of measurement is the number of personnel that completed at least 80% of the platform training sessions; however, STPS has not provided the final number of personnel that will be trained. The 65% reflects the advancement of the trainings that have been given to STPS personnel.
Act 2.1.3: Design and distribute media toolkit aimed at strengthening STPS social compliance mechanisms	# of completed toolkits	3	0	10%	The ToR is ready; the bidding process will begin during the first half of August.
Act 2.2.1: Create an online Best Practices database with STPS	# of databases documenting best business practices	1	0	85%	The programming part of the database is ready, but more information is needed from STPS to complete.
Act 2.2.2: Publish and	# visits to	600	0	0%	STPS delayed sending best

Strategic Objectives and Activities	Performance Indicators	End-of-Project Targets	Total as of June 2016	% of Target Achieved	Status
disseminate with STPS a selection of best practices found in Activity 2.2.1	publication website				practices related to the social compliance mechanisms. These were sent in July 2016, thus enabling the project to move forward with this activity.
Act 2.2.3: Infographic videos for all three social compliance mechanisms (part of the media toolkit of Activity 2.1.3)	# of animated infographics	1	0	10%	The ToR is ready; the bidding process will begin during the first half of August.
<b>SO 3:</b> Improved worker understanding of the 2012 legal reforms on labor discrimination, with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and mandatory pregnancy testing, and increased knowledge of how and willingness to report violations.					
Act 3.1.1: Assess accessible data on gender discrimination to evaluate current impediments to reporting violations and government awareness-raising campaigns	# of assessment reports produced	1	0	70%	An initial draft of the report is almost finalized, but the final document will be ready in August (prior to the hiring of a communications expert).
Act 3.2.1: Organize a working group to design a new reporting mechanism and the corresponding communication campaign	# reporting mechanisms developed	1	0	0%	The project has begun contacting possible working group member for the design of the mechanism and its communication strategy.
Act 3.3.1: Assess women’s organizations’ abilities to address labor rights issues in pilot states	# assessments produced	1	1	100%	

**Discussion:** At mid-term, the project has met or exceeded targets for eight of 20 activities. For another seven activities, the project has made some progress in achieving end-of-project targets. Only four activities thus far show no progress to date. These include training of labor inspectors using an electronic version of the labor rights with a gender perspective training module, collecting and disseminating good practices related to the social compliance mechanisms, and designing a simplified reporting mechanism for workers to file complaints. The electronic version of the training module has been developed, but it must be adjusted to the specific needs of the inspection authorities. Furthermore, STPS’s online training platform (SICADIT) must be updated in order for the training module to be fully implemented. The other two activities showing no progress to date are discussed in further detail in the following section.

### 3.3.2 Factors Affecting Project Progress

Project staff and stakeholders mentioned several challenges or obstacles in implementing project activities. Among the difficulties encountered is the reluctance of private sector employers to participate in the independent observations (or gender diagnostic) focusing on workplace discrimination issues. Another major challenge is engaging the Secretary of Labor from the State of Mexico (STGEM) to participate in project activities. These challenges, along with several others, are listed in Table 8, along with a list of proposed solutions or actions taken to overcome the difficulties encountered.

**Table 8: Project challenges and proposed solutions or action taken to resolve**

Challenges Identified under Strategic Objective 1	Proposed Solutions/Action Taken to Resolve
<p><b>Engaging private sector employers to participate in independent observations:</b> Small and medium-sized enterprises in the states of Mexico and Jalisco have been reluctant to participate in the independent observations conducted by members of civil society organizations to assess workplace discrimination based on gender, sexual orientation and pregnancy status. This has led to significant delays in achieving the target of 20 enterprises in each pilot state by July 2016, leaving sufficient time for follow-up with employers and assessing any impact.</p>	<ul style="list-style-type: none"> <li>• The project is targeting larger enterprises or parent organizations that may have a number of smaller enterprises that could benefit from the independent observations.</li> <li>• The project is conducting additional outreach to business associations, chambers of commerce and a large outsourcing group known as Manpower, in order to reach other potential employers interested in the independent gender diagnostic.</li> </ul>
<p><b>Engaging the Secretary of Labor from the State of Mexico:</b> During the project’s start-up period, STGEM’s showed great interest in participating in the project, which led to the decision to focus on the State of Mexico instead of Querétaro. The STGEM focal person assigned to the project demonstrated little interest in the project and put off meetings with project staff to discuss next steps. This resulted in slower advancement of project activities with STGEM over the past six months.</p>	<ul style="list-style-type: none"> <li>• IGUALDAD project staff reached out to the Secretary of Labor’s chief advisor who has been able to advocate on behalf of the project and is now the project’s new focal point. A formal agreement between HAI and STGEM is expected on August 4, 2016; training workshops on labor discrimination issues are expected to begin by mid-August.</li> </ul>
Challenges Identified under Strategic Objective 2	Proposed Solutions/Action Taken
<p><b>Collection and dissemination of good practices:</b> The good practices identified through STPS’s social compliance mechanisms have not been compiled or disseminated. This is partially due to STPS’s delay in sending examples of good practices from previous “Distinguished Enterprise” award years. The project finally received these examples on July 13.</p>	<ul style="list-style-type: none"> <li>• The technical part of the Social Compliance Platform is complete and is now ready for data entry.</li> </ul>
Challenges Identified under Strategic Objective 3	
<p><b>Trade unions in the states of Mexico and Jalisco have shown limited interest in participating in project activities.</b> This has affected the collection of baseline information assessing workers’ knowledge of the expanded protections from workplace discrimination.</p>	<ul style="list-style-type: none"> <li>• The project is conducting on-going outreach to unions that have shown an interest in gender issues. One independent union and one company-backed union confederation confirmed their interest.</li> </ul>
<p><b>The creation of a user-friendly reporting mechanism for workers has been hindered</b> by two factors: (1) the lack of coordination between the various STPS units that play a role in detecting/investigating/enforcing/referring issues related to workplace discrimination, and (2) the difficulty collecting workers’ baseline knowledge through their respective unions.</p>	<ul style="list-style-type: none"> <li>• Project staff will begin coordinating with STPS officials, other relevant authorities, and civil society organizations to map out a simplified reporting mechanism.</li> <li>• The project has begun coordinating efforts with the largest outsourcing agency in Mexico to gather the opinions of their workers for the completion of the preliminary baseline report.</li> </ul>

**Discussion:** Both of the challenges identified under Strategic Objective 1 have contributed to significant delays in meeting project activity targets. The project’s timeline shows that 40 workplace assessments on compliance of labor law reform would be completed by mid-term. This would allow project staff to dedicate the second half of the project to providing technical

assistance and evaluating the impact of the recommended changes. As of July 2016, only one workplace assessment had been conducted in the State of Mexico and two in Jalisco. Employer representatives stated that most enterprises are unwilling to be subject to this type of scrutiny when they don’t necessarily see any kind of immediate benefit. Others cannot commit to the time needed to take part in this activity. One employer representative suggested that the project take a more aggressive approach with employers. This may involve meeting with individual employers, filling out the self-assessment as an interview, and then giving some immediate feedback. This is the type of intensive attention that is needed with employers to gain their buy-in and open up their company to the independent assessment of D-GSOPS.

A key activity of Strategic Objective 2 is to collect “good practices” that demonstrate how enterprises are integrating company policies to combat D-GSOPS. In July 2016, STPS sent the project the first part of the good practices submitted by companies as part of the “Distinguished Enterprise” award. The project intends to compile these good practices and store in an online database programmed for this purpose; however, adjustments must first be made to STPS’s online platform.

The project has had some difficulty collecting the necessary worker baseline information under Strategic Objective 3. This is partially due to trade unions barring access to its members. At mid-term, this was improving, as demonstrated by the willingness of one independent union and one company union to support project activities during the second half of the project. The design of a user-friendly reporting mechanism has been difficult to complete since this requires the participation and agreement of various STPS authorities who have never worked together.

