



VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

FACILITATOR GUIDE

A Training Toolkit on the ILO Violence and Harassment Convention (No. 190)



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When the Convention was adopted, My God! It was a great day! We chanted, we danced. We did not even feel hungry - why? Because we then knew that we had a comprehensive international standard that will help us to protect workers and women. With what we go through and what our fellow women go through, this was a moment of joy, a moment of happiness, a moment to dance, a moment to celebrate.

Rose Omamo, General Secretary,
Amalgamated Union of Kenya Metal Workers
(AUKMW), Kenya

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DRAFT JOINT STATEMENT

The adoption of International Labour Organization (ILO) [Convention 190](#) and [Recommendation 206](#) on Violence and Harassment in the world of work is a victory for the trade union and labour movement. The adoption of these instruments is the culmination of years of campaigning and lobbying by trade unions, and in particular women trade unionists, built on the narratives and experiences of discrimination and violence from women workers globally. By adopting these international labour standards, member States of the ILO and workers' and employers' organisations have sent a clear message: violence and harassment in the world of work can no longer be tolerated and special attention must be paid to gender-based violence and harassment.

The implementation of both Convention 190 (C190) and Recommendation 206 (R206) really can make a difference in workers' daily lives. For instance, imagine how it would be for a worker to no longer feel afraid to go to work because she knows that a collectively negotiated preventive policy on sexual harassment, with adequate redress, is effectively implemented in her place of work. She knows she can speak up about any sexual harassment she endures from a colleague or superior, because she will be supported and she knows that violence and harassment in the working environment is NOT 'part of the job'. Imagine how it would be for a worker who has experienced domestic violence to know that she will have support from her employer, trade union and colleagues, so that she is able to find a way out. Imagine the relief for a worker who knows that his superior, customers, patients or other third parties have no right to threaten or bully him, and he is able to feel safe at work. Imagine if a street worker who sets up his vegetable stall on a daily basis can run his business in peace, and gets some financial stability, knowing that public authorities have no right to harass and threaten him on unjustified grounds just because he is an informal worker.

Effective implementation of these standards can have a significant effect on workers' perception of their working environment. Workers will also recognise the key role of trade unions in ending violence and harassment in the world of work. This could have a significant impact on their quality of life. Truly, "Convention 190 can change lives" by shaping a world of work free from violence and harassment in every country, every sector, and in every organisation.

The Convention and the Recommendation require States, in consultation with representative employers' and workers' organisations, to adopt an inclusive, integrated and gender-responsive approach to the prevention and elimination of violence and harassment in the world of work. C190 and R206 leave no-one behind.

Women workers or groups and individuals in situations of vulnerability will benefit from specific protections. Gender equality cannot be achieved, as long as gender-based violence and harassment remain prevalent in the world of work. Implementation of these new instruments is key to making gender equality a reality in the world of work.

As trade unions, we have an important role to play in ensuring this Convention and Recommendation do not just remain on paper but are transformed into action. Trade unions are leading local and global campaigns, calling for the ratification and effective implementation of C190 and R206, so that these standards are integrated into national legislation. The instruments promote collective bargaining as a key tool for workers in the struggle to eliminate violence and harassment in the world of work and present an opportunity for internal/union reforms with an inclusive and gender-responsive approach.

The Global Unions have been working together since the adoption of these instruments to provide strong support for trade unions and increase understanding and appropriate use of C190 and R206.

We are proud to now present a C190/R206 "Training of Trainers" toolkit, which we hope will be extensively used by trade unions and workers' representative organisations.

Trade unions all around the world are joining forces to put an end to violence and harassment in the world of work, including gender-based violence and harassment. United, we can contribute effectively to dismantling patriarchal systems, to building equal, inclusive, safer and more secure workplaces, and socio-economically equitable and just societies.

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INTRODUCTION

Violence and harassment in the world of work is a daily reality for millions of workers in all sectors, occupations, and work arrangements. Gender-based violence and harassment is the most widespread form of violence and harassment in the world of work, affecting women disproportionately.

The historical adoption of the ILO Violence and Harassment Convention 190 (C190) and Recommendation 206 (R206) in 2019 by the International Labour Conference has created a new momentum in the fight against violence and harassment – including gender-based violence and harassment - in the world of work.

A note for educators using this toolkit

The toolkit has been designed to:

- ➔ Encourage discussion about violence and harassment and gender-based violence in the world of work
- ➔ Raise awareness about the ILO C190, its accompanying Recommendation R206 and its significance for workers – particularly women workers
- ➔ Encourage unions across the world to campaign for the ratification of C190 and its effective implementation in line with R206
- ➔ Encourage unions to use these instruments to integrate C190 into the union bargaining agenda
- ➔ Build stronger unions to enable workers to assert our rights to a world of work free from violence and harassment.

This manual is primarily for workers' educators and facilitators as well as trade union staff and representatives, to develop training programmes for trade union staff, leaders, representatives, or members.

How to use this toolkit

The toolkit is comprised of the facilitators guide and the activities workbook. It is intended to be a flexible and lively resource. It can be used in its entirety, working through the facilitators guide and the supporting activities workbook. Or you can use the different sections of the toolkit to support existing learning programmes, or plan specific programmes depending on local and individual needs.

The Facilitators Guide contains:

- Briefings on the key issues
- Examples of good practice and language developed by other unions
- Further resources that might be useful for additional information and learning.

The Activities Workbook contains:

- Facilitators notes, describing objectives, intended outcomes and instructions on how to run the activity
- Participants' activity sheets
- Further resources that might be useful for the session.




Acronyms and Abbreviations

AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
AFW	Alliance of Filipino Workers
BME	Black and Minority Ethnic
BWI	Building Workers International
C190	Violence and Harassment Convention 190
CBA	Collective Bargaining Agreement
CLC	Canadian Labour Congress
DWU	Dairy Workers Union
EI	Education International
EU	European Union
GBVH	Gender-based violence and harassment
GFA	Global Framework Agreement
GUF	Global Union Federation
IDUL	Independent Democratic Union of Lesotho
IDWF	International Domestic Workers Federation
IFJ	International Federation of Journalists
ILC	International Labour Conference
ILO	International Labour Organization

ITF	International Transportworkers Federation
ITUC	International Trade Union Confederation
IUF	International Union of Foodworkers
LGBTI+	Lesbian, gay, bisexual, transgender, intersex+
MSTKS	Maharashtra State Transport Kamgar Sanghatana
OSH	Occupational Safety and Health
PSI	Public Services International
R206	Violence and Harassment Recommendation 206
SACCAWU	South African Commercial, Catering and Allied Workers Union
SDA	Shop, Distributive and Allied Employees Association
SEIU	Service Employees International Union
TNC	Transnational Corporations
TUC	Trades Union Congress
UK	United Kingdom
UN	United Nations
UNI	UNI Global Union
USA	United States of America

USDAW	Union of Shop, Distributive and Allied Workers
VAW	Violence Against Women
WHO	World Health Organisation

Key to Symbols

	Stories
	Quotes
	Explanatory boxes and useful information
	Good practice and language
	Guidance

Glossary

Chromosomes	Collections of genes that all humans have.	Gender-responsive	Identifying underlying deep-rooted inequalities between women and men, and then working to transform them. Gender equality becomes central.
Convention	A legally binding international agreement.	Intersectional discrimination	When people experience more than one discrimination.
Gender	The characteristics, including norms, behaviours, and roles, of men and women that are socially constructed and learned.	Intersex	A person born with sexual features which are indeterminate or ambiguous, or with characteristics of more than one gender.
Gender expression	A person's manifestation of their gender identity, and/or as perceived by others.	LGBTI+	Lesbian, gay, bisexual, transgender, intersex.
Gender identity	A person's understanding or experience of their gender, which may or may not correspond with the sex assigned to them at birth, including their sense of their body (which may involve modification of bodily appearance/function) and other expressions of gender including dress, speech, and mannerisms.	Misogyny	Prejudice or discrimination against women or girls.
Gender impact assessment	Analysing structures, policies, and actions to see if they reduce, maintain, or increase gender inequalities.	Non-binary	Those with a gender identity that cannot be defined as male/female. Some people identify as having neither a female or male gender or one that shifts between the two, or with no gender at all.
Gender norms	Norms considered appropriate for men and women.	Gender-based occupational segregation	Inequality in the allocation of women and men across different job categories.
Gender pay gap	Women being paid less than men.	Patriarchy	Socially created and oppressive system in which men are more likely to hold positions of power, leadership, authority, and privilege.
Gender stereotypes	Generalised views about the characteristics and roles that men and women should have.	Psychosocial hazard/risk	Anything in the design, management or organisation of work that increases the risk of work-related stress and violence and harassment.
Gender-based violence and harassment	Violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately.		
Gender-disaggregated data	Data collected separately on men and women.		

Ratification	When governments agree to put the contents of an internationally agreed standard into national law and practice and it becomes binding (obligatory).	Violence and harassment	Behaviours, practices, or threats, whether one-off or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual, or economic harm, including gender-based violence and harassment.
Recommendation	Non-binding guidelines which give important guidance to governments and are important tools for campaigns and negotiations.	Xenophobia	Fear or hatred of that which is perceived to be foreign or strange.
Sex	The characteristics that are biologically determined.		
Sex characteristics	The chromosomal, gonadal, and anatomical features of a person. These include primary characteristics such as reproductive organs and genitalia, chromosomes and hormones, and secondary characteristics such as muscle mass, hair distribution, breasts and/or physical structure.		
Sextortion	This is when someone abuses their power to sexually exploit someone in return for a service from his/her authority.		
Sexual orientation	A person's physical, romantic and/or emotional attraction towards other people. Common orientations include gay, lesbian, straight/heterosexual, bisexual.		
Transgender	An individual whose sexual and/or gender identity or appearance differs from the sex they were given at birth.		
Victim-blaming	Holding the victim rather than the perpetrator responsible.		

1

VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

Violence and harassment in the world of work affects all countries, sectors, occupations, and work arrangements, and it threatens the dignity, safety, health, and wellbeing of all people.

In June 2019, the International Labour Organization (ILO) made history by adopting two new international instruments on violence and harassment in the world of work – Violence and Harassment Convention (No.190) and Violence and Harassment Recommendation (No. 206).

What is the ILO?

The ILO is a special agency of the United Nations (UN) that deals with labour issues. Its main responsibility is to design, adopt, and monitor international labour standards. These important legal instruments set out fundamental principles and rights at work.

The ILO is the only UN agency where workers' organisations (represented by independent trade unions) have a right to be represented and to negotiate on an equal footing with governments and employers. International labour standards are negotiated and adopted by representatives of workers, governments, and employers together in a 'tripartite' structure that is unique to the ILO. This means that workers, along with employers and governments, have a seat at the table. Workers and employers are equally represented with 25% of the votes each. Governments have the remaining 50%. This means that trade unions play an important role in winning new international standards.

The ILO also establishes programmes to promote workers' rights and decent employment opportunities and encourage social dialogue. It also provides training and other forms of technical support to develop the organisation and representation of trade unions.

- ➔ The **International Labour Conference (ILC)** is the ILO's main decision-making body. It agrees international labour standards and sets the strategic direction of the ILO, normally meeting in Geneva every year for two weeks. It is a forum for discussion of key social justice and labour questions. Each country is entitled to send a delegation, with government ministers and/or civil servants, employers' representatives, and trade union representatives nominated by the national trade union centre.
- ➔ The **Governing Body** is the executive council of the ILO. It meets three times a year in Geneva. It takes decisions on ILO policy and establishes the programme and the budget, which it then submits to the Conference for adoption.
- ➔ The **International Labour Office** is the permanent secretariat of the ILO. It is the focal point for the ILO's overall activities, under the scrutiny of the Governing Body and the leadership of a Director-General.

The work of the Governing Body and of the Office is aided by tripartite committees covering major industries. It is also supported by committees of experts on such matters as vocational training, management development, occupational safety and health, industrial relations, workers' education, and special problems of women and young workers.

International labour standards are agreed every year at the ILC. These standards are backed by a unique supervisory system that helps to ensure countries implement the Conventions that they ratify (agree to). The ILO regularly examines the application of standards in member states to suggest areas where they could be better applied. Where it finds problems, the ILO helps those countries through social dialogue and technical assistance.

The new Violence and Harassment Convention No. 190, agreed at the ILC in 2019, is the first international standard of its kind that acknowledges the universal right to work in a world of work free from violence and harassment, and also sets out a clear framework for ending it.

“*The landmark Convention against violence and harassment at work is the culmination of an exceptional campaign for this new global standard, and efforts will now turn to ensuring that it is ratified by governments and put into action.*”

Sharan Burrow, General Secretary, International Trade Union Confederation (ITUC)



1.1

What is violence and harassment?

ILO Convention C190 defines **violence and harassment** as “*a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.*”

Violence and harassment takes many forms. It can include:

- ➔ Physical violence, including assault, physical abuse, and murder
- ➔ Psychological violence (verbal and emotional abuse), including stalking, intimidation, threats, verbal abuse, and hostile behaviour
- ➔ Online violence, through technology and the internet, including threats, insults, abusive comments, cyberbullying, cyberstalking, trolling, hate speech, abusive comments, and being sent obscene images
- ➔ Sexual harassment, including unwanted sexual advances, touching, attention, and rape
- ➔ Bullying and mobbing
- ➔ Economic violence, including the denial or misuse of resources or services, not complying with economic responsibilities, and actions which result in negative economic consequences
- ➔ Abusive work practices, conditions, and arrangements, leading to physical, psychological, sexual, or economic harm
- ➔ Domestic violence.

Violence and harassment can take place in the physical workplace, in private and/or public spaces, as well as at work-related events and activities.

Violence and harassment is rooted in systems of power and control. Perpetrators use power and control to inflict harm and mistreat the victim/survivor. It can be caused by single or multiple intersecting inequalities. In each case there is a perpetrator who commits the violence and a victim or survivor.



The terms “victim” and “survivor” are both used to describe individuals who have experienced violence and harassment. Both can be appropriate, but they may be used in different contexts. Victim is commonly used in the criminal, judicial and medical systems and is useful because it provides certain rights under the law. But some people prefer the term survivor, as it implies empowerment and has more positive connotations.

In the world of work, there is a system of relationships created by the different roles workers have in the hierarchical organisation of the working process. These different roles mean that some workers have more power and others have less. Differences in power – whether hierarchical, or based on gender, race, or class – lead to inequality.

When workers experience discrimination or inequality for more than one reason, they suffer from multiple and intersecting discrimination. This creates yet another layer of inequality that increases the risk of violence and harassment. (For more information see Section 1.3.)

Perpetrators are often part of the organisation – employers, managers, supervisors, peers, colleagues. Violence and harassment is also committed by those who are outside the organisation – third parties, including customers, clients, patients, business contacts, service providers, and the public. This is common for workers in sectors such as transport, retail, hospitality, health, education, and entertainment, where they are working in customer, patient, or public facing roles. It is also frequently experienced by informal workers from public authorities.

The workplace environment, the way work is organised, and the way workers are treated - including poor workplace preventive and protection measures, a lack of clear complaints and reporting mechanisms, and barriers to joining a union - can create the conditions under which violence and harassment is more likely.

Abusive work practices or conditions can increase the risk of work-related stress and psychosocial hazards, as well as physical violence. Such abusive practices include:

- ➔ precarious work arrangements
- ➔ giving workers no time to rest
- ➔ isolating workers
- ➔ withholding information
- ➔ assigning tasks that do not match capabilities
- ➔ giving impossible goals and deadlines
- ➔ over-surveillance or excessive monitoring
- ➔ forcing workers to work unsociable hours unnecessarily, which can make travel to/from work dangerous
- ➔ forcing workers to travel unnecessarily
- ➔ maternity/pregnancy harassment (including not providing reasonable adjustments for pregnant women, isolating pregnant women, giving them menial tasks)
- ➔ being prevented from using the toilet
- ➔ withholding travel documents such as passports (common for migrant domestic workers)

“ I don't have a bed on the train to take a rest. I have to sleep beside the toilet, using a sheet as a curtain to make a partition between the passengers and myself.