### **3.3.3 Stakeholder Engagement**

*How effectively has the project engaged stakeholders in project implementation? How effective has the project been in establishing national or local-level ownership including government commitment?*

Stakeholders from each of the targeted sectors—STPS, employers and civil society organizations—were asked to give their opinions regarding their commitment and sense of ownership with regard to project activities. Key findings from stakeholder interviews follow.

**STPS:** At the federal level, the STPS Labor Inclusion unit has assumed the strongest and most influential role in supporting and promoting project activities. This unit functions as the project’s counterpart and plays an advisory role to IGUALDAD staff. The Gender unit also strongly supported project objectives, but this unit has only one full-time staff person with numerous responsibilities. The STPS Attorney General’s office has developed into a key ally as a result of the training on issues of workplace discrimination with a gender perspective and expressed a renewed commitment to advocate on behalf of workers experiencing discrimination.

At the state/local level, the Minister of Labor in Jalisco expressed significant commitment to project goals by taking action to “*put our own house in order*” with regard to institutionalizing a gender perspective within the ministry so that they can better serve the general public on these same issues. The Ministry of Labor in the State of Mexico (STGEM) has been slow to demonstrate its commitment to project goals and objectives. Project staff has scheduled

numerous meetings with the Secretary of Labor only to have them, at times, cancelled by the STGEM. The Secretary of Labor’s chief advisor stated that STGEM fully intends to support project activities once a formal agreement is signed between STGEM and HAI. This was expected to occur in August 2016.

**Employers:** Employer groups expressed mixed commitment in supporting project strategies. An American Chamber of Commerce representative stated that their constituents have demonstrated little interest in participating in project activities, such as the workplace assessment on issues related to gender equity. According to this representative this subject is “*old news*” and employers feel that they have sufficiently addressed this issue. However, a female American Chamber representative attending the stakeholder meeting commented that she intends to promote participation in project activities among constituents, but ultimately each individual company must decide if they want to participate.

An employer representative of the Manpower outsourcing agency stated that the project should simplify the process of gaining employer commitment, starting with what was described as an “*overly complicated self-assessment survey.*” Furthermore, it was suggested that gaining employer support and commitment requires a more focused follow-up process. The representative stated that the project has long time gaps between initiating an activity that requires employer action and following up to ensure its completion. The representative stated, “*The project sent me a survey to fill out in April, but I still have not completed it... Since no one from the project followed-up, I simply put it on my pile of ‘pending items.’ Project staff should dedicate more time to following up with employers in order to ensure their participation and commitment.*” In response, the project director stated that the CSO subawardees that will soon be hired could provide more personalized follow-up with employers and assist them in completing the survey. The project director emphasized the importance of the self-assessment in order to hone in on the problem areas during the observation visit.

**Civil Society Organizations:** At least six representatives from civil society organizations (CSOs) in Jalisco stated that the project successfully gained the support of a number of CSOs that focus on discrimination issues with a gender perspective. This occurred as a result of roundtables that took place in 2015. Interested CSOs were subsequently trained to conduct the workplace assessments to examine compliance with labor law reform. Since only two workplace assessments have been conducted over the past six to eight months, CSOs’ interest has waned. Still, several CSOs in Jalisco are still keenly interested in participating in project activities, although they suggested closer follow-up and additional training from project staff to confidently carry out the workplace assessments. The project is currently finalizing the ToR to select up to two subawardees in each pilot state that can to assist the project with employer outreach and workplace assessments on issues related to D-GSOPS. Qualified CSOs have been identified in Jalisco, but no CSOs with the necessary profile or background have been identified in the State of Mexico. Project staff intends to reach out to the numerous CSOs in Mexico City that may be interested in carrying out project activities in the State of Mexico due to their proximity.

**Trade Unions:** Neither independent nor company-backed unions have demonstrated any significant commitment or buy-in of project activities. Project staff partially attribute company-union apathy to their leadership that may not want to empower workers by informing them of their rights. Two trade union representatives interviewed—one independent union and one

company-backed union—stated their willingness to fully support project activities; however, project staff stated that only one of these unions has responded to follow-up requests for planning meetings.

One labor law expert who has worked closely with worker rights organizations and independent unions throughout Mexico explained that worker organizations may be hesitant to support project activities that portray the labor law reforms as solely beneficial for workers when parts of the reform’s legal revisions resulted in further restrictions of workers’ rights to organize independent, member-controlled unions. These changes have resulted in further skepticism of the GoM’s efforts to reform labor laws to benefit workers, and thereby adversely impact the use of the reformed law’s positive provisions.<sup>11</sup>

### 3.4 EFFICIENCY

*Is budget execution progressing as expected (i.e. expenditure rates)? Is the level of budget execution for each component consistent with the level of achievement of targets? Do currently achieved outputs justify the level of expenditure?*

The assessment of the project’s efficiency includes an analysis of the project’s output-based budget and project expenditure rates. This analysis was based on information provided to the evaluator by HAI management staff and did not include a comprehensive assessment of the project’s financial records.

#### 3.4.1 Allocation of Resources

Table 9 provides a breakdown of the project’s budget allocations for personnel, operating expenses and activities associated with each strategic objective (SO) and monitoring and evaluation (M&E). Personnel and operating costs together account for 49 percent of the total project budget, while 25 percent of the budget is associated with conducting output-based activities under the three strategic objectives. The project’s M&E activities account for six percent of the total budget.

**Table 9: IGUALDAD Project Budget Allocations**

Item	Amount (USD)	% Total Budget
Direct Labor Costs	537,002	39%
Operating Costs	143,552	10%
SO 1 – Improved enforcement of the expanded protections against labor discrimination	74,175	5%
SO 2 – Percent change in the number of employers participating in STPS social compliance mechanisms	111,273	8%
SO 3 – Improved worker understanding of the 2012 legal reforms on labor discrimination	171,332	12%

<sup>11</sup> Brown, Garrett, September 6, 2016.

Item	Amount (USD)	% Total Budget
Monitoring & Evaluation (M&E)	84,095	6%
Unforeseen	56,071	4%
NICRA	211,500	15%
<b>Total</b>	<b>1,389,000</b>	<b>100%</b>

Source: IGUALDAD Project, July 2016

The amounts allocated to direct labor costs are within the same range as other USDOL Cooperative Agreements that average between 38 to 39%. The project's operating costs are within the general range of similar USDOL-funded projects, which average between 10-20%. The output-based activities add up to 25 percent of the budget, which is a reasonable proportion of total expenditures for projects with a policy focus.

### 3.4.2 Expenditure Rate

Table 10 shows total project expenditures as of June 30, 2016, which is 50% of the total life of the project.

**Table 10: IGUALDAD Project Expenditures as of June 2016 by Budget Line Item**

Item	Budgeted (USD)	Expensed as of June 2016	Expended (%)
Direct Labor	537,002	217,754	41
Operating Costs	143,552	54,035	38
SO 1	74,175	14,391	19
SO 2	111,273	18,176	16
SO 3	171,332	4,867	3
M&E	84,095	3,387	4
Unforeseen	56,071	35,665	64 <sup>12</sup>
NICRA	211,500	71,620	34
<b>Total</b>	<b>1,389,000</b>	<b>419,895</b>	<b>30</b>

Source: IGUALDAD Project, June 2016

By June 30, 2016, the project had only spent 30 percent of its budget, which meant that 70 percent of the total resources were available to carry out activities over the next 18 months or 50% of the project timeline. The project's underspending in the first 18 months should be balanced out with the upcoming expenditures that include the services of an IT company to update the Labor Inspectorate's electronic training platform, the services of a communications agency for the design and production of an awareness campaign to promote STPS's social

<sup>12</sup> Expenditure related to the additional (unplanned) activities.

compliance mechanisms, and the services of four CSOs to support the projects outreach and workplace assessment activities.

### **3.4.3 Impressions of Efficiency**

**Human Resources:** Stakeholders from all three sectors—government, employer and civil society—were impressed with how much the project had accomplished with such a small staff. At the same time, stakeholders commented that additional technical staff is needed to provide timely follow-up with employers, government representatives and members of civil society organizations in the two pilot states and Mexico City. One HAI representative explained that the limited budget did not permit additional technical staff. Another HAI representative commented that additional technical staff is not needed if responsibilities could be more evenly divided or delegated.

In Jalisco, the part-time gender expert who helped coordinate activities left in April 2016. A full-time junior analyst filled this position allowing for more time to conduct outreach with civil society organizations, but meetings with higher-level government officials and private sector allies remain the responsibility of the technical staff based in Mexico City. One government representative in Jalisco commented that when the project director is present, “*things get done,*” but there are long gaps between meetings and follow-up activities, which have contributed to stakeholders’ impression of project inefficiencies.

**Completing key deliverables:** Despite the small number of project staff, the project has managed to meet deadlines for its key deliverables. Those activities that have fallen behind—i.e., workplace assessments, training of STGEM personnel, developing a simplified reporting mechanism—are mostly due to external factors inhibiting further progress. Some of these deficiencies, however, might be alleviated with closer and/or more consistent follow-up from the project’s technical staff. Project management issues will be discussed in more detail in the following section.

## **3.5 PROJECT MANAGEMENT**

The evaluation ToR contained one question related to the effectiveness of project management arrangements. This includes monitoring and reporting, internal and external communication, and collaboration with other labor and/or gender-related projects.

### **3.5.1 Project Management Arrangements**

The IGUALDAD project team responsible for the coordination, implementation, and monitoring project activities is comprised of four staff members in Mexico City—two technical staff persons, one junior analyst and one part-time M&E specialist. The technical staff in Mexico City is also responsible for coordinating and implementing activities in Guadalajara, with the support of one junior analyst. Within the past six months, the project has lost the support of a part-time gender specialist in Guadalajara and HAI’s country director in Mexico City.

Interviews with project staff and stakeholders revealed two different opinions regarding the project’s staffing structure. One perspective was that the thinly staffed project hindered the

project’s ability to provide close follow-up or concerted outreach to certain stakeholder groups. This, in turn, may be affecting the full buy-in of stakeholder sectors that the project has had difficulty engaging—employers, STGEM, CSOs in the State of Mexico, and trade unions.

In contrast, some project staff shared that the project is sufficiently staffed; however, roles and responsibilities need to be more clearly defined. A division of tasks or stakeholder sectors would allow project staff to carry out activities more effectively and efficiently and ensure proper follow-up. To support this perspective, most stakeholders only mentioned interacting with the project director, whose work was highly valued, but who could not always provide timely follow-up.

### **3.5.2 Internal and External Communication**

There are several mechanisms to communicate project progress, challenges and opportunities. These include internal staff meetings, monthly progress reports to HAI headquarters, regular email updates and quarterly progress reports to USDOL, and biannual meetings with STPS stakeholders.

**Internal team meetings:** During the project start-up period and early implementation phase, the IGUALDAD staff met regularly. Most recently, however, meetings have been less regular. This makes it difficult to ensure proper follow-up between the different team members. One staff person mentioned, *“We need to work better as a team and together discuss strategies and deadlines, and then divide up the responsibilities.”*

**Monthly and quarterly reports:** In addition to the quarterly technical progress reports required of USDOL, the project sends HAI headquarters in Chicago monthly progress reports. This includes the PRIME dashboard that is used for monthly assessments of project performance.

**Stakeholder communication:** Biannual executive meetings with STPS authorities permit the project to present updates to federal STPS officials and an overview of upcoming activities. The project does not have a similar venue for employers, trade unions or civil society organizations making it difficult to update these key stakeholders of the project’s progress and activities. At the same time, at least five stakeholders mentioned that the project should have more regular communication and follow-up to keep everyone apprised of project progress, results and upcoming activities.

### **3.5.3 Collaboration with Relevant Projects**

According to the US Embassy Economic Advisor, there currently are no other US-funded projects in Mexico focusing on workers’ rights or gender-related labor discrimination. The project has, however, collaborated with non-governmental organizations (NGO) that have gender-focused initiatives. One such group is Hispanics in Philanthropy (HIP) in Mexico City; another is a multi-sectoral group in Jalisco that focuses on labor policies.

Besides NGOs, project staff has developed alliances in the state of Jalisco with the government women’s institute and women’s associations. The project has had less success in developing these relationships in the State of Mexico. Independent consultants that carried out an assessment of CSOs in Jalisco and the State of Mexico found that those in Jalisco were far more

“developed” and “organized” than those in the State of Mexico. This difference between the two pilot states may help explain the project’s mid-term success in Jalisco as compared to the State of Mexico.

### 3.6 SUSTAINABILITY AND IMPACT ORIENTATION

*Is the project on track to have the intended impact based on the medium-term outcome indicators? If not, why? What are the key project achievements thus far that could be sustained beyond the life and the context of the project? Does the project have a strategy in place to sustain these elements?*

The IGUALDAD project has developed a sustainability plan in accordance with the 2014 MPG requirements. This plan identifies several elements that promote the sustainability of project outcomes under each strategic objective. These sustainability elements fall into three general categories: (1) **tools** to help strengthen STPS’s ability to document or report issues of workplace discrimination or promote good practices; (2) **awareness raising** activities of labor rights with a gender perspective; (3) **capacity building** of individuals and organizations to enhance technical expertise. The following discussion analyzes the status of the sustainability elements for each strategic objective.

#### 3.6.1 Sustainability Elements for Strategic Objective 1

Strategic Objective 1 targets the labor ministry so that they may improve their enforcement of the expanded protections against labor discrimination and capacity building of civil society organizations so that they can better identify workplace discrimination and promote policies that protect workers from D-GSOPS. Table 11 lists the specific elements that will help promote the sustainability of this outcome.

**Table 3: Progress in Achieving Sustainability Elements for SO 1**

Sustainability Elements	Status of Sustainability Elements (as of July 2016)
<ul style="list-style-type: none"> <li>Tools that will help strengthen STPS’s ability to document and report workplace discrimination, or promote good practices</li> </ul>	<ul style="list-style-type: none"> <li><b>Manual on gender-inclusive terms:</b> The project has completed a technical manual on gender-inclusive terms and gender perspective that can be applied to future drafting and updates of STPS documents and tools. At mid-term, the manual was in the final publication design stage.</li> <li><b>D-GSOPS reporting protocol:</b> The project has mapped out the key authorities involved in detecting and resolving cases of D-GSOPS. At mid-term, the project was in the preliminary discussion stages with the STPS labor inspectorate regarding the viability of a reporting protocol.</li> <li><b>Internal STPS sexual harassment guidelines:</b> The project will collaborate with STPS’s Gender Unit to update internal sexual harassment guidelines; however, at mid-term, there were no advancements on this activity.</li> <li><b>STPS electronic training platform:</b> At mid-term, the project was in the process of contracting an IT specialist to update STPS’s electronic training platform (referred to as SICADIT). This platform will host the project’s training curriculum on workplace discrimination issues so that federal STPS inspectors throughout Mexico will have remote access to this training.</li> </ul>
<ul style="list-style-type: none"> <li>Capacity building of individuals and</li> </ul>	<ul style="list-style-type: none"> <li><b>Strengthened capacity of Civil Society Organizations:</b> The project has conducted training of CSOs in Jalisco on the expanded policies that protect</li> </ul>

Sustainability Elements	Status of Sustainability Elements (as of July 2016)
organizations to enhance technical expertise	workers from labor discrimination. This has enabled CSOs to conduct independent observations of workplaces to assess compliance with expanded labor discrimination laws.

**Discussion:** At mid-term, the project had made good progress on supporting the sustainability elements identified under SO 1 and implementing an exit strategy. This includes the following elements:

- The technical manual on inclusive terms will soon be published thus enabling STPS to update or produce manuals, protocols and other documents with a gender perspective.
- The proposed D-GSOPS reporting protocol is under discussion within the labor inspectorate. STPS has not previously established a reporting protocol and there is some disagreement regarding the proper reporting mechanism. If the protocol is not viable, the project has contemplated a set of guidelines to identify violations and act accordingly.
- The IT specialist hired to upgrade the electronic training platform will be required to involve STPS throughout the development and implementation so that the updated platform, known as SICADIT, will be entirely owned and operated by STPS.
- CSOs have participated in trainings on the expanded labor discrimination policies and the independent observation process.
- The internal STPS sexual harassment guidelines have not been developed. The gender unit is responsible for initiating this activity with support from the project.