Woman Train Attendant, Bangkok

□ In India, the Maharashtra State Transport Kamgar Sanghatana (MSTKS) union conducted a survey which revealed that more than 60% of pregnant women working as bus conductors had suffered miscarriages due to difficult working conditions. The union carried out an advocacy campaign, including media coverage, to try to win lighter desk duties for women in pregnancy. Although unsuccessful with this, the union did win extended maternity leave.

“ In the rural areas the road conditions is often very bad. Many women workers were suffering miscarriages from having to be on moving buses, standing up all day. After conducting the survey...the union was able to negotiate for 3 months extra maternity leave for the women workers. It is a great victory for us... This was made possible because women created a very strong network which made the issue visible.

Sheela Naikwade, Vice President, Maharashtra State Transport Kamgar Sanghatana (MSTKS), India

It is common for workers to accept violence and harassment as “part of the job” and not report it. For example, in the UK, the Union of Shop, Distributive and Allied Workers (USDAW) found that 56% of shopworkers who had experienced violence at work did not report it to their employer.¹

There are many reasons for this. Workers may fear losing their job or missing out on career opportunities. Sometimes it is just seen as an inevitable part of getting or keeping the job. Often, there are not adequate workplace policies which workers can trust to safely report and have their case dealt with. Or the employer might not take it seriously or laugh it off. If workers are disbelieved, or nothing has been done to change the situation in the past, workers may stop reporting complaints, leaving them feeling powerless.

1 Surveys of violence and abuse against shop staff, USDAW (2017) <https://www.usdaw.org.uk/CMSPages/GetFile.aspx?guid=ac12525f-fdc6-4b3b-b6cf-69f6529c4178>



Violence and harassment has serious negative consequences for people's health.

Psychological

- Anger, anxiety, shock, fear, and stress
- Mental health problems including post-traumatic stress disorder, depression, and anxiety
- Loss of motivation, morale, and desire to be productive
- Loss of confidence and self-esteem, feelings of isolation

Physical

- Sleep disturbances, headaches and migraines, increased risk of heart disease, digestive disorders, decreased physical strength and musculoskeletal complaints, all relating to anxiety and stress
- Sexual and reproductive health problems
- Immediate physical injuries, and even loss of life because of physical attack, rape, or suicide

Work/Social

- Difficulty returning to work, lost workdays, decreased job performance, loss of interest
- Social isolation from work colleagues, friends, and families
- Fear of clients or members of the public
- Negative impact on income and career progression and dismissals
- Work colleagues may also suffer stress and fear. If a worker is absent or under-performing, colleagues may have to deal with a higher workload.

Violence and harassment results in costs for employers.

➔ This is a good argument to use when negotiating with employers.

- High staff turnover, worker absenteeism, use of sick leave, and long-term disability costs
- Increased risk of errors and accidents
- Lowered morale, performance, lost productivity, and motivation
- Legal costs including investigations, liability, and case settlement
- Reputation costs and clients experiencing a lower quality of service

It also puts a strain on and affects the quality of public and private services.

➔ This is a good argument to use when lobbying government.

- Long-term rehabilitation costs for survivors
- Unemployment and welfare benefits, and retraining
- Legal and criminal costs
- Health care and counselling
- Loss of GDP from workers missing from paid employment

1.2

What is gender-based violence and harassment?

Gender-based violence and harassment (GBVH) is “*violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately.*” Violence and harassment against women because they are women is GBVH. Violence and harassment against people who are, or who are perceived to be, not conforming to traditional gender roles is also GBVH.

What is the difference between sex and gender?

Sex and gender have often been used interchangeably, underpinned with ideas about biological determinism (that our behaviour is controlled by our biology). However, sex and gender are now more commonly understood as two different concepts.

➔ **SEX** is the characteristics that are biologically determined.

Our sex is determined by our chromosomes (collections of genes that humans have): generally **male** (XY chromosomes) or **female** (XX chromosomes). It is distinguished by our primary sexual characteristics which are present at birth, and secondary sexual characteristics which develop during puberty.²

➔ **GENDER** is the characteristics that are socially constructed and learned.

Our gender is usually expressed in terms of **masculinity** and **femininity**, and is shaped by cultural, economic, and historic factors. These factors create ‘gender stereotypes’, generalised views about characteristics and roles that men and women should have: each ‘gender’ comes with a set of expectations about what it means to be a man and a woman. Common gender stereotypes include girls like playing with dolls, boys prefer football; women are nurturing and gentle, men are aggressive and strong; women are emotional, men should not be.

But these gender stereotypes are not fixed: we do not have to follow them if they do not fit who we are or want to be. Gender is fluid and exists on a spectrum. The gender someone identifies as may not match the sex they were given at birth and there are many ways that we can express our **gender identity** (personal sense of our own gender).



The understanding of **sex** and **gender** as two different concepts now has new approaches. Scientific researchers show that some features which seem to be a result of sex can actually be caused by social factors (e.g. women are usually smaller because they have historically received less protein than men).

2 A person’s sexual development might not fit into ‘male’ or ‘female’.

What are the root causes of gender-based violence and harassment?

Violence and harassment can affect anyone. But women are more at risk. This is because of their unequal position in society. Because of this, GBVH is sometimes called violence against women (VAW). The World Health Organisation (WHO) reports that 1 out of every 3 women will experience physical and/or sexual violence in their lifetime.³ Underreporting of cases means that the true statistic is likely to be much higher.

GBVH is both a cause and a consequence of inequality between women and men.

GBVH is caused by unequal gender roles and power relations between men and women in society. This inequality is caused by *patriarchy* - a socially created and oppressive system in which men are more likely to hold positions of power, leadership, authority, and privilege. This establishes gender roles and relations which are reinforced by social norms that perpetuate harmful attitudes, stereotypes, behaviours, and intersectional forms of discrimination.

Structural inequalities mean that work is generally divided between men and women according to established gender roles and stereotypes. Harmful stereotypes mean that some work is considered to be 'women's work.' This leads to occupational segregation. Women are clustered in jobs based on how society sees women's roles. The skills needed for these jobs are perceived to be 'natural' to women and so less skilled and are undervalued. As a result, women generally end up in lower-status jobs with fewer opportunities and are generally paid less than men. Even when working the same or similar jobs, women are often still paid less. This causes a gender pay gap.

On top of this, women continue to face a double burden - carrying out most of the unpaid domestic and caring work in the home on top of paid work outside the home.

Across the globe, domestic work is generally not valued as 'proper work' or recognised as such in labour law because the skills needed - cooking, cleaning, and caring - are seen as 'natural' for women. Because of this, domestic workers - the majority of whom are women - have some of the lowest wages and working conditions, and some even struggle to get a salary at all; somewhere to sleep and food can be used as forms of payment.

Abuse, or just the threat of it, makes us work excessive hours, accept no or very low wages, and carry out dangerous tasks. We despair, we are hurt, damaged, and sometimes broken. Domestic work is one occupation where slavery abounds in the world today. Some of us are sequestered, not allowed ever to leave the homes where we are employed, and some of us fall victim to rape, torture, and murder.

Novelita V. Palisoc, Executive Committee member, IDWF, Asia⁴

These inequalities mean that women lack bargaining power and agency at work and in society, making them more vulnerable to violence and harassment. This is particularly true when working in the most informal and precarious jobs - where women are the majority.

The gendered power inequalities also establish behaviours and norms considered appropriate for men and women. Men are encouraged to be active, strong, powerful, controlling, and aggressive. Women are taught to be weak, passive, submissive, nurturing, and sensitive.

Meanwhile, a woman's value is often seen as lying in her beauty and body. Women come to be seen and treated as possessions or objects, rather than human beings with the right to be treated equally and respectfully.

³ Violence against women - Fact Sheet, WHO (2017) <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>

⁴ Gender-based violence and harassment against domestic workers - Case Stories from Asia, IDWF (2020) https://idwfed.org/en/resources/gender-based-violence-and-harassment-against-domestic-workers-case-stories-from-asia/@@display-file/attachment_1

Q In 2019, the Government of Uganda proposed a plan to promote the country's tourist industry with a "Miss Curvy" beauty contest, and suggested adding "curvy and sexy women" to information listing Uganda's attractions.

These gender norms are harmful for both men and women: they reinforce gender inequalities and create a culture of toxic masculinity. Gender norms establish male entitlements to abuse women and lead to men feeling entitled to dominance over women's bodies. Men who do not follow this stereotype frequently face discrimination.

GBVH is an issue of power and control and is used as a way to keep women in an unequal position, particularly when they try to assert a claim to power. Evidence shows that when women enter non-traditional 'female' occupations or senior positions they frequently face violence and harassment.

When women report violence and harassment, they are frequently silenced. They may be ignored or disbelieved; the severity of the attacks may be minimised; or they may be told to take it as 'a joke' or 'a compliment'. This makes them afraid to report it. Women, particularly those in the most vulnerable work situations, may fear retaliation, losing their job, or that the violence and harassment will become worse. In some cases, those who make complaints may be required to sign a non-disclosure agreement, thereby further silencing them from speaking out. GBVH may come to be seen as 'normal' or 'part of the job.'

Women who face multiple and intersecting forms of discrimination such as those based on class, race, age, migration status or disability status, may be even more at risk of violence and harassment, and may also experience difficulties in getting access to the support they need.

“ *In many cases it is hidden because, from the point of view of the victim, saving her job and her income is much better than having to speak out about the violence and risk losing her job. Violence gets driven underground.*

Patricia Nyman, National Gender Coordinator, South African Commercial, Catering and Allied Workers Union (SACCAWU), South Africa

“ *Our female members face harassment and violence at work. Very often they are afraid to complain about violations of their rights because of fear of losing their job or they are too shy to talk about it openly...*

Nataliya Levytska, Deputy Chairperson, Confederation of the Free Trade Unions of Ukraine (KVPU), Ukraine⁵

Q A woman union leader at a multinational mining company suffered from aggressive verbal abuse from her male colleagues. She was also sexually assaulted by one of her bosses. After she complained, another woman reported similar allegations. The company did nothing.⁶

Mining Sector, Colombia

Q In Morocco, a young woman working in the aerospace sector reported being sexually harassed by her male supervisor. The company accused her of making the story up and put pressure on her to drop the complaint. They told her that it would have a negative impact on the company's reputation. Because the woman had no proof of being harassed, the company did nothing and she ended up leaving her job.⁷

Aerospace Sector, Morocco

5 Ratify ILO Convention 190, EI (2019) https://www.youtube.com/watch?v=MErsYxvquYQ&list=PLzE8QMjUc9JkL3ZLZhDe2_LdQ9sqvtOz2&index=4

6 The hidden crisis of workplace violence against women, IndustriALL Global Union (2017) <http://www.industriall-union.org/the-hidden-crisis-of-workplace-violence-against-women>

7 The hidden crisis of workplace violence against women, IndustriALL Global Union (2017) <http://www.industriall-union.org/the-hidden-crisis-of-workplace-violence-against-women>

Victim blaming (holding the victim rather than the perpetrator responsible) is another result of gender inequality. Too often when women report violence and harassment it is their actions or behaviour that are blamed: what they were wearing or saying, that they were ‘encouraging attention’ or ‘asking for it’, or they did not resist the abuse. They can be told to change their behaviour and follow certain rules to ensure their safety. Such victim-blaming still also happens within our own unions.

But nothing justifies violence and harassment, and women’s behaviour can never be taken as consent for mistreatment. When we blame a woman, we reinforce gender inequalities. It is the behaviour of the perpetrator that needs to be addressed. It is the perpetrator who must take responsibility to change his/her behaviour and actions. Victim-blaming stops us from dealing with the fundamental problem – the way in which harmful gender norms and inequalities lead to GBVH.

“When women are subjected to injustice and harassment at the workplace or at home, they think that they are at fault. We were conditioned to it. Even I used to take the blame on myself, that I must have made some mistake which is why it happened to me.”

Harshala Patil, Bus Conductor, India

Because GBVH disproportionately affects women, violence and harassment reinforces gender inequality. It can mean fewer women entering the world of work (increased gap in labour force participation of women) and women being paid less than men (increased gender pay gap). It also means women continue to work in lower paid sectors and lower status jobs (occupational segregation).

Types of gender-based violence

SEXUAL HARASSMENT

Sexual harassment is sexually-related behaviour and language that is unwanted, unwelcome, unreturned, and offensive and causes harm.⁸ Regardless of the intent of the perpetrator, what matters is the effect that the behaviour has on the victim or survivor. It is an expression of *power and control* which is intended to intimidate and degrade.

It may be perpetrated by a wide range of people, including colleagues, supervisors, subordinates and third parties. It results in an unsafe and hostile work environment for the person experiencing it, as well as for witnesses and co-workers, and can have serious personal, health, economic and social costs.

Women are disproportionately affected by sexual harassment. This is because of the power inequalities that exist between women and men, which mean that women’s bodies are sexually objectified. A European Union (EU) survey showed that between 40 and 50% of women in the EU have experienced unwanted sexual advances, physical contact or other forms of sexual harassment at and outside of work.⁹ Similarly, studies in Japan, Malaysia, the Philippines and South Korea show that 30-40% of women have suffered sexual harassment at work.¹⁰

➔ *Quid pro quo* sexual harassment is when a worker is asked for a sexual favour in exchange for a work advantage. There is a growing recognition of ‘sextortion’ as an increasingly common form of GBVH, particularly faced by workers in precarious and informal work.¹¹

8 For more information see: Sexual harassment in the world of work, ILO https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738115.pdf

9 Violence against women: an EU-wide survey, EU Fundamental Rights Agency (2014) <http://fra.europa.eu/en/publication/2014/vaw-survey-main-results>

10 Statistics on violence against women and girls, UN Women <https://www.endvawnow.org/en/articles/299-fast-facts-statistics-on-violence-against-women-and-girls-.html>

11 Violence and harassment against women and men in the world of work – Trade union perspectives and action, ILO (2017) https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_546645.pdf

“An employer will think that he can harass you sexually in exchange for an opportunity to work. Many women often end up giving in so that they can get some work and money to feed their families. We have cases where the boss has said “If you become my girlfriend you can drive my car or... you can continue working in the office.

Agnes Mwongera, Online Driver, Transport Workers’ Union of Kenya (TAWU), Kenya

“In Malawi, many women say that they have been harassed but they just don’t know where to report it. Sexual harassment often comes from someone using their power to take advantage of poverty. Powerful men, such as managers and supervisors, use their positions to harass women who want to have their contract renewed. These men use sex as ‘part of the job’. For many poor women, if they want to have their contracts renewed, they must have sex with the boss. This is particularly true when girls are working in precarious work. Bosses sleep with many girls. This also spreads HIV/Aids and worsens the cycle of poverty.

Zione Leah Pakulantanda, Projects Officer, Hotel, Food Processing and Catering Workers Union (HFPCWU), Malawi

➔ **Hostile working environment** is conduct, behaviour or language that creates an intimidating, hostile or humiliating environment for the worker.

“... The harasser was the senior editor in my office. It started when he asked me to talk about an office matter after work hours...Although I tried to make excuses to avoid meeting him after work, he managed to find a way to meet me.... I was sexually harassed. It was harrowing and I have not been able to share my story with my friends or my colleagues in the office... The stress caused me to resign from my job. He continued to try to find me and even followed up with my close friends who are still working with him in the newsroom... The experience has taken away my self-confidence and left me feeling hopeless.

Female Journalist, Jakarta, Indonesia

Sexual harassment can take many different forms:

- **Physical:** unwelcome and unnecessary physical touching, fondling, caressing, hugging, or kissing, physical assault, unnecessary close proximity;
- **Verbal:** sexually suggestive or offensive comments, insults, jokes, insinuations, or questions about private life, physical appearance, gender identity or sexual orientation; inappropriate sexual invitations or requests;
- **Non-verbal:** inappropriate staring or leering; receiving or being shown offensive, sexually explicit pictures or gifts; indecent exposure; any gesture which has a sexual connotation;
- **Online violence:** receiving unwanted, offensive, sexually explicit emails or messages; inappropriate advances online, including through the use of virtual meeting platforms.

“ I was at the office Christmas party when the company director touched me inappropriately. I tried to file a complaint with the police, but they said there wasn’t enough evidence. A colleague told me he did the same to her.

Woman Worker, Electricity Sector, Sweden

It is all too common for an everyday culture of sexual harassment to exist in public and private spaces, including workplaces. It is often described as ‘part of the job’ or ‘joking around’. Without information or support, many women do not report it. A UK survey found that 85% of women aged 18-24 had experienced unwanted sexual attention in public places and 45% had experienced unwanted sexual touching.¹²

“ A woman working in a University was approached by the Academic Vice President who told her that he was interested in her. She tried to tell him that she was not interested, but he started to harass her, telling her and others that he wanted to be with her. He used his position to encourage his colleagues to force her to accept the request. Colleagues sent messages and calls to pressure her, refused to pay her salary, and even made death threats.¹³

Ethiopian Teachers Association (ETA), Ethiopia

PHYSICAL VIOLENCE

Physical violence is the use of physical force that has the intention of, or results in, or is likely to result in physical, sexual, or psychological harm. It includes physical assault and abuse, including beating, slapping, kicking, pushing, pinching. In extreme cases it can lead to murder.

“ Women garment workers in Morocco report physical and verbal abuse, including being pinched and slapped. Some are even beaten with the garments they are making if they are deemed not to be working fast enough.¹⁴

Garment Sector, Morocco

“ Murni (not her real name) worked for a family in East Jakarta, Indonesia. She was responsible for cooking, cleaning, and doing the laundry. Her employer was very abusive, not paying her any salary, giving her insufficient food, stopping her from leaving the house and contacting anyone other than them. Her employer also beat her with physical objects, poured hot water on her and burned her with an iron, threatening her that any resistance would lead to harsher treatment. One day, Murni’s employer accused her of being interested in her husband. She punished Murni by stripping off her clothes and assaulting her vagina. She also forced two male domestic workers who she also employed to rape Murni. On another occasion, she forced Murni to eat cat faeces, leading to Murni developing Tuberculosis. After her employer severely injured her mouth with a broom, Murni escaped by climbing down the tv cable. She ran straight to the neighbourhood police post. She was extremely malnourished, weighing only 25kg.¹⁵

12 Survey result on women’s experience of sexual harassment, End Violence Against Women (2016) www.endviolenceagainstwomen.org.uk/news/234/85-of-younger-women-in-uk-have-been-sexually-harassed-in-public#sthash.h2rGXrL6.dpuf

13 Working to end school related gender-based violence, EI (2019) https://issuu.com/educationinternational/docs/workingtoendsrgbv_english_hires?fr=sYTk1OTEINDg3ODM

14 The hidden crisis of workplace violence against women, IndustriALL Global Union (2017) <http://www.industriall-union.org/the-hidden-crisis-of-workplace-violence-against-women>

15 Gender-based violence and harassment against domestic workers – Case Stories from Asia, IDWF (2020) https://idwfed.org/en/resources/gender-based-violence-and-harassment-against-domestic-workers-case-stories-from-asia/@@display-file/attachment_1

▼ PSYCHOLOGICAL ABUSE

Psychological abuse is the use of power that has the intention of, or results in, or is likely to result in negative psychological consequences for the victim/survivor. It includes a wide range of verbal and non-verbal abuse, psychological and sexual harassment, bullying, mobbing, intimidation and threats, and stalking. It includes sexist or misogynistic comments, and harassment, threats and intimidation based on a woman's gender, such as threats of rape.

“ *Jokes or comments with macho or humiliating content... sexist, racist, misogynistic, xenophobic expressions are... very common.*

Marcelo Di Stefano, Asociación del Personal de la Universidad de Buenos Aires (APUBA), Argentina

Myriam Leroy is a freelance journalist and Belgian author. She was the victim of cyberstalking, violent insults, and threats of rape and death online.

“ *Insults and threats of rape by the thousands, death threats by the hundreds, all always with a sexual connotation. Photomontages of my face covered in sperm and bruises, my head screwed on a naked corpse body, etc... I continued to work and behave on social media as if nothing had happened, at least pretending that all this did not affect me, just so as not to give the stalkers the signal that they had won. But the police were patrolling in front of my home, a security guard accompanied me to work, I only left my home in disguise, and... I was terrified...*

Most of my colleagues have treated my “case” from the angle that “She asked for it”. Nobody put forward what was, it seems, more prominent in this story: the misogynistic dimension of the attacks. Their incredible violence... (silencing me with sexual humiliation) and the fact that they were practically all the work of men...¹⁶

Myriam Leroy, Association des Journalistes Professionnels (AJP), Belgium

Bullying is the use of force, coercion, intimidation, belittling, domineering or threat to cause harm. It can be one-on-one or group bullying. When a group of workers uses physical and emotional abuse and harassment to target an individual it is called ‘**mobbing**.’

▼ ECONOMIC VIOLENCE

Economic violence is when someone controls an individual's financial resources without that person's consent or misuses those resources. It includes any act or behaviour which causes economic harm to an individual. It can take the form of, for example, restricting access to financial resources, education, or the labour market, or not complying with economic responsibilities, such as alimony. It is often a part of domestic violence. In the workplace it may take the form of dismissing someone for refusing to respond to sexual advances, or promoting or demoting someone for sexist or discriminatory reasons.

For example, domestic workers commonly suffer economic violence from employers. Employers may not pay any or too little wages, postpone wage payments, or demand excessive working hours or duties without sufficient compensation. This maintains the employers' control. Economic and sexual violence are often connected in the form of sexual blackmail, such as when an employer threatens to fire a domestic worker unless she provides sexual services. This is also common for migrant workers – many of whom are domestic workers.

16 To read more testimonies of women journalists see: Testimonies of Women Workers, IFJ, (2017) <https://www.ifj.org/actions/ifi-campaigns/international-day-for-the-elimination-of-violence-against-women-2019.html>

▼ DOMESTIC VIOLENCE

Domestic violence is the most pervasive form of GBVH. Worldwide approximately 35% of women have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Most is intimate partner violence. In some national studies this figure can be as high as 70%.¹⁷

- ➔ In a study by the Canadian Labour Congress (CLC) in Canada, 33% of respondents reported domestic violence from an intimate partner, with women more likely to experience it than men. 38% of those who experienced domestic violence said it impacted their ability to get to work, and 82% said it negatively affected their work performance.¹⁸
- ➔ A study by affiliates of the International Transportworkers Federation (ITF) found that 75% of the 15,561 workers surveyed (of which 98% were women) had direct (47%) or indirect (28%) experiences of domestic violence. Of those who had personal experiences of domestic violence, 92% reported that it affected their ability to work.¹⁹

Domestic violence is violence and harassment that takes place between members of the family or domestic unit. It can also be carried out by former partners. Domestic violence is also referred to as 'domestic abuse', 'family violence' or 'intimate partner violence.'

It can take many forms including:

- ➔ **Coercive control:** an act/pattern of acts of assault, sexual coercion, threats, humiliation, and intimidation used to harm, punish, or frighten
- ➔ **Psychological/emotional abuse:** including humiliation, threats, intimidation, name-calling
- ➔ **Physical abuse:** including hitting, slapping, punching, kicking, pushing, confining
- ➔ **Sexual abuse:** including rape, forced sexual activities, sexual accusations, forced pregnancy or termination of pregnancy
- ➔ **Economic/financial violence:** including preventing person from getting a job, taking their money, controlling finances
- ➔ **Harassment and stalking**
- ➔ **Online abuse:** including threats, sharing of sensitive or intimate information on social media

Anyone can experience domestic violence. But women are more likely to be victims/survivors and men predominantly the perpetrators. This is because domestic violence is an issue of power and control and is rooted in inequalities between women and men.

Domestic violence has devastating effects on physical and psychological health as well as economic consequences for women.

Although domestic violence starts in the home, it can impact the world of work. Those who have been harmed may well need to take time off from work to recover. Perpetrators may stalk or threaten victims/survivors to/in their places of work, prevent them from going to work, or withhold their earnings. As a result, workers may be late for work, miss work, or their work performance may be negatively impacted. This can lead to them losing their jobs, which is disastrous for them: without the economic independence that a job offers, they cannot escape the violence.

17 Ending violence against women – facts and figures, UN Women <https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

18 Can work be safe, when home isn't – Survey Findings, CLC (2014) http://dvatworknet.org/sites/dvatworknet.org/files/Canada_survey_report_2014_EN_0.pdf

19 Impact of domestic violence in workplaces in India, ITF (2020) <https://www.itfglobal.org/en/reports-publications/impact-domestic-violence-in-workplaces-in-india>

Domestic violence can also impact a worker's colleagues. Perpetrators may threaten or hurt workplace colleagues. A person suffering from domestic violence may be absent, or tired and under so much pressure that they are less vigilant at work. This may create occupational health and safety risks for them and/or their colleagues. Or they may be far less productive, putting more strain on their co-workers.

A 2019 study by the ITF with male perpetrators of domestic violence revealed that:²⁰

- Men feel pressured by patriarchal social norms to 'perform' control over women and children in their family.
- Men often try to justify their actions of domestic violence, power, and control.
- Men often associate domestic violence only with physical and verbal forms.
- Male workers are negatively affected at work by their perpetration of domestic violence.
- Workplace accidents caused by male respondents impacted by their perpetration of domestic violence put the safety of passengers and employees at risk and are a significant cost to the employer.
- Male respondents need a safe space at work to share their problems, talk about their experiences and seek professional counselling support to help them reduce their engagement in domestic violence.

Despite the huge impact that it has on the world of work, many continue to believe that domestic violence is a private issue that should not be dealt with in the workplace. But domestic violence is not a private issue. It is a societal issue.

“ *It is important because violence in any of its forms also affects the world of work, a woman who experiences violence at home cannot avoid taking her problems to work, which is why it is important to take measures in the workplace.* ”

Ana Sanchez Navarro, Federación de Servicios a la Ciudadanía de Comisiones Obreras (FSC- CCOO), Spain



During the COVID-19 pandemic, domestic violence has risen dramatically, leading to domestic violence being referred to as the 'shadow pandemic'.²¹ Being confined at home with a partner, added financial and other stress and pressure on families, and an increase in remote working mean that the home is not a safe place for many workers. Now, more than ever, domestic violence is a world of work issue.

20 Domestic violence and the workplace: A qualitative study with men, ITF (2019) <https://itfviolencefreeworkplaces4women.wordpress.com/2020/03/08/domestic-violence-and-the-workplace-a-qualitative-study-with-men/>

21 COVID-19 and ending violence against women and girls, UN Women (2020) <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

1.3

Who is at greatest risk?

Everyone can be affected by violence and harassment in the world of work, but the risk of violence and harassment can vary depending on the work sector, occupation, and/or working arrangements.



WORKING WITH THIRD PARTIES

Workers who have potentially unsafe interactions with third parties as part of their jobs are at high risk. Violence and threats from customers are common in the retail and service sector, for example.

The Shop, Distributive and Allied Employees Association (SDA) in Australia has been campaigning to eliminate abuse and violence from customers in the retail, fast food, and warehousing industries. In a survey in 2017, it found that 85% of the 6,000 retail and fast-food workers surveyed had experienced abuse from customers at work.²² Since then, the union has been running a national campaign called 'No One Deserves a Serve', fighting for employers to take a zero-tolerance approach to abusive and violent behaviour and provide ways to report it.




<https://national.sda.com.au/sdaw/>

“ Our members frequently face abuse from the public. We want employers to commit to removing abuse and violence. We are looking at measures that will embed this as an issue in the industry for the long-term and tackle it on an ongoing basis. We have effectively engaged with employers to ensure that we take a joint approach...We have developed and implemented industry training on customer abuse and violence that will go into certificate level training...Training for managers to help to de-escalate situations is also an important tool. A common theme from our members is that when they are abused by a customer, managers do not know how to effectively deal with it. We have invested in training to enable management and workers to defuse the situation when it escalates...

We also encouraged employers to consider things like their returns policies. The feedback from our members is that the returns policy can impact how much abuse you will cop. If you have a strong returns policy, you have to say no to customers a lot...This leads to lots of abuse and anger from customers. Then when members call the manager, the manager gives into the customer...That was a huge complaint of our members. That they are enacting the policy required, and cop all of this abuse and then the manager gives in. We spoke to the employers to help them to understand the problem and how their policies are contributing to this.


Julia Fox, National Assistant Secretary, SDA, Australia

Violence and harassment from third parties is harder to control, and it may not be (or workers may feel it will not be) dealt with in the same way as it would if the perpetrator were another employee. This is widespread in the tourism, hotel, restaurant, casino, and bars sectors where the idea that ‘the customer is always right’, customer consumption of alcohol, and tipping all contribute to an increased risk. Employment in these sectors is often non-standard and precarious, which further increases the risk.

 **Workers in the Naga World Hotel Casino in Phnom Penh, Cambodia, report to have been physically assaulted, sexually harassed, and had hot drinks thrown in their face. There are no consequences for abusive customers. Management tell workers that nothing can be done. Workers are expected to apologise to guests who abuse them and get on with the job.²³**

In the UK, Unite the Union found that 9 out of 10 hospitality staff have experienced sexual harassment at work. Of those who reported that they were sexually harassed, more than 50% said the perpetrators were members of the public. Many of those who had been harassed said that it made them want to leave their job and made them feel unsafe and less confident at work.²⁴

In Chicago, USA, a survey by UNITE HERE Local 1 of workers in hotels and casinos revealed that workers face high levels of sexual harassment, mainly from male guests. 58% of hotel workers and 77% of casino workers surveyed have been sexually harassed by a guest. Almost half of housekeepers surveyed (49%) have had a guest be naked when they answered the door, expose themselves, or flash them.²⁵

 ***The employee may not have a voice because she is an employee, and... as the saying goes, ‘the customer is always right’. These are the kind of people being targeted because they have no voice to express themselves... As unions, we are advocating for sexual harassment policies that will protect such vulnerable groups of people. These policies shall include reporting procedures and disciplinary action against the perpetrators... Unions will also incorporate clauses in the CBAs that protect workers from harassment in the world of work.***

Caroline Busaka, Kenyan Union of Sugar Plantation Workers (KUSPAW), Kenya

In the education sector, teachers too face verbal, physical and psychological abuse at school from students, and online from students and parents. They commonly receive insulting comments, allegations of inappropriate behaviour with pupils, sexist and racist abuse, and death threats.

In the transport sector verbal abuse and sexual harassment from the public is also common, particularly for workers responsible for checking tickets and stopping fare dodging.

 ***Colleagues of mine have been slapped at, their hair pulled, punched. We already had a dead male colleague in the system. The measures taken by the regulatory bodies have not been effective.***

Woman Ticket Collector, Colombia

23 Naga World Hotel Casino Workers, IUF (2019) <https://www.iuf.org/news/naga-world-hotel-casino-workers-demand-measures-to-protect-them-from-violence-and-abuse/>

24 Not on the menu – Unite Survey, Unite the Union (2018) <https://unitelive.org/14506-2/>

25 Hands off pants on – Sexual harassment in Chicago’s hospitality industry, UNITE HERE Local 1 (2016) <https://www.handsoffpantson.org/wp-content/uploads/HandsOffReportWeb.pdf>

“ A client... I was taking home decided to sit in the front seat and press his legs on the dashboard. When I asked him to remove them... he said that he had paid for the trip, so that meant he could sit however he wanted. He asked me why I worked as a driver when I am such a beautiful lady. Then he tried to touch my body. It was horrible. I drove straight to the police station and reported it... The guy had to go through the court and paid a fine. This affected me mentally... I could not get the image out of my head... ”

Agnes Mwongera, Online Driver, Transport Workers’ Union of Kenya (TAWU), Kenya

Jobs can become even riskier when workers are handling valuables, money, or medicine.