### 3.6.2 Sustainability Elements for Strategic Objective 2

**Strategic Objective 2** targets employers so that they can increase their participation in STPS’s social compliance mechanisms (Distinguished Enterprise awards). These mechanisms document good practices that are being implemented by employers to combat D-GSOPS. Table 12 lists the specific elements that will help promote the sustainability of this outcome.

**Table 12: Progress in Achieving Sustainability Elements for SO 2**

Sustainability Elements	Status of Sustainability Elements (as of July 2016)
<ul style="list-style-type: none"> <li>• Tools that will help strengthen STPS’s ability to document and report workplace discrimination, or promote good practices</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Online platform:</b> The project has completed the online platform to facilitate employer participation in STPS’s social compliance mechanisms (Distinguished Enterprise award). The online platform has nationwide reach since it is hosted in the Government of Mexico website, therefore it can be accessed by workplaces nationwide. The project intends to support an adaptation to the platform so that each pilot state can have a system for their local Distinguished Enterprise awards. These platform adaptations are pending donor approval.</li> <li>• <b>Database of good practices:</b> The online platform for the social compliance mechanisms includes a database of good practices that are being implemented to combat D-GSOPS. At mid-term, the database had been programmed and good practices were being compiled.</li> </ul>
<ul style="list-style-type: none"> <li>• Awareness raising of labor rights with a gender perspective</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Promotion of social compliance mechanisms and good practices:</b> The project is collaborating with STPS on an awareness campaign to promote STPS’s social compliance mechanisms. The ToR has been developed for an</li> </ul>

Sustainability Elements	Status of Sustainability Elements (as of July 2016)
	<p>outside communications expert who can help promote employer participation in STPS’s social compliance mechanisms and publicize good practices.</p> <ul style="list-style-type: none"> <li>• <b>Outreach to Multi-stakeholder Network:</b> The project is part of a multi-stakeholder network in Jalisco (known as the Committee for the Evaluation and Follow-up of Labor Policies), which has provided a platform to increase awareness on workplace D-GSOPS, present STPS social compliance mechanisms and promote good practices. At mid-term, the project was not yet participating in this network in the State of Mexico although an invitation was pending for August 2016.</li> </ul>

**Discussion:** At mid-term, the project had made good progress on supporting the sustainability elements identified under SO 2 and implementing an exit strategy. This includes the following:

- IT specialists in Mexico City, in conjunction with STPS staff, developed the online platform for the social compliance mechanisms; the platform will be entirely owned and operated by STPS.
- Good practices collected in the new database will be disseminated to a wide audience of employer organizations and CSOs so that these may be further promoted and replicated by employers interested in improving working conditions.
- The pending promotional material of STPS’s social compliance mechanisms can be used annually;
- The Multi-stakeholder networks in each pilot state are an excellent venue for sharing project progress and seeking cross-sectoral support for project activities. The project tools and informational material can be distributed to all existing and new network members.

### 3.6.3 Sustainability Elements for Strategic Objective 3

**Strategic Objective 3** targets workers and civil society organizations to improve their understanding of the legal reforms regarding D-GSOPS and the mechanisms for reporting workplace violations. Table 13 lists the specific elements that will help promote the sustainability of this outcome.

**Table 13: Progress in Achieving Sustainability Elements for SO 3**

Sustainability Elements	Status of Sustainability Elements (as of July 2016)
<ul style="list-style-type: none"> <li>• Tool to facilitate reporting of workplace discrimination</li> </ul>	<ul style="list-style-type: none"> <li>• <b>D-GSOPS reporting tool:</b> The project plans to hire an IT expert who can help design and program this tool. The project plans on forming a multi-sectoral working group to provide input on the design. This will be linked to the protocol/guideline the project is trying to implement with the labor inspectorate.</li> </ul>
<ul style="list-style-type: none"> <li>• Awareness raising of labor rights with a gender perspective</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Awareness raising of workers:</b> Project staff will be working in conjunction with STPS Communications Unit to design and implement an awareness campaign. This campaign will focus on the expanded labor discrimination policies and the proposed user-friendly mechanism to report labor violations.</li> </ul>
<ul style="list-style-type: none"> <li>• Capacity building of individuals and organizations to enhance technical expertise</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Strengthened capacity of CSOs:</b> The project is currently in the process of selecting two CSOs in each pilot state as subawardees to carry out selected project activities with workers and employers.</li> </ul>

**Discussion:** At mid-term, the project had made good progress on supporting the sustainability elements identified under SO 3 and implementing an exit strategy. This includes the following:

- If the D-GSOPS inspection protocol or mechanism is approved, it will complement the IT-based reporting mechanism; CSOs and trade unions will be trained on the correct and ethical use of this tool, which will be entirely owned and run by STPS.
- The awareness campaign for workers slated for late 2016 will be planned and implemented in conjunction with the STPS Communications Unit so that this unit can continue efforts once the project ends.
- Participating CSOs will gain the necessary knowledge and experience to continue advocating for policies that protect workers from D-GSOPS. CSOs must agree to have a plan for integrating labor rights and gender as part of their on-going efforts.

### **3.7 EMERGING GOOD PRACTICES AND LESSONS LEARNED**

*What emerging project practices or experiences are worth highlighting as holding potential to become good practices or lessons learned at the end of project?*

A lesson learned can be based on a positive experience, such as a successful outcome, or a negative experience, such as an undesirable result. A lesson learned can evolve into a good practice if the benefits are deemed worthwhile for replication or scaling-up. The following lessons learned and good practices are based on the findings of the mid-term evaluation.

#### **Lessons Learned**

- Lack of political will on the part of key stakeholders—government, employers and trade unions—is a major obstacle in this project and not one that can be easily overcome in a short period of time or without sufficient time to demonstrate tangible results.
- Better internal communication within GoM/STPS counterparts must be established prior to project implementation in order to inform all units or departments involved of the project objectives, role of the implementing partner and expectations of STPS personnel.
- Projects that are working with tripartite stakeholders—government, private sector, and worker/CSOs—must facilitate the process of choosing organizations that can work together to advance project objectives. This may result in the exclusion of some organizations.
- Consistent communication with stakeholders and timely follow-up are two key project management obligations. Failure to do so leaves a negative impression regarding project efficiency and effectiveness.
- The project planning team must secure the necessary financial resources in order to hire sufficient technical staff to coordinate activities, provide proper follow-up and respond to unexpected needs that emerge throughout the project implementation period.

## **Good Practices**

- Multi-stakeholder venues or networks can be key in raising awareness of project activities, forming alliances, increasing the willingness to participate and multiplying the impact of limited project staff.
- Key project staff with experience working in the public sector facilitates effective communication with government counterparts.

---

## IV CONCLUSIONS

---

Based on the specific findings outlined in Section III, the following conclusions can be made regarding the IGUALDAD project's mid-term assessment.

### 4.1 RELEVANCE

- **Stakeholder Priorities and Needs:** Project strategies are meeting the gender-related labor discrimination priorities identified by stakeholder groups including STPS officials, employers and civil society organizations. The extent to which project strategies are meeting the specific needs of workers is unclear since activities aimed at workers are not scheduled to begin until the second half of the project timeline.
- **Capacity Building:** The capacity building strategies aimed at local and federal STPS officials will strengthen their ability to protect workers from discrimination based on gender, sexual orientation, and pregnancy status (D-GSOPS).

### 4.2 PROJECT DESIGN AND PERFORMANCE MONITORING

- **Project Design:** The project's theory of change clearly laid out the pathways or strategies that will lead to the expected change, which in this case is increased compliance with workplace policies that protect workers from D-GSOPS. The conditions that are needed for this change to occur form the basis of the project's objectives and activities. At the same time, these conditions did not take into account the necessity of securing sufficient political will on the part of all key stakeholders to successfully achieve project objectives.
- **Results-based Design:** The project design is consistent with the Results-based design approach stipulated by USDOL in its 2014 Management Procedures and Guidelines. This is demonstrated by the logical connection between the project's activities, outputs and outcomes.
- **Performance Monitoring:** The comprehensive design of HAI's PRIME performance monitoring tool greatly facilitates on-going monitoring of activities, outputs and outcomes. The less detailed PMP may be attributed to a miscommunication between donor and grantee rather than a flawed PMP design.