“ We already have about more than ten people that have been robbed at gunpoint as a result of cash trips... women Uber drivers that have been raped because of cash trips. How many people have to be raped and killed and assaulted before cash transactions... is stopped? ”

Uber Drivers Guild Representative

Providing care to clients or patients who are ill, distressed, with substance abuse issues or on medication – such as in the health sector – also increases the risk of violence. Health care workers report some of the highest levels of violence. Verbal aggression, physical violence and sexual harassment from patients and visitors is common. The situation is made worse by inadequate training and staff numbers. A study by the Trades Union Congress (TUC) in the UK found that 1 in 8 people have experienced violence at work, with medical and health workers the biggest group reporting this (22%).²⁶

“ Forms of violence in the health sector are – verbal abuse by patients and management... victimisation, cyber-attacks by the public are also experienced by workers. Violence and harassment has a psychological impact... can cause depression, insomnia, decreased productivity, high levels of absenteeism to name a few... ”

Irene Khumalo, Deputy President, Swaziland Democratic Nurses Union (SDNU), Swaziland / Eswatini

The risk of violence and harassment also increases when a worker has to deny requests or restrict the freedom of individuals. Dealing with confidential information as part of working responsibilities also increases the risk. This is common within the public sector.

WORKING ALONE

Working alone or in isolation without witnesses is also a risk factor. This can include those in subcontracted and outsourced work, working in employers’ or clients’ homes, in isolated units, or at hours when few other employees are around such as late at night.

For example, social care workers – already at risk because of the public nature of their work and being mostly women and racialised workers – commonly work alone with individuals who may be unable to control their behaviour due to various conditions or injuries. This means that they frequently face violence and harassment.

A survey by the GMB in the UK that represents care workers found that, over the last five years, care workers suffered more than 6,000 violent attacks. 83% were so seriously injured that they had to take at least seven days off work.²⁷

26 One in eight people experience violence at work, TUC (2016) <https://www.tuc.org.uk/news/one-eight-people-experience-violence-work-says-tuc>

27 Carers suffer 6,000 serious injuries from violence at work, GMB (2019) <https://www.gmb.org.uk/news/carers-suffer-6000-serious-injuries-violence-work>

Domestic workers work long hours for extremely low wages and are isolated in private homes. As a result, intimidation, abuse, and sexual harassment is common. In Latin America the International Domestic Workers Federation (IDWF) found that 8 out of 10 domestic workers have suffered some form of violence at work.

Q Alicia, a migrant domestic worker from Nicaragua was working for a politician in Costa Rica. The employer's son was a drug addict and was often home alone all day with Alicia. The son was often violent and aggressive and made inappropriate sexual comments and advances towards Alicia.

One day, the son got locked out of the house. He became very angry. When he managed to get in, he became aggressive towards Alicia. He grabbed a knife and put it to her throat while forcing her to undress. Alicia begged him to take the knife away, but he forced her to get on to her knees while shouting insults at her. He then masturbated himself while called her names including 'stupid bitch, you are worth nothing, you are just a domestic worker, you are a dirty immigrant'. He then ejaculated all over Alicia's face and naked upper body.

When her employers found out, they fired her without any compensation and threatened her with deportation if she issued a complaint. The son also made death threats. Alicia left totally terrorized and traumatized, feeling powerless and helpless. Still today, when she sees a car like her employers', she gets panic and anxiety attacks.

In the transport sector, ship workers face extreme forms of violence due to their isolation at sea.

On board, they are often without national or international protection, and harassment is made worse by being unable to leave the workplace after a shift.

“ *There are still persons who turn into monsters once they sail at sea. Solitude might be a factor... since a ship is hundreds of miles away from any immediate help and hence a victim becomes rather more helpless... There was a case where someone reported abuse of co-worker ... to the Captain. Captain covered it up and did not report to the office. This is a common occurrence... Workers cannot sleep and work well due to fear of abuse... They end up leaving the company and the assailant continues working in the same company...*

Jasmin C. Labarda, Women's Committee Officer, Associated Marine Officers and Seamen's Union of the Philippines (AMOSUP), Philippines

WORKING ONLINE

Workers who have a presence online – for example, workers in the media sector such as journalists – are at a greater risk of cyberbullying, online violence and harassment. The IFJ found that almost two-thirds of women journalists have suffered online abuse.²⁸

“ *I received comments disparaging women's football, saying that the girls who... covered it on a journalistic level should finance it, that it was something that did not matter to everyone, that women did not know how to play football... Then that happened to insult me directly... “asshole”, “imbecile”, “feminazi” to “whore” and “slut”... Now I'm more aware of the things I share on my social media... I don't post photos of my face or my family and friends. I try to be as anonymous as possible... These attacks should be treated like violent assaults or physical harassment. And in the case of journalists, they should be more protected; we can't make free journalism if we are threatened.*

Laura Crespo, Journalist, Spain

28 Global survey on online harassment, IFJ (2018)
<https://www.ifj.org/media-centre/news/detail/article/ifj-global-survey-shows-massive-impact-of-online-abuse-on-women-journalists.html>

“ *When I was an intern as a junior reporter in one of the prominent newsrooms in Indonesia, I was being harassed by one of my sources. I contacted him to interview him... When we finished, he contacted me several times through WhatsApp and requested sexual favours. I had no idea whether my newsroom has a mechanism so that I can report and the office deal with the harasser. I did not even tell the incident to anyone else at that time. The only thing I did was block the harasser's number.*

Female Journalist, Jakarta, Indonesia

▼ WORKING HOURS AND LOCATION

Commuting to and from work – especially late at night and to remote locations – can also expose workers to violence and harassment. This is a particular problem for workers at the bottom of the global supply chain, who face involuntary overtime as a result of production pressures.

“ *There was a case... where the manager didn't provide the required transport as per the collective bargaining agreement and the woman had to organise her own transport home late at night. When she was waiting for the taxi to take her home, she was brutally raped.*

Patricia Nyman, National Gender Coordinator, South African Commercial, Catering and Allied Workers Union (SACCAWU), South Africa

▼ PRECARIOUS AND INFORMAL WORK

Precarious and informal employment is also a risk factor. Poor conditions, limited protection and economic vulnerability mean that workers commonly face violence and harassment and often do not want to report it in case they lose their jobs. Many informal workers work in places such as private homes and public spaces where there is little protection. Many also face violence and harassment from public authorities.

Subcontracted and outsourced workers do not have a clearly defined employer which means it is unclear who is responsible for their safety. This is common in the building and woodworking, agricultural, and domestic work sectors, where most employment is precarious or informal. Many of these workers are also migrants – without legal protection or labour law coverage workers are even more vulnerable.

“ *Being an informal worker - we do not have anyone to report it to. Even the transport companies say they are not responsible because we are independent contractors. Most of the time we do not have anybody to rush to or anybody to complain to give our grievances to.*

Agnes Mwongera, Transport Workers' Union of Kenya (TAWU), Kenya

▼ MALE-DOMINATED SECTORS

Violence and harassment towards women is often worse in male-dominated sectors. Men sometimes use violence and harassment to punish or discourage women from entering traditionally 'male' jobs, because they see them as a threat to traditional power structures in the workplace. When workers do not conform to traditional gender roles, they may also face discrimination.

In workplaces with a macho culture, the risk is even greater.

For example, the mining and building and woodworking industries are associated with masculinity because of the physical work carried out. When women workers are introduced into this culture – without proper education for male workers, or strong workplace policies – they face sexist attitudes and toxic masculinity – particularly as they are in isolation underground.

“ *We start getting harassed the minute we walk inside the cage to go underground. Our male co-workers take advantage of the small space to touch us or push our breasts up against the walls of the cage. Management laughs at us when we complain.*

Woman Mine Worker, South Africa

▼ FEMINISED SECTORS

Violence and harassment is also common in sectors where most of the lower paid workforce are women, but supervisors and managers are men, who can use their positions of power to sexually harass workers. Without bargaining power, workers may perceive violent and harassment as a condition for their continued employment.

This power imbalance is common in the garment sector, for example. A study in Lesotho of factories owned by global jeans manufacturer Nien Hsing found that almost two-thirds of the women interviewed reported experiencing sexual harassment or abuse or knew co-workers who had.²⁹ (For more information see Section 3.2)

“We are screamed and shouted at by our supervisors and ordered here and there even when we have a job to do. They treat us like donkeys, telling us our work is no good, controlling when we go to the bathroom, and not allowing pregnant women go to medical appointments.

Woman Textile Worker, Peru

▼ HIERARCHICAL ORGANISATION OF WORK

The hierarchical organisation of work increases the risk of abusive work practices and violence and harassment from superiors. Workers in the lower ranks of global supply chains face pressure to meet production targets and suffer from poor working conditions. This is common in the manufacturing and food production sectors.

“Violence and harassment are... reinforced in the inequality of hierarchical labour relations, and in the structural vulnerability of workers in the model of capitalist production.

Marcelo Di Stefano, Asociación del Personal de la Universidad de Buenos Aires (APUBA), Argentina

“The supervisor won't let us go to the bathroom. When she thinks we're not working fast enough, she pinches and slaps us. Once she beat me with the clothing I was making.

Woman Garment Worker, Morocco

▼ THE CHANGING WORLD OF WORK

Austerity, privatisation, restructuring, and casualisation have led to changes in the way work is organised. Workers are having to deal with lower levels of staffing and service, the rise in remote working, and growing pressure to meet production targets. All these changes have increased the risk of violence and harassment.

The increased use of new technologies, including cloud and web-based applications to facilitate teleworking, and of monitoring and surveillance to monitor workers' performance, are also leading to increased stress, pressure, and higher levels of harassment. On top of this, the increase of teleworking – especially as a result of the COVID-19 pandemic – is leading to a higher risk of cyberbullying and harassment.³⁰

29 Nien Hsing Textile (Lesotho) Report, Workers Rights Consortium (2019)
<https://www.workersrights.org/wp-content/uploads/2019/08/WRC-Factory-Assessment-re-Nien-Hsing-08152019.pdf>

30 The threat of physical and psychosocial violence and harassment in digitalized work, ILO (2018)
https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_617062.pdf

▼ PSYCHOSOCIAL HAZARDS AND RISKS³¹

Work-related stress is determined by psychosocial hazards found in poor work design, work organisation, management, working conditions and labour relations. Work-related stress can also increase the risk of violence and harassment (known as psychosocial risks). Violence and harassment may also have consequences on both physical and mental wellbeing and may increase stress levels.

Psychosocial hazards can include:

- Job demands: heavy workload, impossible targets, tasks that do not match capabilities
- Job control: having little control over work and decision making, job insecurity
- Work design: low intensity tasks leading to boredom, working alone, overcrowding
- Working time: long working hours, involuntary overtime, working over contractual hours on a daily basis, no time for breaks
- Lack of role clarity around jobs or roles
- Workplace relationships: criticism, conflict, lack of support, lack of communication
- Poor leadership and/or bad management style
- Organisational justice: lack of, or poor application of workplace policies, lack of trust for workplace policies, unfairness in decision-making, poor management of workplace misconduct, lack of violence prevention plan

- Organisational change management: technological change, restructuring, changes in work methods, outsourcing, rapid staff turnover, increasing temporary and casual workers
- Physical work environment: design and maintenance of equipment and facilities, exposure to hazardous agents, loud noise levels
- Work environments and culture that tolerate violence and harassment
- Lack of investment in employee development, including lack of training or information.

“ *There is a lot of verbal and physical violence on the part of patients... The overload of work causes a lot of dissatisfaction with patients and their families, not to mention the lack of staff that causes the lack of time to provide quality care.*

Harassment by managers is also common... managers force health workers to work overtime... pit colleagues against each other, creating... friction... leaving a poor health worker... crying because she could not provide all of the care that she had to give to her patients. It is a mental violence... It slowly destroys her psychologically.

Shirley Dorismond, Fédération Interprofessionnelle de la Santé du Québec (FIQ), Canada

³¹ For more information: See psychosocial risks and work-related stress, ILO https://www.ilo.org/global/topics/safety-and-health-at-work/areasofwork/workplace-health-promotion-and-well-being/WCMS_108557/lang--en/index.htm

VULNERABLE GROUPS OF WORKERS AND GROUPS IN SITUATIONS OF VULNERABILITY

Some workers are more at risk because they experience discrimination and inequality due to personal characteristics. In many countries they also may lack legal protection or be denied justice when their rights are violated.

Racialised and/or minoritised workers experience racism, cultural and structural discrimination. Because of their inequality, they are already clustered in more insecure work, and can face bullying, verbal abuse, racist comments and jokes, physical violence and unfair treatment such as excessive surveillance, being denied opportunities and unfair discipline by colleagues, supervisors and managers. They may also face discrimination and harassment related to cultural practices. A survey by the TUC in the UK found that 37% of Black and Minority Ethnic workers have been bullied, abused, or experienced racial discrimination from their employer.³²

Workers with **disabilities** are at greater risk because of discriminatory attitudes and barriers, social isolation and dependence on others for support. They can face intimidation, sexual harassment, physical violence and verbal abuse (including jokes and name-calling). Often linked to negative perceptions about their productivity, workers face discriminatory workplace practices including excessive monitoring and blame for mistakes.³³

Lesbian, gay, bisexual, transgender and intersex (LGBTI+) workers frequently experience homophobic and transphobic violence and harassment. They face verbal, physical and psychological abuse, and hostile and discriminatory work environments, including isolation. This can also make it hard to get, keep and advance in a job. For some LGBTI+ people, it is dangerous and even illegal to be open about their sexuality and gender identity.

“The harassment that trans, non-binary and gender diverse workers (experience)... is ingrained in the workplace structures. From when an individual fills out an application form violence exists, because we minimise the way we talk about gender. It is either male or female, and so many people who may identify on the spectrum are discriminated against. The structures keep them separate, and feeds an environment of othering... There are members who have such a toxic workplace that the main issue is taking sick days for bladder infections which they get because they do not feel safe going to the washrooms...”

Gina McKay, Canadian Union of Public Employees (CUPE), Canada

Migrant workers often work without legal protection. Often employed in the most insecure jobs, they are at very high risk of violence and harassment, and particularly from traffickers and corrupt labour agents. Their lack of power and migration status - many are ‘undocumented’ - mean that they may feel unable to report violence. Discriminatory attitudes (including xenophobia) to citizenship and migration status create further vulnerability.

Pregnant women face discrimination and harassment at work, including isolation, verbal, psychological and physical abuse as well as unfair dismissal. Pregnant workers, as well as women returning from maternity leave, can experience harassment from colleagues, supervisors, and managers. This can include not providing allowances for breastfeeding breaks or family-friendly working arrangements. Pregnant women also face an increased risk of domestic violence.

Young workers have less power relative to older workers: they are less likely to be in positions of authority, more likely to be underemployed or unemployed, have a shorter length of service and less likely to be part of a union. They are more likely to work in public facing roles, in informal and in precarious work situations, and have less bargaining power, which puts them at greater risk. Younger workers also lack experience and may be unaware of workplace policies and procedures or their rights, which may mean that they do not report violence and harassment when it occurs.

32 Is racism real? TUC (2017) <https://www.tuc.org.uk/sites/default/files/Is%20Racism%20Real.pdf>

33 For more information see: Violence and harassment against persons with disabilities in the world of work, ILO https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738118.pdf

Informal workers are not covered by legislation, social protection, or benefits, and face insecurity. This increases the risk of violence and harassment and puts them in a vulnerable position when reporting, particularly when they lack access to legal protection. They face physical, verbal, sexual and psychological abuse, as well as economic violence through low and irregular earnings, and can be prevented from accessing resources and spaces for work.

“*There are a lot of laws against violence and harassment... but only those in formal work can access those laws. For informal workers... it is not easily accessible and not effectively implemented. We regularly face physical and mental violence, and even the traffic police harass us. They stop the women drivers and conductors and... tease them, ask for their phone numbers and sometimes they even try to call them into the hotel... informal women workers are perceived as second-class citizens...*

Saraswati Rijal, Independent Transport Workers' Association of Nepal (ITWAN), Nepal

Intersectional discrimination: Some workers experience discrimination for more than one reason. A combination of different characteristics can create yet another layer of inequality, increasing even further their risk of violence and harassment. Also, those who experience multiple and intersecting forms of inequalities may face more barriers to getting support to escape violence. Women who are held back by gender inequality as well as, for example, LGBTI+ identity are more vulnerable to violence. Men can also face intersectional discrimination, such as an LGBTI+ man who also has a disability.