### 4.3 PROJECT PROGRESS AND EFFECTIVENESS

- **Achievement of Indicator Targets:** The project is on track to meet the majority of indicator targets as demonstrated by the significant progress or achievement of 15 of 20 activities. There is no evidence of progress toward achieving key performance indicators such as the change in the number of gender discrimination violations that are detected by STPS or the change in the number of violations that are remedied, but these will be assessed at the end of the project. Activities showing poor progress to date are due to delays within specific STPS units and the slow response of STGEM, private sector employers and trade unions.
- **Stakeholder Engagement:** The project has effectively engaged the Ministry of Labor at the federal level (STPS) and the Ministry of Labor in the State of Jalisco (STPSJ) as

demonstrated by the participation in project activities, awareness of labor discrimination issues and renewed commitment to protect workers from D-GSOPS. The hesitancy of the Ministry of Labor in the State of Mexico (STGEM) to support project activities can be partially attributed to a different process and timeline to gain this buy-in as well as some purposeful disengagement by the previous STPS liaison. The difficulties in engaging employers, CSOs in the State of Mexico and trade unions may be partially averted once the CSO subawardees begin conducting intensive outreach to these stakeholder groups.

#### 4.4 EFFICIENCY

- **Expenditure Rate:** The underspending of financial resources during the first half of the project is reasonable given that the project will soon be allocating a significant amount of resources to the hiring of consultants and CSOs to support project activities.
- **Time and Human Resources:** The project has shown good time management by completing the majority of its activities within the timeframe shown in the project timeline. Nevertheless, the slow rate of follow-up and inconsistent communication with some stakeholder groups may indicate that the project is inadequately staffed and/or the work is not being distributed or delegated effectively within the existing staffing structure.

#### 4.5 PROJECT MANAGEMENT

- **Management Structure:** Project implementation tasks in both pilot states and Mexico City require additional technical staff to conduct the necessary outreach and follow-up with project stakeholders. Furthermore, the inability to consistently meet as a project team to discuss progress, challenges and the division of tasks may be contributing to the delays in stakeholder communication and follow-up.
- **External communication:** The project’s communication mechanism with stakeholders during the first half of the project mostly benefitted STPS officials, although this can be attributed to the vast majority of activities involving STPS units. Communication with employers and CSOs were not sufficiently adequate to keep these stakeholder groups informed of project progress, results and upcoming activities.

#### 4.6 SUSTAINABILITY AND IMPACT ORIENTATION

- **Sustainability Elements:** At mid-term, the project has made good progress on supporting the sustainability elements identified in the project’s sustainability plan and in implementing viable exit strategies. The project has successfully developed or updated tools that will enable STPS to apply a gender perspective within its protocols and documents. The project’s capacity building efforts will enable stakeholders to better identify workplace discrimination and take the appropriate actions to report such violations. The pending awareness activities are expected to increase the ability of stakeholders to advocate for workplace anti-discrimination policies and increase employer participation in STPS’s social compliance mechanisms that promote such policies.

---

## V RECOMMENDATIONS

---

The following **recommendations** are intended to provide the IGUALDAD project staff and the donor with suggested actions that can further strengthen project outcomes and/or be applied to similar projects.

- (1) **Conduct focused employer outreach:** Project staff should make a concerted effort to raise the awareness of employers regarding their obligations to comply with gender-related anti-discrimination policies. The project should implement personalized strategies to gain the support of specific employers and secure their participation in project activities. Project staff should aim to complete the workplace assessments by the first quarter of year three in order to allow sufficient time to assess the impact of recommendations to improve compliance with anti-discrimination policies.
- (2) **Follow-up on recent agreement with STGEM:** Project staff should immediately begin implementing the various project activities that target STGEM and provide frequent feedback to state ministry officials and the federal delegation regarding the results of these activities.
- (3) **Strengthen external communication mechanisms:** Project staff should consider publishing periodic communication bulletins on the HAI webpage to increase project visibility and help keep all stakeholders apprised of project progress. HAI should consider redesigning the webpage so that the information can be easily accessed and reader friendly.
- (4) **Assess project staffing structure:** HAI should assess the project’s staffing structure to ensure that there is sufficient technical capability among existing staff and that work is being allocated in the most effective manner. The staffing structure and division of tasks must allow sufficient time to conduct essential communications, outreach and follow-up activities with stakeholders in both pilot states and Mexico City. HAI should discuss any additional funding needed, or reallocation of the existing budget line items, with headquarter advisory committees or donor representatives.
- (5) **Increase awareness on gender-related labor discrimination issues:** Project staff should expand its awareness efforts to help increase project participation and buy-in among employers, CSOs and worker organizations, which have been absent or reluctant to participate. Project staff should look for existing venues to promote STPS’s social compliance mechanisms, recognize good employer practices and disseminate information regarding gender-related anti-discrimination policies and reporting mechanisms to workers and worker organizations.
- (6) **Assess project performance based on HAI’s PRIME tool:** USDOL should request that HAI submit the PRIME performance monitoring tool in lieu of the standard USDOL performance monitoring template since the PRIME tool offers a more comprehensive assessment of project performance. HAI may consider highlighting the key performance indicators required by USDOL within the PRIME tool.

- (7) **Document revisions to IGUALDAD project budget and target groups:** HAI may consider requesting a formal Project Revision from USDOL to modify their Cooperative Agreement given the significant changes in budget allocations and the expanded number of target beneficiaries.
- (8) **Commit to longer-term financial support of projects that have a policy focus:** USDOL should consider extending the timeframe of financial support for projects whose focus is on supporting new policy initiatives such as Mexico's 2012 Federal Labor Law reform. Projects need sufficient time to assess how stakeholders applied or implemented policies to protect workers from D-GSOPS and the results of that implementation.



---

## **ANNEXES**

---

## **ANNEX A: TERMS OF REFERENCE**

# **TERMS OF REFERENCE**

## **AN INDEPENDENT INTERIM EVALUATION**

### **OF THE**

## **COMBATING LABOR DISCRIMINATION IN MEXICO (IGUALDAD) PROJECT**

The U.S. Department of Labor (USDOL) has contracted O'Brien and Associates, International (OAI) to undertake an external mid-term evaluation of the Initiative to Guard Against Labor Discrimination (IGUALDAD) project in Mexico. IGUALDAD is a three-year, \$1.389 million project that is funded by USDOL and implemented by Heartland Alliance International (HAI). The evaluation is intended as a formative evaluation that will allow the project to address problems and take mid-course corrective actions before the project is scheduled to end in December 2017.

The following Terms of Reference (TOR) serves as the framework and guidelines for the evaluation. It is organized according to the following sections.

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

### **1. Background of the Project**

The IGUALDAD project's overall goal is to contribute to the protection of Mexican workers from sexual harassment and discrimination based on sexual orientation, gender, and pregnancy status. In November 2012, Mexico passed sweeping reforms to its Federal Labor Law (FLL). The reform expands protections against discrimination for workers by expressly prohibiting new categories of discrimination. The 2012 labor law reforms further refined the legal concept of sex discrimination in Mexico to recognize specific manifestations of such discrimination, including discrimination on the basis of gender and sexual orientation, sexual harassment, and forced pregnancy testing. The Mexican Ministry of Labor (Secretaría del Trabajo y Previsión Social or STPS) has begun implementing these new labor discrimination protections, but more work remains to be done. One significant challenge to effective enforcement is the small number of workers filing any labor discrimination complaints with authorities. Additionally, workers seem to be unevenly aware of the newly expanded list of prohibited categories of discrimination under the law.