GLOBAL CRISES AND VIOLENCE

During times of global crisis, the collapse of infrastructure and rise in instability increase violence. The effects always fall disproportionately on women and vulnerable groups.

In conflict zones, health and humanitarian workers on the frontline providing essential emergency services risk being attacked, imprisoned, sexually assaulted, raped or even killed. Civil political instability means that workers often end up providing services to both sides of a conflict, increasing their risk of violence.

At the same time, the devastation to livelihoods caused by the global climate crisis is intensifying poverty and worsening inequality. Displaced and forced to leave their homes and jobs, workers are at greater risk of exploitation and violence.

Insecurity often forces workers to flee their home countries and migrate internationally. Migrant workers and refugees are extremely vulnerable. Often extremely poor and without legal protection, workers risk exploitation from traffickers and face racist abuse in destination countries.

On top of this, cultural and economic insecurity are fuelling the rise of far-right leaders, governments, and authoritarianism globally. Divisive and discriminatory language, often misogynistic, xenophobic, and racist in tone, is worsening violence against vulnerable groups.

At the time of writing, the world is confronting the effects of the COVID-19 pandemic. Frontline workers are facing increased pressure, longer working hours and insufficient staff numbers. Industries are collapsing, and workers are being thrust into poverty. Social and health services have been stretched to breaking point.

There are increased reports of violence and harassment against workers on the frontline during the pandemic, many of whom are women. Workers interacting with the public, including those in retail, transport, and health care, are facing higher levels of physical aggression and verbal abuse. In the health and social care sector in particular – where women make up 70% of the workers globally³⁴ – workers are on the frontline of the fight but are facing a greater risk of third-party violence.

“ We have been delivering important medical services and working throughout the pandemic. We have been hurled stones at by few members of the communities we work in... but we still went in the next day because that is what we signed for...

Community Health Worker, India³⁵

“ Women who are working in the hotel industry have been laid off... Women are suffering... the moment you lose your source of income, you lose your place in the family... you depend on your husband. Maybe your husband is also suffering the same condition, maybe he has lost his job, so the stress levels are high. Then it amounts to a lot of violence.

Caroline Busaka, Kenyan Union of Sugar Plantation Workers (KUSPAW), Kenya

With family members under stress and living in proximity, rates of domestic violence have skyrocketed. Reports of domestic violence and calls to helplines have been increasing in many countries. For example, in France, cases of domestic violence have increased by 30% since the pandemic lockdown began.³⁶ With many people now isolated at home, abusers have new opportunities to intimidate and control partners. The isolation from support networks – including in the workplace – comes with a heightened risk.

The move to remote and teleworking has also contributed to an increased risk of technology enabled harassment, such as cyberbullying.³⁷ Domestic workers have also reported more sexual harassment now that their male employers are working from home.³⁸

“ It is very difficult...because we are not used to being together for long periods... I suffer emotional trauma as he (my husband) stigmatises me saying I will bring COVID-19 home... I am being scolded unnecessarily at time... As a mother I have to try by all means to take care of each and everyone's needs, try to support them to allay their anxieties and reassure them that everything will be alright, while nobody is taking care of my stress...

Irene Khumalo, Deputy President, Swaziland Democratic Nurses Union (SDNU), Swaziland / Eswatini

34 Women in the health workforce, WHO <https://www.who.int/hrh/events/2018/women-in-health-workforce/en/>

35 For more information about the Community Health Workers' Campaign in South Asia see: <https://publicservices.international/campaigns/community-health-work-is-work?id=11393&lang=en>

36 COVID-19 and ending violence against women and girls, UN Women (2020) <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

37 COVID-19 and domestic violence, UNI Global Union (2020) https://en.breakingthecircle.org/descargas/en/discriminacion/violencia_en.jpg

38 For more information about domestic violence during COVID-19 see: DV@Work COVID-19 Briefings (2020) <http://dvatworknet.org/content/dvwork-covid-19-briefings>

39 A woman's health worker experience during COVID-19, PSI (2020) <https://publicservices.international/resources/news/a-womans-healthcare-worker-experience-during-covid-19?id=10809&lang=en&fbclid=IwAR1BSY8x-SEjEXObMBDo6sHIMkzf43c3KW0gSyqJr2f9oH9tYoQ-tnoEyK>

1.4

How were the new international labour standards achieved?

The adoption of C190 and R206 is a testament to trade unions' participation in the ILO structure and decision-making.

For the ILC to develop a new international labour standard, the ILO's Governing Body must agree that a problem exists and needs to be addressed. The process usually starts with unions identifying and lobbying for the ILO to address key international issues facing workers that need governments to introduce new laws.

The global trade union movement has long been campaigning for an ILO Convention to stop gender-based violence and harassment in the world of work. A coalition was built between all the Global Union Federations (GUFs), the International Trade Union Confederation (ITUC), and allies to lobby governments to encourage them to support the development of new international labour standards on violence and harassment in the world of work – an ILO Convention supplemented by an ILO Recommendation.

Finally, the demands were heard. In 2015, at its 325th Session, the ILO Governing Body agreed to a two-year standard-setting discussion on 'violence against women and men in the world of work'. It was put on the agenda of the 2018 and 2019 annual ILCs.

Although some governments supported a Convention from the start, others needed more convincing, and the Employers Group was completely opposed. Trade unions worked together to share the experiences of workers to highlight the key issues that the new standards needed to address. They also built campaigns to encourage governments to actively express their support for the new labour standards.

The adoption of C190 and R206 took four years of consultations. In 2016, mandated by the Governing Body, the ILO organised a tripartite meeting of experts to enable a better understanding of the problem and provide guidance about what needed to be done about it. The experts highlighted the gaps in legal protections relating to violence and harassment that needed to be addressed.

The discussion for the new ILO instruments began in 2018. After that, trade unions held follow-up meetings to discuss the outcomes and worked together to build a plan of action, continuing to lobby governments and build public campaigns to raise awareness.

“ We carried out massive sensitisation to the workers, employer groups and government bodies and other relevant stake holders to clearly bring out the need to support the adoption of C190/R206... It's no wonder therefore that, at the time of adoption the Convention, was given massive support, with Uganda taking a lead role.

Juliet Kutyabwana, National Union of Co-operative Movement and Allied Workers (NUCMAW), Uganda

In 2019, the draft Convention and Recommendation were discussed for the second time and their texts finalised. There were many disagreements, but huge successes too!

On 21 June 2019, leaders of the world of work made history by adopting the Violence and Harassment Convention (C190) and Recommendation (R206) by an overwhelming majority vote: For – 439, Against – 7, and Abstentions – 30. By doing this, the global community finally made it clear that violence and harassment in the world of work will not be tolerated.



Alongside the international trade union campaign, other women's rights movements helped to reinforce the urgency of the problem and make these international labour standards a reality, particularly:

#niunamenos (not one less): a Latin American feminist movement protesting widespread machista violence across the region; since 2015, it has been holding demonstrations to demand action on inequality, femicide, and sexual harassment.

#MeToo movement: the global movement against sexual harassment and assault, which spread widely in 2017, made visible the stories of women who have suffered from sexual harassment.

Rose Omamo is the General Secretary of the Amalgamated Union of Kenya Metal Workers (AUKMW) and was a Worker Delegate in the standard-setting discussions at the ILC.

“The most important issues we wanted was a single definition for violence and harassment. We also wanted a broad definition of the world of work, so that workers, wherever they are, either formal or informal, must be protected... The scope of the ‘world of work’, was also key to add... and even making sure that violence and harassment was defined as a spectrum, rather than as two separate definitions...”

During the discussions, we had to lobby the governments from the African regions, engage them and make sure to get support from them...It was important to make the governments understand our position as workers... and explain to them real examples of why we need this convention...We had to do a lot of media campaigning so that people on the ground would know exactly... what this Convention would do and who it would protect...

When the Convention was adopted My God! It was a great day!... When we concluded negotiations, we chanted, we danced, that day we even forgot that we needed to eat, because the happiness that day filled our stomachs. We did not even feel hungry - why? Because we then knew that we had a comprehensive international standard that will help us in our own countries, to protect workers and women. With what we go through and what our fellow women go through, this was a moment of joy, a moment of happiness, a moment to dance, a moment to celebrate.

The winning of C190 and R206 is a victory for trade unions and women workers who have long been fighting for this. The Violence and Harassment Recommendation (R206) supplements the Convention, setting out a roadmap for governments to implement the new international labour standards.

“It is a historic day... We set out to draft a standard that would stand the test of time, that would carry us forward into the next century of the ILO, and would meet the challenges of the future world of work... These instruments recognise a number of things that have never been recognised in any ILO instruments before – a new right, a right to a world of work free from violence and harassment... The eruption in the room from the workers, particularly the informal workers, and the governments when this was adopted in the Committee... was unprecedented. Women broke into song, and dance and pulled everybody in with them. But there are also memorable moments of the governments working together... I remember saying ‘we need to put ourselves in the shoes of other people’... We asked governments to do that... to talk to each other and figure out what will work, recognising that not everybody is at the same place... Nobody should be left behind and we all need to work together to make sure these instruments actually work.

Marie Clarke Walker, Secretary Treasurer, Canadian Labour Congress (CLC), Canada

1.5

ILO Convention 190 and Recommendation 206 on violence and harassment in the world of work

The new international labour standards on violence and harassment (C190) are a **Convention** and a **Recommendation**.

Conventions are the most important legal instruments. They are legally binding international agreements. At the time of writing, there are 190 ILO Conventions in all, of which the most recent is the Violence and Harassment Convention, 2019 (No 190).

The Violence and Harassment Convention (C190) is supplemented by a **Recommendation** (R206).

Recommendations are non-binding guidelines which give important guidance to governments and are important tools for campaigns and negotiations. They are typically issued when state practice varies greatly, when the subject is too technical to be handled by a Convention, when a subject already covered by a Convention needs to be addressed in greater detail, or when unions fail to persuade employers and governments that a Convention is appropriate for a particular issue or fail to incorporate some important proposals in the text of the Convention. Member countries are obliged to bring Recommendations to the attention of their governments.

The Violence and Harassment Recommendation (R206) gives more detailed guidance about how C190 should be implemented. There are suggestions of changes to national law and practices, and government programmes that could help to prevent and address violence and harassment in the world of work.



Look for orange boxes throughout this section to see what further guidance R206 gives.



How is an international labour standard adopted?

Conventions are the result of a form of institutionalised class struggle, normally where our union representatives make a proposal, the employers (generally) disagree or fight over the content, and then both sides try to persuade a sufficient number of governments to back their position.

If workers' representatives are successful in negotiating the issue through the system, and get the agreement of the Governing Body, they can place the proposal for a Convention on the agenda of the ILC. This is followed by a long process of report-writing and consultation with the three constituencies, followed by the circulation of a draft Convention for comment. The draft is then revised accordingly. There is a second discussion at the ILC, after which the Convention is amended and proposed for adoption. Conventions have to be adopted by two-thirds majority vote. The whole process can take years.

To achieve strong international standards requires considerable campaigning effort by the international trade union movement and its allies. Most governments have already reached an opinion on proposed Conventions before they send their delegation to Geneva, and so trade unions must lobby and campaign at a national level well before the negotiations begin at the conference. This may require lobbying the appropriate national trade union centre to enable Workers Representatives at the ILC to influence the draft text of the Convention.

What do C190 and R206 say?

All ILO Conventions are written in legal language – **see the full text of both C190 and R206 in the Appendices** – but the key points include:

▼ DEFINITIONS

- ➔ C190 defines violence and harassment as *“a range of **unacceptable behaviours** and practices, or threats thereof, whether a single occurrence or **repeated**, that aim at, result in, or are likely to result in **physical, psychological, sexual or economic harm**, and includes gender-based violence and harassment”*.

This is the first internationally agreed definition of violence and harassment in the world of work. It is a wide definition, defining violence and harassment as a “range” rather than drawing a line between them. This is important because the line between what constitutes violence and what constitutes harassment is often blurred. The intended, likely, or actual impact of the behaviour or practice is an important part of the definition.



In national laws and regulations, governments can define violence and harassment as a single concept, or they can split them to be separate. When we campaign for our governments to adopt this, we need to negotiate for it to stay as one definition.

- ➔ The Convention approaches violence and harassment with a gender perspective and acknowledges that women are disproportionately affected by violence and harassment in the world of work. It defines gender-based violence and harassment as *“**violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes sexual harassment**”*.

▼ WHO IS PROTECTED?

C190 recognises that we all have the right to a world of work free from violence and harassment and that no one should be subjected to violence and harassment. Everyone in the world of work is protected.

- ➔ All individuals in the world of work are covered, including:
- **employees** as defined by national law and practice
 - **persons working** irrespective of their contractual status (this includes temporary agency workers, freelance workers, workers hired through platform businesses, subcontracted and outsourced workers)
 - **persons in training**, including interns and apprentices
 - workers whose employment has been **terminated**
 - **volunteers**
 - **jobseekers and job applicants**
 - individuals exercising the authority, duties, or responsibilities of an **employer**.

- ➔ C190 applies to all sectors - public and private sectors, rural and urban areas, formal and informal economy. **No one is left behind!**



This is particularly relevant for those working in the informal economy in public spaces such as street vendors, market traders or waste pickers, and in private spaces such as domestic workers, social care workers and home-based workers. These workers are often not covered by labour law.

- ➔ C190 acknowledges that everyone can be affected by violence and harassment in the world of work, but some workers may be more at risk of experiencing and are disproportionately affected by violence and harassment. This includes women, vulnerable groups, and groups in situations of vulnerability, and some sectors, occupations, and work arrangements.



R206: Vulnerable group or a group in a vulnerable situation should be interpreted in accordance with applicable international labour standards and international instruments on human rights. Although not specified in the Recommendation, this could include indigenous peoples, disabled persons, lesbian, gay and transgender persons, persons discriminated against on the grounds of race, colour, descent, national or ethnic origin, and migrant workers. Pregnant women are also recognised as a “vulnerable group” in several international human rights treaties. The Recommendation also specifically refers to protection of migrant workers, in origin, transit and destination countries, particularly women migrant workers, regardless of their migrant status. This means that those suffering from intersecting forms of discrimination are protected. (Para. 13)

R206 also recognises the sectors, occupations and work arrangements which can expose workers to a higher risk of violence and harassment, including night work, work in isolation, health, hospitality, social and emergency services, domestic work, transport, education, and entertainment. (Para. 9)



WHAT DOES IT COVER?

- ➔ The Convention acknowledges the diverse and changing nature of work. It covers the **world of work**, a broader concept than just the physical workplace. It applies to violence and harassment occurring in the course of, linked with, or arising out of work. The world of work includes:
- **public spaces** (particularly important for workers in the informal economy)
 - **private spaces** (important for domestic and home-based workers, and those working in the digital space)
 - **work-related events and activities**, including off-site meetings and training, work-related trips and travel, and social activities such as parties
 - **when commuting to and from work**
 - in places where the worker is **paid**, takes a **rest break** or a **meal**, or uses **sanitary, washing and changing facilities**
 - in **employer-provided accommodation** including dormitories or rooms provided for live in domestic workers or seasonal agricultural workers
 - **work-related communications** (including through information and communication technologies): this means cyberbullying and online violence is covered.
- ➔ The Convention recognises that violence and harassment can come from **third parties** (such as clients, customers, service providers, users, patients, and members of the public). This is particularly important for workers in sectors such as health, hospitality, entertainment, retail, education, transport and other customer, client, and public-facing services.

- ➔ The Convention recognises – for the first time in international standards – that **domestic violence can impact the world of work**. C190 notes that domestic violence can affect employment, productivity, and health and safety. It is clear that governments, employers’ and workers’ organisations and labour market institutions can and should all help to recognise, respond to, and address the impacts of domestic violence in the world of work.



Including the impact of domestic violence on the world of work in the new Convention was a key demand of trade unions and a particularly hard-fought battle. Perpetrators of domestic violence can be colleagues, where the partners work for the same employer. Perpetrators might also follow or stalk their partners at their workplace. Workers experiencing domestic violence can lose their jobs because of absenteeism, and loss of concentration and motivation. Recognising its impact on the world of work and implementing support can ensure that workers can keep their jobs. C190 recognises that the world of work is a key point of intervention in reducing the impacts of domestic violence. Para.18 of R206 suggests what governments and employers can do.



ROLES AND RESPONSIBILITIES

C190 is clear that **governments** have a responsibility to prevent and address violence and harassment in the world of work. They must work on this in cooperation and consultation with **workers’** and **employers’** organisations.

- ➔ Governments should respect, promote, and realise the right of everyone to a world of work free from violence and harassment and should adopt an inclusive, integrated and gender-responsive approach to do this. (Article 4)



‘An inclusive, integrated and gender-responsive approach’

Inclusive: Governments should provide a broad scope of protection, on the basis that everyone has the right to a world of work free from violence and harassment.

Integrated: They should take action through laws and practice on labour and employment, equality and non-discrimination, migration, occupational health and safety, and criminality.

Gender-responsive: Measures must address the fact that violence and harassment disproportionately affects women, and work to transform the underlying causes, including unequal gender-based power relations, gender stereotypes, as well as intersectional inequalities.

- ➔ Governments should “respect, promote, and realise the fundamental principles and rights at work”, importantly freedom of association and the right to collective bargaining. (Article 5)



R206: Governments should ensure all workers and employers fully enjoy these rights, including in sectors, occupations, and work arrangements more exposed to violence and harassment. (Para. 3)

- ➔ Governments should “adopt laws, regulations, and policies to ensure the right to equality and non-discrimination in employment and occupation.” This includes for women workers, as well as vulnerable groups or groups in situations of vulnerability. (Article 6)



R206: Taking into account the equality and non-discrimination instruments of the ILO, Governments should ensure that measures to prevent violence and harassment do not result in restricting or excluding some people, such as women and vulnerable groups, from specific jobs, sectors or occupations. (Para. 5)

Governments must take actions to **protect** against and **prevent** violence and harassment.

- ➔ Governments should prohibit violence and harassment in law. (Article 7)
- ➔ Public authorities should help prevent violence and harassment against informal workers. This is key because informal workers often have no employer to negotiate with. (Article 8a)



R206: Governments should provide support for informal economy workers, employers, and their associations, to prevent and address violence and harassment in the informal economy. (Para. 11)

- ➔ Because violence hits certain groups in the world of work harder, governments should identify the sectors, occupations and work arrangements in which workers are more exposed to violence and harassment and take measures to protect them. (Article 8b&c)



R206: Governments should adopt measures to protect these workers, specifically including migrant workers. Measures should not result in restricting or excluding anyone, especially women and vulnerable groups, from participation in specific jobs, sectors or occupations. (Para 9, 10, 12)



Precarious work increases the risk of violence and harassment. C190 gives Governments duties to ensure that precarious workers are protected from violence and harassment. It calls on Governments to address the root causes of violence and harassment, including precarious work arrangements.

Governments should also introduce **enforcement mechanisms** and access to **remedies/support** to respond to cases of violence and harassment, and help to ensure that they do not happen again.

- ➔ Governments should establish and strengthen enforcement and monitoring mechanisms to respond to cases of violence and harassment and should ensure access to remedies and support and provide sanctions. They should also ensure that victims/survivors of gender-based violence and harassment have access to gender-responsive, safe, and effective complaints and dispute resolution mechanisms, support, services, and remedies, and that workers have the right to remove themselves from dangerous work situations. (Article 10)




R206: Remedies could include the right for victims/survivors to resign with compensation, be reinstated in their job, or get appropriate compensation for damages; for Governments to issue orders for measures to be taken immediately to stop conduct, or change policies or practices, and reimbursements for victims/survivors for legal fees and costs. (Para. 14)


Complaint and dispute resolution mechanisms could include courts with specific expertise, timely and efficient processing, legal advice and assistance, accessible guides, and the shifting of the burden of proof. (Para. 16)

Support, services, and remedies could include support to help workers re-enter the labour market, counselling, and information services, 24-hour hotlines, emergency services, medical care and treatment, crisis centres including shelters, specialised police units or specially trained officers. (Para.17)


- ➔ Governments should recognise the effects of domestic violence and reduce its impact in the world of work. (Article 10f)

 **R206:** This includes legislating for measures such as leave, flexible work arrangements and protection, and temporary protection against dismissal. Domestic violence should also be included in workplace risk assessments, there should be a referral system to public mitigation measures, and governments should raise more awareness about the effects of domestic violence on the world of work. (Para. 18)

- ➔ Governments should ensure cases of violence and harassment can be effectively inspected and investigated. (Article 10h)

 **R206:** Those responsible for enforcement and remedy (e.g. labour inspectorates, the police, and the judiciary) should receive gender-responsive training and guidelines to be able to identify and address violence and harassment in the world of work. (Para. 20, and Para. 23b)

- ➔ Governments should ensure relevant national policies address violence and harassment. They should also develop tools, guidance, education, training and raise awareness to prevent and address violence and harassment. (Article 11)

 **R206:** Governments should fund, develop, implement, and disseminate programmes to address factors that increase the likelihood of violence and harassment, including model codes of practice and risk assessment tools, awareness-raising campaigns about the unacceptability of violence and harassment and that address discriminatory attitudes and stigmatization, gender-responsive curricula and instructional materials, materials for the media, and public campaigns to foster safe, healthy and harmonious workplaces. (Para. 23)

Employers – in collaboration with **trade unions** – also have a duty to help prevent and address violence and harassment in the world of work.

Remember governments also have a responsibility as employers.

- ➔ Governments are expected to adopt laws and regulations which place positive duties on employers to develop measures – together with workers and unions - to prevent violence and harassment in the world of work. (Article 9) This includes:

- A workplace policy



R206: This should include a zero-tolerance statement and a prevention programme, with the rights and responsibilities of the workers and the employer explained, a commitment that communications related to incidents of violence and harassment will be duly considered and acted upon, information on complaint and investigation procedures, and the right to privacy and measures that protect against victimisation or retaliation. (Para. 7)

- Occupational safety and health management systems to take into account violence and harassment and associated psychosocial risks
- Systems to identify hazards and assess risks of violence and harassment, and the adoption of measures to prevent and control them



R206: The assessment should take into account factors that increase the likelihood of violence and harassment, including psychosocial hazards and risks, including those that arise from: working conditions and arrangements, work organisation and human resource management; hazards and risks that involve third parties; and discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment. (Para. 8)

- Information and training, including on hazards and risks, prevention and protection measures, and the rights and responsibilities of workers and others concerned.



Employers and worker's organisations can help to recognise, respond to, and address the impacts of domestic violence.



R206: Employers and trade unions can help workers experiencing domestic violence by negotiating to include in collective bargaining agreements and workplace policies: leave for victims/survivors of domestic violence, flexible work arrangements and protection, and temporary protection against dismissal for victims of domestic violence. Employers and trade unions should also ensure that domestic violence is included in workplace risk assessments, refer workers to public mitigation measures for domestic violence (if they exist), and raise awareness about the effects of domestic violence. (Para. 18)



With their knowledge and experience, trade unions are key to recognise workers most at risk, identifying the best ways to prevent and eliminate violence and harassment, implementing the measures and carrying out training and awareness-raising. Employers' and workers organisations should also help develop, implement, and monitor laws and policies that prevent and address violence and harassment.

1.6

Ratification

Now that C190 has been adopted, ILO member states have to decide whether or not to 'ratify' the Convention. If a Government decides to ratify, the Convention becomes binding (obligatory) and it must put its contents into that country's national law and practice. Conventions reflect the different national contexts of countries and so are flexible enough to do this. It can take many years for Governments to decide whether to ratify a Convention. A Convention becomes operational one year after two member states have ratified it.

Governments must first submit C190 to their national authority (usually Parliament). They must tell the ILO the steps they have taken to do this. They should also tell trade unions and employers.

Under Article 19 of the ILO Constitution, Governments can be asked by the ILO to report on Conventions, explaining the progress they have made in giving effect to it.

- ➔ If national law is already as good as the Convention, the Government might recommend the Convention to be ratified.
- ➔ If national law does not match up to the Convention, then Governments might develop new laws or amend existing laws. Governments will either reform their laws and then ratify, or will ratify and then reform their laws.
- ➔ Some Governments decide not to ratify.

Trade unions usually have to build a big campaign to encourage their Government to ratify Conventions. Ratification also means that Governments become accountable to the ILO. They must then report back to the ILO on how well the Convention is being implemented in their country.

But ratification is only the beginning of the struggle, those rights will exist only in theory until they are properly applied. Once ratified, trade unions, together across sectors, should lobby their Government and engage in social dialogue with employers to make sure that Conventions are properly implemented.

If trade unions find that their Governments is not properly implementing the labour standards of a Convention that their country has ratified, they can make a complaint through the ILO supervisory system. This is how the ILO makes sure that countries implement Conventions. The ILO regularly examines how Governments are applying international standards to point out areas where they could improve.

The ILO has no legal mechanisms to use against Governments who do not respect labour standards; it has to rely instead on diplomatic sanctions to pressure them. But the ILO is an important organisation in the fight for decent work and its authority is important when negotiating with Governments.

“ In Canada, teachers are faced with the threat of violence... from their students... often linked to a lack of critical resources and supports... The rates of violence experienced by teachers tends to be higher for women, who make up the majority of the profession's ranks... Let's rally together to ratify C190 to help make our schools the sanctuaries of safe teaching and learning... And strive to create the equitable work environments that all workers deserve.”⁴⁰

Shelley Morse, President, Canadian Teachers' Federation (CTF/FCE), Canada

▼ WHY IS C190 SO GROUNDBREAKING?

“Until 21st June 2019, there was no international legal instrument that addressed violence and harassment at work, defined violence and harassment in the world of work or sought to eliminate it or even gave ILO state parties guidance on how to eliminate violence and harassment in the world of work, hence making this Convention a game changer.

Juliet Kutwabwana, National Union of Co-operative Movement and Allied Workers (NUCMAW), Uganda

- ✓ It is the first time that the right to a world of work free from violence and harassment has been recognised in an international treaty. It clearly shows that violence and harassment is not part of the job.
- ✓ It provides the first internationally agreed, single definition of violence and harassment, which sets the base for trade unions to fight against violence and harassment.
- ✓ It provides a clear, inclusive, and integrated framework to promote action to achieve change.
- ✓ It covers the world of work, not just the workplace. It acknowledges the changing nature of the world of work, and so should stand the test of time.
- ✓ It recognises the negative role played by unequal power relations between men and women, as well as other social norms that support violence and harassment, and encourages everyone to take a gender-responsive approach.
- ✓ It recognises that domestic violence is an issue in the world of work and that measures can be taken at work to mitigate its impact.

- ✓ Informal workers are included. This is a major step forward as they have historically been excluded/not covered.
- ✓ Provisions of C190 can be incorporated into national laws, collective bargaining agreements and workplace policies. This is a key tool for unions to use to make change on the ground.
- ✓ It fills gaps in existing legislation by adopting a comprehensive and inclusive application of protections.

“The truly ground-breaking thing about Convention 190 is that, for the first time ever, it recognises the right of everyone to have a working life free from violence and harassment... It covers workers who are often left outside the basic protections, like those in the informal economy, or in precarious or insecure jobs. Those who often feel forced to keep silent, or face losing work if they speak out. And those joining the workforce: apprentices and interns. We know that they are particularly vulnerable... It is not just about things that are committed in the actual workplace, but also harassment that happens on the way to work or electronically. And sometimes outside working hours.”⁴¹

Amanda Brown, National Education Union (NEU), UK

41 Ratify ILO Convention 190, EI (2019) <https://www.youtube.com/watch?v=OkITPapTpEA>

2

UNION ACTION

2.1

Developing Workplace Policies on Violence and Harassment



Workplace policies outline an organisation's internal policies and procedures. They usually set out a plan for dealing with a particular issue, and procedures for carrying it out. Negotiating strong workplace policies with your employer is an effective way to help ensure a workplace free from violence and harassment.

According to C190, employers together with workers and their union representatives should adopt and implement a workplace policy on violence and harassment, including gender-based violence and harassment.

Add Image

Workplace Policy Checklist

According to R206, a workplace policy should include:

- ✓ A statement that violence and harassment will not be tolerated
- ✓ Establishment of violence and harassment prevention programmes with objectives
- ✓ Clearly defined employer and worker responsibilities
- ✓ Measures to eliminate, manage and prevent violence and harassment, including:
 - Information on complaint and investigation procedures
 - Provide that all incidents of violence and harassment will be considered, and acted on
 - Protect the privacy of those involved and provide confidentiality for complainants and witnesses
 - Protect complainants, victims, and witnesses against victimisation or retaliation.

But remember, this is the bare minimum that policies should include, and unions should negotiate workplace policies that go further. Policies could also include:

- ✓ A comprehensive definition of violence and harassment
- ✓ Cover all workers, specifically including vulnerable groups and precarious workers
- ✓ Cover the world of work, not just the physical workplace
- ✓ Dispute resolution and enforcement bodies
- ✓ Sanctions, remedies, and support for victim/survivors
- ✓ Joint committees to monitor implementation
- ✓ Training and awareness-raising about the policy for workers, supervisors and managers
- ✓ Enforcement, monitoring and evaluation to ensure the policy is effective.

It is important to update any existing policies and integrate new clauses to make sure that they cover everything in this checklist.

All workplace policies must also take a **gender-responsive approach**. This means that measures and policies should identify and then address the deep-rooted inequalities that particularly affect women.

- Women should be involved in the design of any policies and measures.
- Policies should acknowledge the gender-based nature of violence and harassment and recognise that women - and those with intersecting inequalities - will be disproportionately affected.
- Prevention measures should recognise inequality and respond to the factors which increase the risk of violence and harassment.⁴²
- The policy should be inclusive – covering different forms of violence and harassment.⁴³

42 Sexual harassment and domestic violence policies, UN Women (2020) <https://www.endvawnow.org/en/articles/2017-sexual-harassment-and-domestic-violence-policies.html>

43 Sexual harassment and domestic violence policies, UN Women (2020) <https://www.endvawnow.org/en/articles/2017-sexual-harassment-and-domestic-violence-policies.html>

Remember, workplace policies should be **negotiated** between trade unions and employers and should not be imposed by the company. Your company or employer might already have policies in place, but these are likely to offer only minimum protection. Workers cannot rely on a policy if unions have not been involved in shaping it. Any workplace policy or code of conduct on violence and harassment must have a shared understanding and commitment from unions and employers.

- ➡ Workplace policies could address violence and harassment generally or could address one form of violence and harassment.
- ➡ Workplace policies could address violence and harassment as part of a broader workplace policy on gender equality, diversity, non-discrimination, anti-bullying or wellbeing.
- ➡ Workplace policies can also be negotiated as part of an equality plan, or as a requirement in CBAs.

Some Model Texts



Unite the Union in the UK has a model workplace harassment, discrimination, and bullying policy.⁴⁴

The Employer and Unite the Union fully support the rights and opportunities of all people to seek, obtain and hold employment without, harassment, discrimination or bullying.

The Employer's policy is to provide a productive working environment free from harassment, discrimination, intimidation, bullying and victimisation. The employer is committed to ensuring that employees and workers are treated with dignity and respect.

Harassment of an individual, by any employee or worker, whether a colleague or a representative of management, whether employed directly or through an agency or sub-contractor can constitute unlawful discrimination.

The Employer recognises their legal responsibilities to prevent harassment related to sex, caring responsibilities, pregnancy, marital status, race, colour, ethnic or national origin, disability, sexual orientation, age, gender identity, religion or belief and trade union membership at the workplace, and to deal effectively and quickly with any complaints that arise.