The IGUALDAD project was established with the theory of change that if the Mexican Ministry of Labor (Secretaría del Trabajo y Previsión Social or STPS) has an expanded capacity to reach employers and workers to educate them on best practices and enforce the new labor laws, then this will in turn lead to increased compliance with the new protections against labor discrimination, thereby resulting in decreased sexual harassment in the workplace and labor discrimination based on sexual orientation, gender, and pregnancy status. Specifically, the IGUALDAD project aims to increase compliance with Mexico's expanded protections against labor discrimination with a focus on gender discrimination, discrimination based on sexual orientation, sexual harassment, and forced pregnancy testing by achieving the following objectives:

- 4) Improving enforcement of the expanded protections against labor discrimination by labor inspectors;
- 5) Increasing employer participation in social compliance programs; and,
- 6) Improving worker understanding of the legal reforms on labor discrimination.

The IGUALDAD project intends to produce a range of outputs associated with each of the three objectives, which are summarized below.

Output 1.1 STPS labor inspectors better identify and remedy violations related to unlawful labor discrimination practices. In order to achieve this, HAI believes two other results need to be achieved:

Output 1.1.1: STPS labor inspectors have better tools and skills to remedy violations related to unlawful labor discrimination practices.

Output 1.1.2: Relevant STPS departments are aware of their labor rights in relation to D-GSOPS and this knowledge is institutionalized.

Output 1.2: STPS increases its reach to monitor compliance with the labor reform with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing.

Output 1.2.1 Formal referral networks act as independent observers and sound the alarm in case of possible labor violations related to such discrimination.

Output 2.1: STPS formally promotes the use of best practices with respect to combating discrimination in accordance with the 2012 laws in its social compliance mechanisms among employers and other stakeholders.

Output 2.2: Incentives for employers to participate in STPS's social compliance mechanisms are emphasized.

Output 2.3: Safe spaces for employer collaboration and exchange to promote social compliance mechanisms are created and used.

Output 3.1: Workers are well informed of their updated labor rights with a focus on gender discrimination, discrimination on the basis of sexual orientation, sexual harassment, and forced pregnancy testing.

Output 3.2: Workers are knowledgeable of how to report violations and have access to reporting mechanisms.

Output 3.3 Workers' rights organizations and networks in pilot states better protect their affiliates' rights in the workplace and when they report violations related to gender discrimination.

## **2. Purpose, Focus, and Audience of Evaluation**

USDOL-funded projects are subject to independent mid-term and final evaluations. The mid-term evaluation of the HAI IGUALDAD project in Mexico is due at this time.

The overall **purpose** of this midterm evaluation is to assess program design, review the progress made toward the achievement of the outcomes of the project and identify lessons learned from its program strategy and its key services implemented to date. The evaluation will investigate how well the project team is managing project activities and whether it has in place the tools necessary to ensure achievement of the outputs and objectives.

The evaluation will **focus** data collection primarily on selected project documents and reports and interviews with key project personnel, partners, and stakeholders in Mexico. The project will be evaluated through the lens of a diverse range of stakeholders that participate in and are intended to benefit from the project's interventions.

The primary **audiences** of the evaluation are USDOL and HAI. USDOL and HAI intend to use the evaluation report to determine the strengths and weaknesses of the project design and implementation and assess its possible use as a model to increase compliance with protections against labor discrimination, and gender discrimination in particular.

## **3. Evaluation Questions**

To serve these purposes, this mid-term evaluation will focus on the validity of the project's design, the relevance of the project's services to the target groups' needs, the project's efficiency and effectiveness, the impact of the results, and the potential for sustainability. These criteria are explained in detail below by addressing their associated questions.

Additional questions also may be analyzed as determined by the stakeholders and evaluator before the fieldwork begins. The evaluator also may identify further points of importance during the mission that may be included in the analysis as appropriate.

### **Validity of the project design**

1. To what extent is the project design logical and coherent?
2. Is the project design consistent with the criteria in the (applicable) MPG(s)?

### **Relevance and strategic fit**

3. To what extent are the project's interventions consistent with the needs (and obligations) of key stakeholders including trade union representatives, workers, employers, the Government of Mexico, particularly officials within the Labor (particularly the inspectorate) and Justice ministries? Have stakeholder needs changed that would warrant a change in interventions?
4. Is the project relevant to enabling the GoM's obligation to fulfill its duties of protecting workers from workplace discrimination on the basis of gender, as well as implementing

and enforcing the new protections against labor discrimination, particularly with respect to gender and sexual orientation, sexual harassment, and forced pregnancy testing?

### **Project progress and effectiveness**

5. How appropriate and useful is the PMP (including indicators) in assessing the project's progress?
6. Is the project on track to achieve the indicator targets according to schedule? If not, what have been the obstacles to achievement both in terms of factors that the project is able to influence and external factors beyond its control?
7. How effectively has the project engaged stakeholders in project implementation? How effective has the project been in establishing national or local-level ownership including government commitment?

### **Efficiency of resource use**

8. Is budget execution progressing as expected (i.e. expenditure rates)?
9. Is the level of budget execution for each component consistent with the level of achievement of targets? Do currently achieved outputs justify the level of expenditure?

### **Effectiveness of management arrangements**

10. Has the project been effectively managed in terms of monitoring and reporting, internal and external communication, and collaboration and coordination with other labor and or gender-related projects (US Government funded and others as relevant)?

### **Impact orientation and sustainability, including effectiveness of stakeholder engagement**

11. Is the project on track to have the intended impact based on the medium-term outcome indicators? If not, why?
12. What are the key project achievements thus far that could be sustained beyond the life and the context of the project? Does the project have a strategy in place to sustain these elements?
13. What emerging project practices or experiences are worth highlighting as holding potential to become good practices or lessons learned at the end of project?

## **4. Evaluation Management and Support**

Michele González-Arroyo will serve as the independent evaluator for O'Brien and Associates International (OAI), contracted by USDOL. Ms. González is an education, training and evaluation expert. She has twenty years of practical experience planning and implementing education and training programs for hundreds of workers, community leaders and labor representatives focusing on occupational safety and health, workers' rights, discrimination, and adult literacy issues. This experience includes six workshops in Mexico for workers in garment and electronic industries, leaders of community-based organizations, and organizers of independent unions. The topics included occupational safety and health, worker rights, and discrimination. Ms. González also planned, conducted, and co-authored a community-based

survey of maquiladora workers in Tijuana and Tecate Mexico regarding OSH, discrimination, workers' rights, and environmental health issues. In addition to her teaching, training and research experience, Ms. González has conducted over 30 evaluations of international development projects in Central and South America, the Caribbean and Southeast Asia. Projects focused on workers' rights, child labor and occupational health and safety. In the Latin American region, Ms. González has evaluated USDOL-funded projects in Guatemala, Honduras, Nicaragua, El Salvador, Costa Rica, Panama, Dominican Republic, Ecuador, Peru, Bolivia, and Colombia.

### **Roles and Responsibilities**

The evaluator is responsible for conducting the independent mid-term evaluation according to the terms of reference (TOR). She will:

- Receive, respond to or incorporate input from HAI and USDOL on the initial TOR draft
- Finalize and submit the TOR and share (concurrently) with HAI and USDOL
- Review project background documents
- Review the evaluation questions and refine the questions, as necessary
- Develop and implement an evaluation methodology (i.e., surveys, conduct interviews, review documents) to answer the evaluation questions
- Conduct planning meetings/calls, as necessary, with USDOL and HAI
- Decide composition of field visit interviews to ensure objectivity of the evaluation
- Present verbally preliminary findings to project field staff and other stakeholders as determined in consultation with USDOL and HAI
- Prepare an initial draft (48-hour and 2-week reviews) of the evaluation report and share with USDOL and HAI
- Prepare and submit final report

USDOL is responsible for:

- Drafting the initial TOR and sending to the evaluator to revise and finalize
- REVIEWING PROPOSED EVALUATOR
- Providing project background documents to the evaluator (responsibility is shared with HAI)
- Obtaining country clearance
- Briefing HAI on upcoming visit and work with them to ensure coordination and preparation for evaluator
- Reviewing and providing comments of the draft evaluation report
- Approving the final draft of the evaluation report
- PARTICIPATING IN THE POST-TRIP DEBRIEFING
- INCLUDING USDOL-EVALUATION CONTRACT COR ON ALL COMMUNICATION WITH EVALUATOR

HAI is responsible for:

- Reviewing the TOR; providing input, as necessary, directly to the evaluator and agreeing on final draft
- Providing project background materials to the evaluator as requested
- Preparing a list of recommended interviewees
- Scheduling meetings for field visit and coordinating all logistical arrangements
- Reviewing and providing comments on the draft evaluation reports
- Organizing and participating in the stakeholder debrief
- INCLUDING USDOL PROGRAM OFFICE ON ALL WRITTEN COMMUNICATION WITH EVALUATOR

## 5. Evaluation Methodology

Performance shall be assessed in terms of six criteria: relevance and strategic fit; validity of project design; project progress and effectiveness; efficiency of resource use; impact orientation and sustainability of the project; and effectiveness of management arrangements.