Furthermore, the Employer is committed to preventing any form of harassment that undermines equality at work, including harassment and bullying related to class, physical characteristics, employment status and harassment or bullying of ex-offenders.⁴⁵

44 Workplace, Harassment, Discrimination and Bullying Policy, Unite the Union <https://unitetheunion.org/media/2476/zero-tolerance-guide.pdf>

45 For more good examples of model workplace policies and language see:

[Sample Sexual Harassment Policy, ILO https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/policy/wcms_407364.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/policy/wcms_407364.pdf)

Sexual harassment is a workplace issue – Guidance and model policy, UNISON (2020) <https://www.unison.org.uk/content/uploads/2020/02/25965-1.pdf>

Addressing violence and harassment against women in the world of work, ETF (2020)

<https://www.etf-europe.org/wp-content/uploads/2020/11/ETF-Workplace-Policy-Guidance-addressing-violence-and-harrasment.pdf>

Safe at Work, Safe at Home, ETUC (2017) <https://www.etuc.org/en/document/safe-home-safe-work-final-report-national-country-studies>

Preventing and addressing sexual harassment and violence in the workplace – Practical strategies, ILO https://gbv.ilo.org/assets/pdf/ResourceKit_PART_B.pdf

Violence and harassment against women and men in the world of work – Trade union perspectives and action, ILO (2017)

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_546645.pdf



The Canadian Union of Public Employees (CUPE) addresses violence and harassment through a workplace violence prevention policy focused on health and safety.⁴⁶

At (insert employer) we are committed to providing a safe work environment for all staff. All levels of management acknowledge that violence in the workplace is an occupational health and safety hazard that can cause physical and emotional harm. We view any acts of violence or threats of violence in the workplace as unacceptable. Under the violence prevention program, management will strive to identify and eliminate foreseeable hazards of violence, which may result in personal injury through regular hazard assessments and the reporting of workplace accidents/incidents. We will provide the resources and education required to ensure workers are aware of the violence hazards they may face and the steps that should be taken to ensure a healthy and safe workplace. As an organization, (employer's name) is committed to the prevention of workplace violence and are ultimately responsible for all aspects of a worker's health and safety, including the prevention of violence.



Italian unions in the woodworking sector (Feneal-UIL, Filca-CISL and Fillea-CGIL) signed a sectoral agreement with employer federation FederlegnoArredo to address harassment and mobbing at work. A Code of Conduct on sexual harassment and mobbing is annexed to the agreement. The agreement includes a zero-tolerance statement.⁴⁷

Any sexual harassment or mobbing behaviour... is unacceptable. Men and women workers are entitled to be treated with dignity and their personal freedom must be respected.

Men and women workers and companies must both contribute to maintaining a work environment where everybody's dignity is respected and interpersonal relations are encouraged, on the basis of the principles of equality and mutual respect.

46 Workplace Violence Prevention Policy, CUPE <https://cupe.ca/developing-workplace-violence-prevention-policy>

47 Safe at Work, Safe at Home, ETUC (2017) <https://www.etuc.org/en/document/safe-home-safe-work-final-report-national-country-studies>



INFORMATION AND TRAINING

Information and training are essential to any strategy to reduce violence and harassment. Once policies have been created, they should be consistently applied and effectively communicated to all relevant parties and accompanied by initiatives to raise awareness.

Under Article 9d of C190, employers should provide workers with accessible information and training to make them aware of the rights and responsibilities of workers, supervisors, and managers under the workplace policy. Training and information on the workplace policy and its implementation should be provided to all workers, supervisors, and managers – including new employees – periodically or continuously. It should be gender responsive, acknowledging inequalities that women face at work and in accessing training and information. Women should be involved in the development of the training and information.

Workers, managers, and supervisors should be trained and provided information on the workplace policy including:

- Information on violence and harassment in the world of work
- Roles and responsibilities
- Violence prevention measures
- Complaint and investigation procedures, including the handling of incidences of violence and harassment
- Any sanctions, remedies and supports for victims/survivors.

2.2

Integrating Violence and Harassment into Occupational Safety and Health

Violence and harassment in the world of work can negatively impact workers' health. Inadequate workplace policies and hazards and risks can increase exposure to violence and harassment.

To effectively prevent and address violence and harassment at work, it should be integrated into Occupational Safety and Health (OSH) management in line with C190 and R206.⁴⁸

The OSH approach is based on three fundamental rights of all workers:

- The right to participate in decisions that could affect health and safety
- The right to know about health and safety matters
- The right to refuse work that could affect their own health and safety and that of others.

The newly adopted instruments (C190 and R206) include these rights.

The Right to Participate

Employers should ensure that workers and their representatives take part in the design, implementation, and monitoring of the workplace policy (Article 9a of C190). Employers should also take into account violence and harassment and associated psychosocial risks in the management of OSH (Article 9b of C190), and ensure that workers are involved in identifying hazards, assessing the risks of violence and harassment and taking measures to prevent and control them (Article 9c of C190).

48 For good examples of OSH management practice see:

Code of Practice on safety and health in the agriculture sector that covers sexual harassment and includes a model sexual harassment policy, ILO (2010)

https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_159457.pdf

Addressing violence and harassment against women and men in the world of work, UN Women & ILO (2019)

<http://www.world-psi.org/sites/default/files/documents/research/work-handbook-web.pdf>

49 For more information about carrying out risk assessments see: 5-step guide for employers, workers and their representatives on conducting workplace risk assessments, ILO (2013)

https://www.ilo.org/safework/info/publications/WCMS_232886/lang--en/index.htm

▼ RISK ASSESSMENTS

A workplace risk assessment⁴⁹ is vital for improving OSH conditions in the world of work. It should identify factors that might increase the likelihood of violence and harassment, and should then assess these risks. This includes psychosocial hazards, which is anything in the design, management or organisation of work that increases the risk of work-related stress and violence and harassment.

Para. 8 of R206 advises that risk assessments pay particular attention to three areas of hazards and risks that increase likelihood of violence and harassment:

1. The way work is organised, working conditions, arrangements or how employees – or future employees – are managed.

This might include for example: limited control over working hours and tasks, working in isolation or in unsafe facilities, working with poor equipment, inadequate workplace policies or procedures, lack of awareness or training on the risks faced particularly by women workers. [For more information see Section 1.3]

2. Work that involves third parties

This might include for example: customer-facing roles, handling valuables, money or medicine, lack of security measures (e.g. a panic button), lack of safety measures (e.g. security cameras, proper lighting), insufficient reporting systems or training. [For more information see Section 1.3]

3. That are caused by discrimination, the abuse of power relations and gender, cultural and social norms.

This could include for example: occupational segregation or gender pay gap, feminised workplaces where most of the lower paid workforce is female but supervisors/managers are men, male-dominated workplaces with a macho culture, intersectional discrimination, risks to women's health due to inadequate health policies. [For more information see Section 1.2]

Domestic violence should also be included in risk assessments (Article 18d of R206).⁵⁰

The success of any workplace OSH programme relies on the cooperation of workers and employers to identify hazards and assess risks. Employers are responsible for managing risk at work, but trade unions have the right to participate, and have useful knowledge that can help to identify and assess risks. An effective way to ensure worker participation is through joint workplace OSH committees, which are required by law in many countries and are also part of ILO OSH Conventions.⁵¹ Women and vulnerable groups should have proper representation in these committees: reserving seats for women can be helpful. This can help to identify risks that have previously been missed/ignored, as well as put women's health and safety needs higher on the agenda.

⁵⁰ For further information about integrating C190 into risk assessments and a discussion of risk factors see: Addressing violence and harassment against women in the world of work, ETF (2020) <https://www.etf-europe.org/wp-content/uploads/2020/11/ETF-Workplace-Policy-Guidance-addressing-violence-and-harrasment.pdf>

⁵¹ International Labour Standards on Occupational Safety and Health, ILO <https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/occupational-safety-and-health/lang--en/index.htm>

There are many ways to identify risks:

- ➔ Auditing the physical layout and organisational characteristics of the workplace
- ➔ Worker surveys, including specifically among women workers and, where appropriate, workers from third parties
- ➔ Surveys of employees' experiences of domestic violence and other experiences of violence outside the workplace e.g. when travelling to/from work
- ➔ Participatory measures, also directly involving women, e.g. focus groups discussions to hear safety concerns, and safety walks and audits to identify and map areas where violence and harassment are more likely to occur
- ➔ Evaluation of existing prevention measures to identify any gaps that exist.

Remember: Women are more at risk of gender-based violence and harassment and so effective OSH management must take a gender-responsive approach. Women should be consulted and included at all stages, risk assessments must make visible the different risks faced by male and female workers, including risks caused by intersecting forms of discrimination, and those carrying out risk assessment should have gender-responsive training.⁵²



PREVENTION AND PROTECTION MEASURES

Once the risks faced by workers are identified, they need to be assessed and acted upon. Employers and workers should work together to develop and implement appropriate prevention and protection measures. These measures should be gender-responsive, effectively protecting everyone, considering gender roles, behaviours and needs, and work to overcome unequal or discriminatory attitudes and social norms. Workers – and women in particular – should be involved in the development of all measures and represented on OSH committees.

According to the ILO⁵³, effective prevention strategies could include:

- Changing physical characteristics of workplace e.g. locks, alarms, security cameras, sign-in procedures for visitors
- Changing work environment/way work is organised e.g. easing workload, providing training
- Addressing power relations e.g. training, support, and mentorship to encourage managers and supervisors to be positive leaders, good management practices
- Developing effective reporting, complaint, and dispute resolution mechanisms
- Protection for complainants and witnesses (in line with Article 10b of C190 and Para. 7g of R206)

52 For more information about making OSH management gender-responsive see:

Making women visible in occupational health and safety, IUF (2019) <https://www.iuf.org/wp-content/uploads/2020/08/3.-Making-women-visible-in-OHS-ENGLISH-def.pdf>

Gender in Occupational Safety, TUC (2017) <https://www.tuc.org.uk/sites/default/files/GenderHS2017.pdf>

Women's health, safety and well-being at work - Negotiators guide, Unite the Union (2012) <https://unitetheunion.org/media/1480/womens-health-safety-well-being-at-work-unite-guide.pdf>

53 Safe and healthy working environments free from violence and harassment, ILO (2020)

https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publication/wcms_751832.pdf

Once created, OSH policies and measures should be clearly displayed, properly implemented, and regularly evaluated. Surveys and evaluations can help to assess the efficacy of measures and identify new risk factors. Gender sensitive indicators should be used to measure outcomes.

The Right to Know: Information and Training

Once prevention measures have been created, they need to be effectively communicated to all relevant parties. Information and training are essential to any effective OSH strategy. Under Article 9d of C190, employers are required to provide workers with accessible information and training to make them aware of identified hazards and risks and the prevention and protection measures. Workers, supervisors, and management should be properly trained and provided relevant information on OSH risks and prevention measures. Training and information should be gender-responsive, raise awareness about how women are differently exposed to risks and how to address those risks and hazards. Women should be involved in the development of training and information.

Workers, managers, and supervisors should be trained on:

- Risks and hazards and the impact of violence and harassment on safety and health
- Details on violence and harassment policy and its implementation
- Prevention and protection measures
- How to report violence and harassment, and how reports should be managed
- Duties and responsibilities of workers, managers and employers.

The Right to Refuse

Under Article 10g of C190, workers have the right to remove themselves from a work situation which they believe represents an imminent and serious danger to life, health or safety due to violence and harassment. Workers should not suffer retaliation as a result. Workers also have a duty to inform management to report the danger. Procedures should be established to enable this to happen. All workers should be made aware of these procedures to help protect themselves.

2.3

Domestic Violence as a Union Issue

Domestic violence may happen behind closed doors and be kept hidden from the outside world, but it has far reaching consequences. It affects the health, safety, and security of workers, spills into the public world, can have huge social costs, and has a negative impact on our working lives. But the world of work can be an important place to mitigate the impacts of domestic violence. Employers and trade unions have important roles to play in helping to recognise and address the impacts of domestic violence.

Using C190, unions should negotiate clauses addressing and recognising the impacts of domestic violence on work in CBAs and/or in workplace policies (on OSH, equality, health and well-being), or in standalone domestic violence policies.⁵⁴

Please identify in section 2.5
all 'Good Practice' boxes are highlighted correctly

⁵⁴ For more model language see:

Domestic violence and abuse: a trade union issue, UNISON (2017) <https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>

'Domestic Violence and the Workplace - A Bargaining Guide', UFCW Canada

http://www.ufcw.ca/templates/ufcwcanada/images/women/publicatios/Domestic-Violence-and-the-Workplace-A-Bargaining-Guide-EN_V4.pdf

Domestic Violence Guide, UNI Global Union http://en.breakingthecircle.org/descargas/en/man/violencepolicies_en.pdf

Family and Domestic Violence Model Clause, Australian Council of Trade Unions, ACTU

<https://www.actu.org.au/media/886613/actu-model-family-and-domestic-violence-leave-clause-revised-18-march-2.pdf>

Model Domestic Abuse Policy, UCU (2016) https://www.ucu.org.uk/media/8390/Model-domestic-violence-policy/pdf/Domestic_abuse_model_policy.pdf

Domestic Violence Checklist

Clauses on domestic violence should include:

- ✓ A definition of domestic violence
- ✓ Recognition of the impact that domestic violence has on the world of work
- ✓ The responsibility of the employer
- ✓ Support provisions according to Para.18 a) to e) of R206 including:
 - ✓ Leave (paid or unpaid) for victims of domestic violence
 - ✓ Flexible working arrangements
 - ✓ Temporary protection against dismissal for victims
 - ✓ Inclusion of domestic violence in workplace risk assessments
 - ✓ Referral system to public mitigation measures for domestic violence.

Additional measures and provisions could also include:

- ✓ Protection of confidentiality
- ✓ Development of a safety plan, safety advice and security measures
- ✓ Workplace adjustments (e.g. transfer/relocation of workers, redesign or change of job, duties, hours or workload, transfer or change of phone/email address)
- ✓ Additional support measures (e.g. financial, accommodation, childcare, housing, and psychological support, information about specialist support, access to counselling)
- ✓ Requirements for employers to develop a workplace policy on domestic violence
- ✓ Training and awareness raising
- ✓ Trained peer support representatives.

PAID LEAVE

Unions can negotiate for employers to provide paid leave for victims/survivors of domestic violence. This is an effective way to mitigate the impact of domestic violence in the world of work, giving time for victims/survivors to deal with/leave an abusive situation. Unions can also negotiate with government for paid leave to be legislated in law and/or covered by state-funded social security schemes.



- ➔ In the Philippines, the law provides 10 days paid leave for victims/survivors of domestic violence, extendible if needed. It also protects colleagues who assist workers.
- ➔ In Australia, the law gives all workers experiencing family and domestic violence 5 days of unpaid leave to do something to deal with the impact of family and domestic violence.
- ➔ In Canada, all provinces have a law that gives leave (paid and unpaid) for cases of domestic violence. The Canadian federal government has amended the Canadian Labour Code to include 5 days of paid domestic violence leave for workers in federally-regulated workplaces.
- ➔ In New Zealand, the law allows 10 days paid leave. Victims/survivors are not required to provide proof and have access to flexible work arrangements to facilitate their safety.

When unions negotiate for leave, the number of days won varies according to the situation, as does how they can be taken: as a series of days, as single days, or as part of a day. Trade unions should bargain for a minimum of 10 days paid leave per year in addition to existing leave provisions, to be extended under exceptional circumstances. If employers do not agree to paid leave, unpaid leave is an alternative.

Domestic violence clauses originated in Australia. The first such clause was signed in 2010 - between the Services Union's Victorian Authorities and Services Branch and the Surf Coast Shire Council. Among other things, the clause provides for up to 20 days paid leave.



The Canadian Labour Congress (CLC) has developed model paid leave language for unions to use.⁵⁵

1. *The employer recognizes that employees sometimes face situations of violence or abuse in their personal life that may affect their attendance and performance at work.*
2. *Workers experiencing domestic violence will be able to access (x) days of paid leave for attendance at medical appointments, legal proceedings, and any other necessary activities. This leave will be in addition to existing leave entitlements and may be taken as consecutive or single days or as a fraction of a day, without prior approval.*



FLEXIBLE WORK ARRANGEMENTS

Unions can also negotiate for employers to provide flexible work arrangements for those suffering from domestic violence. This could include, for example, an advance in pay or a gradual return to full-time work after absence on leave.