The evaluation shall draw on six methods: 1) review of documents, 2) review of operating and financial data, 3) interviews with key informants, 4) field visits, 5) a stakeholder debrief before leaving Mexico City and 6) a post-trip conference call.

**Document Review:** The evaluator will review the following documents before conducting any interviews or trips in the region.

- The Project Design Narrative
- Cooperative Agreement
- Technical Progress Reports (TPRs), Financial reports, and donor comments
- Reports on specific project activities
- Training materials
- Trip reports, field visits, meetings, needs assessments and other reports
- Results Framework/Logic Model, PMP, Data Tracking Tables and performance indicators
- Work plans and budgets
- Any other relevant documents

**Interviews with key informants:** Interviews are to be conducted with key program stakeholders (by phone, Skype or in-person) including (but not limited to):

- USDOL project management team
- Relevant HAI officials in Chicago and HAI regional team
- HAI Mexico officials and project key personnel and staff
- Government counterparts
  - STPS (federal and state level), DGSST, DGRH , DGTI, DGAJ, DGIFT, UDFT, UAI, DFT in Jalisco and Estado de México, DGCS,PROFEDET , Dirección de Bienestar Emocional and DGILTM,
- Employer representatives- Manpower
- Trade union representatives- Federación de Agrupaciones Obreras (FAO)

- Inspectors
- Trainees
- Other collaborating projects and partners, as appropriate (CONAPRED, INMUJERES)

**Fieldwork in Mexico:** The evaluator will meet the Project Director and project team to discuss the purpose and logistics of the evaluation. In addition, the project team will assist the evaluator to schedule interviews with the key informants listed above and any others deemed appropriate.

The evaluator will interview some key informants separately and others in small focus groups, as appropriate. The evaluator will work with project staff to develop a list of criteria that will be used to select a non-random sample of site visits / key informants to interview. Interviews with all relevant HAI representatives outside Mexico will be conducted by telephone (or Skype) once the fieldwork is completed.

The exact itinerary will be determined based on scheduling and availability of interviewees. Meetings will be scheduled in advance of the field visit by the project staff, coordinated by the designated project staff, in accordance with the evaluator's requests and consistent with these terms of reference. Interviews and meetings will be conducted in Spanish. *The evaluator should conduct interviews with beneficiaries and stakeholders without the participation of any project staff.*

USDOL is interested to learn from and apply good practices to its projects as well as communicate them to USDOL audiences through its communication strategy. To contribute to this compilation of good practices, the evaluator will identify and document good practices and successes during interviews with project beneficiaries and stakeholders along with pictures (when feasible) and compelling quotes that evoke the person's hopes for the future. The goal is to show how ILAB-funded interventions help USDOL meet its mission by telling the story of a particular person whose life has either been transformed as a result of the project or who is better able to positively impact the lives of others thanks to the project. The purpose of these vignettes is to raise awareness of international worker rights and the work ILAB is doing to advance them. Any pictures or quotes gathered by the evaluator from interviewees should be accompanied by a signed waiver (see Attachment A) granting USDOL the right to use and publish their name, words, and photo through any medium in USDOL publications.

**Stakeholder debriefings:** Before departure from Mexico, the evaluator will conduct a debriefing meeting with project staff and key stakeholders to present and discuss initial findings of the evaluation.

**Post Trip Debriefings:** Upon return from Mexico, the evaluator will provide a post-trip debrief by phone to relevant USDOL and HAI staff to share initial findings and seek any clarifying guidance needed to prepare the report. Upon completion of the report, the evaluator will provide a debriefing to relevant USDOL and HAI on the evaluation findings, conclusions, and recommendations, as well as the evaluation process. In discussing the evaluation process, the evaluator will clearly describe the constraints generated by the retrospective nature of this evaluation methodology and data collection and how those constraints could be avoided in future evaluations.

**Ethical Considerations:** The evaluator will observe utmost confidentiality related to sensitive information and feedback elicited during the individual and group interviews. To mitigate bias during the data collection process and ensure a maximum freedom of expression of the implementing partners, stakeholders, communities, and beneficiaries, implementing partner staff will generally not be present during interviews. However, implementing partner staff may accompany the evaluator to make introductions whenever necessary, to facilitate the evaluation process, make respondents feel comfortable, and to allow the evaluator to observe the interaction between the implementing partner staff and the interviewees.

**Limitations:** The scope of the evaluation specifies two weeks of fieldwork, which is not enough time to visit all of the project sites to undertake data collection activities. As a result, the evaluator will not be able to consider all sites when formulating her findings. All efforts will be made to ensure that the evaluator is visiting a representative sample of sites, including some that have performed well and some that have experienced challenges.

This is not a formal impact assessment. Findings for the evaluation will be based on information collected from background documents and in interviews with stakeholders, project staff, and beneficiaries. The accuracy of the evaluation findings will be determined by the integrity of information provided to the evaluator from these sources and the ability of the latter to triangulate this information.

Furthermore, the ability of the evaluator to determine efficiency will be limited by the amount of financial data available. A cost-efficiency analysis is not included because it would require impact data, which is not available.

## 6. Evaluation Milestones and Timeline

Activity	Date	Products/Comments
Prepare and submit TOR	June 10	Draft TOR
Doc reviews, methodology, data collection instruments	May 26 – July 4	Final evaluation questions Methodology section Instruments
Evaluator logistics and briefing call with USDOL	May 26 & June 3	
Fieldwork Mexico including debrief meeting	July 4-15	Preliminary findings presentation
USDOL and HAI debrief calls (separately)	July 19	Debrief notes
Analysis and report writing	July 15-Aug 5	
Send first draft report for 48-hour review	Aug 8	Draft Report 1
Revise and send second draft report for 2-week review	Aug 10	Draft Report 2
Finalize and send final report	August 29	Final Report

*\* These dates depend on when USDOL and HAI provide comments to evaluator*

## 7. Deliverables and Deliverable Schedule

A. Finalized TOR with USDOL and HAI consensus, June 10, 2016

B. Method to be used during field visit, including itinerary, July 4, 2016

- C. Stakeholder debriefing meeting/presentations, July 15, 2016
- D. USDOL and HAI debrief calls, July 19, 2016 (to be determined)
- E. Draft Report 1 to USDOL and HAI, August 8, 2016 (48-hour review)
- F. Draft Report 2 to USDOL and HAI by August 10, 2016 (2 week review)\*
- G. Final Report to USDOL and HAI by August 29, 2016\*

\* These dates depend on when USDOL and HAI provide comments to evaluator

## **8. Evaluation Report**

The evaluator will complete a draft report of the evaluation following the outline below and will share it with the USDOL and the HAI for an initial 48-hour review. Once the evaluator receives comments, they will make the necessary changes and submit a revised report. USDOL and the HAI will have two weeks (ten business days) to provide comments on the revised draft report. The evaluator will produce a second draft incorporating the comments from USDOL and HAI where appropriate, and provide a final version within three days of having received final comments.

The final version of the report will follow the format below (page lengths by section illustrative only) and be no more than 30 pages in length, excluding the annexes:

### Report

1. Title page (1)
2. Table of Contents and Lists (tables, graphs, etc.) (1)
3. Acronyms (1)
4. Executive Summary (4-5)
5. Background and Project Description (1)
6. Purpose of Evaluation (1)
7. Evaluation Methodology (1)
8. Findings This section should be organized around the six key issues outlined in the TOR (no more than 20)
  - a. Relevance and Strategic Fit
  - b. Validity of the Project Design
  - c. Project Progress and Effectiveness
  - d. Effectiveness of Management Arrangements
  - e. Efficiency of Resource Use
  - f. Impact Orientation and Sustainability
9. Lessons Learned and Good Practices (1)
10. Conclusions (2)
11. Recommendations (1)
12. Annexes

## **ANNEX B: EVALUATION INTERVIEW SCHEDULE**

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

## ANNEX C: INTERVIEW GUIDE

### IGUALDAD Evaluation, July 2016 General Interview Questions

1. ¿Cuál ha sido su participación en el proyecto IGUALDAD?
2. ¿Cuáles han sido las prioridades identificadas de los actores clave con respecto a la igualdad de género y la protección de los y las trabajadoras contra la discriminación laboral? ¿Cuáles estrategias del proyecto están apoyando estas prioridades? ¿Se deben modificar estas estrategias para mejorar el apoyo? ¿Cómo?
3. ¿Qué está haciendo el GdM para cumplir con sus obligaciones de proteger a los y las trabajadoras contra la discriminación de género en el lugar de trabajo? ¿Cuáles estrategias del proyecto están apoyando al GdM para cumplir con estas obligaciones?
4. ¿Se han presentado algunos obstáculos o retos para lograr los objetivos? ¿Cuáles son las estrategias que han tomado para superar estos obstáculos? ¿Existen otros obstáculos que están fuera del alcance del proyecto? ¿Cuáles?
5. ¿Cómo ha logrado el proyecto la participación de los actores clave? ¿Qué más puede hacer el proyecto para lograr el compromiso de los actores, incluyendo el compromiso del gobierno local y nacional?
6. ¿Se pueden justificar los gastos del proyecto según los logros hasta la fecha?
7. ¿Ha sido eficaz el manejo del proyecto con respecto a la comunicación interna y externa? ¿Han colaborado con otros proyectos laborales o de género?
8. ¿Ha progresado el proyecto lo suficiente para lograr el impacto deseado al final del proyecto? ¿Cuáles indicadores intermedios nos demuestran el progreso o falta de progreso?
9. ¿Cuáles son los logros clave del proyecto hasta la fecha que podrían ser sostenibles después de que finalice el proyecto? ¿Tiene el proyecto una estrategia para sostener estos elementos?
10. ¿Cuáles son algunas prácticas o experiencias del proyecto que se deben resaltar como “buenas prácticas” o “lecciones aprendidas” al final del proyecto?

## **ANNEX D: LIST OF DOCUMENTS REVIEWED**

- 1) Technical Progress Report 1 – December to March 2015
- 2) Technical Progress Report 2 – April to June 2015
- 3) Technical Progress Report 3 – July to September 2015
- 4) Technical Progress Report 4 – October to December 2015
- 5) Technical Progress Report 5 – January to March 2016
- 6) USDOL ILAB, *Management Procedures and Guidelines: Cooperative Agreements*, 2014.
- 7) Performance Monitoring Plan (PMP) - IGUALDAD Project
- 8) Results Framework - IGUALDAD Project
- 9) Sustainability Plan and Exit Strategy - IGUALDAD Project
- 10) Prime Dashboard (HAI's internal performance monitoring plan)
- 11) Mexican Standards for Labor Equality and non-discrimination known as “Norma Mexicana NMX-R-025-SCFI-2015 en Igualdad Laboral y No Discriminación”.
- 12) The 2012 Federal Labor Law states that there should not be any form of discrimination on the basis of gender and sexual orientation, and that the law protects the right to substantive equality amongst female and male employees (Ley Federal del Trabajo, NMX-R-025-SCFI-2015, Article 2).
- 13) LaBotz, Dan, “Mexico’s Labor Law Changes Undermine Worker Rights,” *Labor Notes*, September 25, 2012. <http://labornotes.org/blogs/2012/09/mexico%E2%80%99s-labor-law-changes-undermine-worker-rights>
- 14) Statistics on discrimination reported in 2015 for the States of Mexico and Jalisco from the database known as Sistema Integral de Procuración de la Defensa del Trabajo (SIPRODET)
- 15) Center for Reflection and Action on Labor Issues (CEREAL), “Beyond Voluntary Codes and Audits: A Challenge for the Electronics Industry, Seventh Report on Working Conditions in the Electronics Industry,” July 2016.  
<http://cerealgdl.org/images/informes/CEREAL%207%20Report%202016.pdf>
- 16) Training Course Modules, “Transversalizando la perspectiva de género en el ámbito laboral: discriminación y derechos”

## **ANNEX E: LIST OF PERSONS INTERVIEWED**

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

## ANNEX F: VIGNETTE – IGUALDAD PROJECT, MEXICO

### Assessing Workplace Anti-discrimination Policies

Many employers in Mexico may be aware of the 2012 Labor Law reforms, but not all know how to implement the new anti-discrimination policies in the workplace. An important contribution of the IGUALDAD project is to help employers identify and rectify workplace discrimination based on gender, sexual orientation and pregnancy status. The project is targeting a total of 40 workplaces in Jalisco and the State of Mexico to carry out a comprehensive assessment of discrimination based on gender, sexual orientation and pregnancy status.

In July 2016, an automotive parts company with a production plant in the State of Mexico volunteered to participate in the project's independent workplace assessment. A two-person team—a representative of the IGUALDAD project and an independent volunteer whose company specializes in labor compliance issues—carried out the assessment, which consisted of the following activities:

1. **Company self-assessment:** Prior to the independent observation, the company HR representative completed a self-assessment regarding the company's policies to protect workers from discrimination based on gender, sexual orientation and pregnancy status. The company's responses served as the basis for the diagnostic visit.
2. **Initial meeting with company representatives:** The two independent observers first met with the HR manager to discuss some of the results of the self-assessment and agreed to hone in on possible problem areas. The plant production manager and training coordinator joined the meeting to better understand the purpose of the visit and support the requested activities.



Figure 1: The IGUALDAD project's independent observers discussing anti-discrimination policies and practices with a company representative.

The independent observers emphasized that their assessment carries no legal ramifications and that all information is confidential.

3. **Walk-around:** The observation began with a brief walk-around of the plant production floor to verify information provided on the company's self-assessment form, including a mix of male and female workers in the various production areas, equal access to bathrooms on the production floor, and lactation rooms for nursing mothers. The plant production manager accompanied the observers to discuss any questions or concerns.

4. **Worker and supervisor surveys:** The observers requested the

participation of a representative sample of workers to complete a short survey during their observation visit. Workers individually completed the survey as the observer read each question and answer choices aloud. Following the worker survey, the observer administered the same survey with a representative sample of supervisors.

5. **Review of company records:** While one of the independent observers implemented the worker survey, the other observer began reviewing company records with the HR representative in order to verify compliance with anti-discrimination policies and practices.



**Figure 2: Equal opportunities for women are a fundamental part of workplace anti-discrimination policies.**

6. **Discussion of results:** The two observers met briefly to discuss preliminary findings based on a 28-point rubric that rates compliance with the new anti-discrimination policies.
7. **Closing meeting:** The observers briefly met with the company representatives to discuss initial findings of the assessment and obtain any necessary clarifications. The observers explained that all of the data from the self-assessment, follow-up discussions and surveys would be thoroughly analyzed and form the basis of the forthcoming assessment report.

Following the observation, the evaluator had the opportunity to discuss the process with company representatives. One manager expressed, *“We were surprised by the preliminary findings. We now see that we need to strengthen our policies and actions to protect our employees from workplace discrimination.”* The IGUALDAD project staff intends to provide follow-up technical assistance in support of company efforts to protect workers from discrimination based on gender, sexual orientation and pregnancy status.