55 Model Domestic Violence Language, CLC <http://canadianlabour.ca/model-language>

▼ PROTECTION

Unions should negotiate for temporary protection against dismissal for employees whose absences are related to domestic violence and its impacts, as well as for protection from adverse action, retaliation or discrimination on the basis of their disclosure, experience, or perceived experience of domestic violence, and for protection of their confidentiality.

Protection from discipline and adverse action

The Employer agrees that no adverse action will be taken against an employee if their attendance or performance at work suffers as a result of experiencing domestic violence.

Confidentiality

All personal information concerning domestic violence will be kept confidential in line with relevant legislation. No information will be kept on an employee's personnel file without their express written permission.
(Canadian Labour Congress)

▼ WORKPLACE SAFETY STRATEGIES

Unions should negotiate workplace safety strategies. This includes domestic violence being included in workplace risk assessments and prevention programmes. If there is an immediate risk from a perpetrator at the workplace, unions should negotiate for employers to carry out an immediate risk assessment with the survivor, resulting in a safety plan, safety advice and/or security measures in the workplace. This should be updated as circumstances change. Measures could include security measures in parking, travel to and from work, the provision of panic alarms, outdoor lighting, external cameras or CCTV, and deadlocks for entrances, among others.

▼ WORKPLACE ADJUSTMENTS

Unions can negotiate for additional measures including, temporarily or permanently, transferring workers to another department or location, redesigning the job, changing duties, hours or shift patterns, or reducing the workload.

Individual supports

The Employer will approve any reasonable request from an employee experiencing domestic violence for the following:

- *Changes to their working hours or shift patterns;*
- *Job redesign, changes to duties or reduced workload;*
- *Job transfer to another location or department;*
- *A change to their telephone number, email address, or call screening to avoid harassing contact and*
- *Any other appropriate measure including those available under existing provisions for family-friendly and flexible working arrangements.* (Canadian Labour Congress)

Some employers might insist on evidence of domestic violence from domestic violence organisations, support persons, trade union representatives or doctors, to access these rights. If so, unions should ensure that language is flexible to include proof provided by a range of services.

▼ SUPPORT MEASURES

This could include accommodation, childcare, financial, and psychological support, information about local organisations providing specialist support, and access to counselling paid for by the employer. Other financial supports could include salary advances or emergency financial support.

Workers should also be helped to get access to public mitigation measures for domestic violence, such as legal support services, specialist domestic violence services, police reports, protection orders or court injunctions, welfare benefits, and access to temporary accommodation, among others.

▼ WORKPLACE POLICY

Unions might also negotiate for employers to develop a workplace domestic violence policy.

The Employer will develop a workplace policy on preventing and addressing domestic violence at the workplace. The policy will be made accessible to all employees and will be reviewed annually. It should explain the appropriate action to be taken in the event that an employee reports domestic violence or is perpetrating domestic violence, identify the process for reporting, risk assessments and safety planning, indicate available supports and protect employees' confidentiality and privacy while ensuring workplace safety for all. (Canadian Labour Congress)

▼ TRAINING AND AWARENESS-RAISING

Training and awareness-raising for all employees, including senior staff, about domestic violence, its impact on the world of work, how to handle cases, and the negotiated domestic violence policy, is very important.

The Employer will provide awareness training on domestic violence and its impacts on the workplace to all employees.

The Employer will identify a contact in [Human Resources/Management] who will be trained in domestic violence and privacy issues, for example training in domestic violence risk assessment and risk management. The Employer will advertise the name of the designated domestic violence contact to all employees. (Canadian Labour Congress)

▼ PEER SUPPORT REPRESENTATIVES

Unions may also want to negotiate for the recognition of and support for trained union-led peer support representatives such as 'women's advocates' or 'first responders.' This are specially trained workplace representatives to whom workers with domestic violence concerns can go to for support. Some unions might provide the training themselves, while others work together with employers.

- ➔ Union representatives at the Dairy Workers Union (DWU) in New Zealand have undertaken domestic violence first responders training, in cooperation with the dairy company Fonterra. This enables members to learn how best to support workers who are experiencing domestic violence, including having an appropriate first conversation, directing victims/survivors to specialists, supporting them in conversations with managers, and supporting the managers in handling the cases.

➔ In Canada, Unifor has developed a Women's Advocate Programme where specially trained, employer-recognised workplace representatives provide support for women affected by violence and harassment. These Women's Advocates can be contacted by workers for information, support, and referral on all types of GBVH, including domestic violence. The Advocates receive special training through the union, paid for by the employer. The union has successfully negotiated this as a requirement in collective agreements and now has a network of over 400 Women's Advocates across Canada.⁵⁶

- ✓ UNISON in the UK has developed a **model workplace agreement**⁵⁷ on domestic violence. It includes:
- Training for managers and employees, and named HR staff with appropriate training
 - Special paid leave, and the possibility of an advance of pay
 - Temporary or permanent changes in working time and patterns, changes in specific duties to avoid potential contact with an abuser and redeployment or relocation where appropriate
 - Measures to ensure a safe working environment e.g. changing phone numbers; access to counselling and support services in paid working time
 - Access to courses developed to support survivors of domestic abuse.

Arguments to use in Negotiations

- ✓ Domestic violence is not a private or personal issue; it is a workplace issue and a violation of human rights. The effects of domestic violence are felt in the world of work. Employers must respect, protect and fulfil the obligation.
- ✓ Domestic violence has a negative impact on the wellbeing of workers, colleagues, families, businesses, and the economy.
- ✓ Women are disproportionately affected by GBVH at work. Economic growth and development can only be achieved if barriers to productive and quality employment are removed for men and women.
- ✓ Escaping an abusive relationship costs time and money. Paid domestic violence leave can draw the line between leaving and being trapped. It can end the cycle of abuse.
- ✓ Paid domestic violence leave should be a universal right, equal to other paid leave entitlements.
- ✓ In the pandemic crisis, for many the home has become the workplace. This comes with an increased risk of violence. Now, more than ever, domestic violence is a world of work issue.

⁵⁶ Unifor Women's Advocates, DV@WorkNet (2020) http://dvatworknet.org/sites/dvatworknet.org/files/Unifor%20Women_s%20Advocates_revised.pdf

⁵⁷ Domestic violence and abuse: a trade union issue, UNISON (2017) <https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>

2.4

Handling Complaints of Violence and Harassment in the World of Work

Often workers do not report violence and harassment because they doubt their complaint will be dealt with seriously. Or they fear they will be shamed, embarrassed or humiliated, or even fired. In cases of domestic violence, the issue may be even more sensitive. It is important for trade unions to help establish effective guidelines/procedures for complaints and investigations systems and ensure that information about these procedures are included in the workplace policy. Trade unions should then raise workers' awareness of grievance mechanisms by providing information and training.⁵⁸

Procedures will differ for every workplace, but some general principles to remember are:

- ★ **Recognise the problem:** Look for sudden and/or unexplained changes in behaviour, appearance, or work performance by one or more workers. If you notice violence inside the workplace, speak out and report it.
- ★ **Respond quickly and seriously:** If someone discloses violence and harassment, it should be taken seriously and acted upon. Reports should be dealt with within established timeframes. It is important to have clear informal and formal procedures set out.
 - ➔ *The worker may feel more able to deal with the complaint informally. They should not be forced to make a formal complaint.*
- ★ **Reassure:** Make sure that workers feel supported and understand the assistance available to them.
- ★ **Refer:** Refer the complaint to the trained contact person or someone from HR, who should also make the employer/manager aware of the situation. In cases of domestic violence, the individual should be referred to any support services that exist. In other cases, the agreed formal process should be followed, including opening an investigation.
- ★ **Gender-responsive:** Investigations and outcomes should be gender-responsive – unbiased and acknowledging underlying unequal gender-based power relations, stereotypes, and intersectional inequalities such as race, class, sexual orientation. Outcomes should work to tackle the power inequalities that allow violence and harassment to happen.
- ★ **Confidentiality and Fairness:** Make sure that the confidentiality of everyone involved is maintained. Everyone should be treated impartially throughout the process to avoid bias.
- ★ **Support:** All parties should be informed of the process, timeframe, expectations, and reason for actions being taken, and should be told what support is available.
- ★ **Protection:** Measures should be included to protect complainants, victims, witnesses and whistle-blowers against victimisation or retaliation.
- ★ **Record:** Transparent and gender disaggregated (data collected separately on men and women) records should be kept.
- ★ **Communicate:** The procedures and decisions taken should be clear and communicated to all parties involved.

⁵⁸ For good examples of grievance and investigations procedures see:

Stopping sexual harassment at work, A Trade Union Guide (ITUC) https://www.ituc-csi.org/IMG/pdf/Harcelement_ENG_12pgs_BR.pdf

Sexual harassment and bullying grievance procedures, SDA (2016) <https://sdaea.sharepoint.com/:b/s/SDA2/EfoQYdNZgEteqH2-T8lx-gwBHcCRhULmBOMh-OMphYTNWw?e=jsUurGI>

Zero Tolerance – Dignity at Equality at Work <https://unitetheunion.org/media/2476/zero-tolerance-guide.pdf>

Bullying a reps' guide, PCS <https://www.pcs.org.uk/your-union/activists-resources/organising-your-workplace/health-and-safety/hazards-and-health-a-14>

Investigating and Resolving Workplace Harassment, UNIFOR (2013) https://www.unifor.org/sites/default/files/documents/document/red_book_-english-36619-_harassment_investigation_guide.pdf

2.5

Collective Bargaining around Violence and Harassment in the World of Work

Collective Bargaining at the Enterprise, Sectoral and National Level

C190 is not just a useful means to engage government in discussions about ratification but is also a powerful tool to use when negotiating with employers. If governments ratify C190, employers must align their policies with the new national law. But whether or not it has been ratified, the provisions of C190 can be integrated into collective bargaining agreements to set out and monitor commitments to tackle violence and harassment in the world of work.



Collective bargaining agreements (CBAs) are written agreements determining working conditions and terms of employment that come out of negotiations (collective bargaining) between unions and employers. Collective bargaining is the most effective tool for unions to prevent and address violence and harassment in the world of work. Collective bargaining can take place at the **national level**, where unions and companies are then often encouraged or obliged to adopt these agreements or negotiate similar agreements at a local level. They can be adopted at **sectoral level** between trade unions and employers' organisations. They can also be agreed at the **company/plant level** between unions and companies.

C190 highlights the importance of collective bargaining to prevent and address violence and harassment in the world of work and promotes the Convention to be applied through collective agreements. Using the provisions and language of C190, unions can develop new agreements or amend existing agreements by integrating new clauses. The measures suggested in R206 on protection, enforcement, remedies, support and awareness-raising can also help.

Your agreements might already refer to violence and harassment, but you should now amend them to make sure they are in line with C190.

- Understand the extent of the problem by asking shop stewards and surveying members.
- Identify violence and harassment as a priority in your bargaining agenda.
- Draft sample clauses and language on violence and harassment that can be adapted and integrated at different levels of collective bargaining and for different sectors, in consultation with union members and shop stewards.

Please identify in section 2.5
all 'Good Practice' boxes are highlighted correctly

Your union might negotiate a new collective agreement or amend existing agreements, including clauses on violence and harassment as part of other measures negotiated. Language can focus on violence and harassment in general, or on the specific forms of violence and harassment that workers are facing in that company/sector.

Violence and harassment and gender-based violence and harassment are relatively new issues in collective bargaining. This means that there are not many strong examples of gender-responsive collective bargaining language. It is important for unions to address this by developing strong model clauses that can be integrated into CBAs.⁵⁹








Remember: All collective agreements should be gender-responsive, identifying and addressing underlying inequalities. A gender impact assessment of existing agreements (analysing agreements to see if they reduce, maintain, or increase gender inequalities) can identify where the gaps are.

Language should then recognise the disproportionate impact of violence and harassment on women and introduce measures to address inequalities.

Collective Bargaining Checklist

Clauses in CBAs that effectively address violence and harassment in line with C190 should include:

-  Definition of violence and harassment
-  Practical action to stop violence and harassment from occurring
-  Procedures and policies to deal with violence and harassment
-  Training and awareness-raising on provisions and procedures
-  Monitoring and evaluation.

Remember, it is important to develop an effective bargaining strategy to get language introduced in collective agreements to the highest extent possible.

⁵⁹ For some good examples of model collective bargaining agreements and language see:

Safe at Work, Safe at Home, ETUC (2017) <https://www.etuc.org/en/document/safe-home-safe-work-final-report-national-country-studies>

Preventing and addressing sexual harassment and violence in the workplace – Practical strategies, ILO https://gbv.ilo.org/assets/pdf/ResourceKit_PART_B.pdf

Violence and harassment against women and men in the world of work – Trade union perspectives and action, ILO (2017) https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_546645.pdf

DEFINITION

A strong definition of violence and harassment in the world of work. It should include a specific focus on GBVH. It might also include a particular form of violence and harassment that workers face.



A collective agreement signed in the Vista Sol Punta enterprise (2014-2017) in the Dominican Republic contains a clause on prevention of and sanctions for sexual harassment and recognises the disproportionate impact of sexual harassment on women.

*Sexual harassment is an attack on the dignity of the person on whom it is inflicted, and an obstacle to enterprise productivity, which degrades working conditions and the prospects for employment and promotion of the victim; since it affects occupational safety and health, and given that **sexual harassment constitutes a form of violence generally exercised against female workers**, undertake to adopt all necessary measures to generate an environment that prevents and combats sexual harassment in an effective way, including the immediate dismissal and bringing to trial of any person who has been proven to have sexually harassed any employee of the enterprise.⁶⁰*

PRACTICAL ACTION/PREVENTION STRATEGIES

The CBA should also include prevention strategies to protect workers and stop violence and harassment from occurring. This should include clearly defined employer responsibilities, and practical actions to be taken.



The New York Hotel and Motel Trades Council has negotiated a clause into an industry-wide collective agreement that requires panic buttons for all hotel housekeepers.

70 (A) General Obligation of the EMPLOYER to Protect Employees

The EMPLOYER reaffirms that the safety of Employees is of paramount concern and includes safety from harassment by hotel guests. The EMPLOYER shall take reasonable steps to address inappropriate guest advances, harassment and threats and to respond promptly and adequately should such incidents occur.

(B) Devices

Within one (1) year of the date of this Agreement, the EMPLOYER will equip Room Attendants, Housekeeping Attendants, Minibar Attendants, Room Service Servers and any other employee who is required to enter an occupied guest room with devices to be carried on their persons at work that they can quickly and easily activate to effectively summon prompt assistance to their location. It is recognized that because of the varying size and physical layout of each hotel, different devices may be appropriate for different hotels.

▼ PROCEDURES AND POLICIES

Policies and procedures to deal with violence and harassment, for reporting and responding to violence and harassment, and sanctions against perpetrators must be included. This could include provisions for support or remedies for victims/survivors. There should also be clearly defined worker and employer rights and responsibilities. Including clauses requiring an equality representative to be involved is an effective way to ensure investigations are gender responsive.

*The Company and Union agree to form a Joint Building a Respectful Workplace Committee whose function shall be to investigate complaints and help create a respectful workplace. This committee will comprise of equal number of representatives (2) selected by the employer and by the union. **At least one (1) member of this committee from each side must be a woman.** The parties agree that the representatives are required to be independent and not responsible for disciplinary decision making.⁶¹*

▼ TRAINING AND AWARENESS-RAISING

There should be a clause on provisions to train, inform and raise awareness on the provisions and procedures, as well as on how to recognise, respond and investigate incidences of violence and harassment.

✓ A company agreement adopted by Deutsche Bahn AG In Germany in 2019 on 'equal treatment and protection against (sexual) harassment and discrimination' included measures for training sessions for managers and employees, external helplines for staff, as well as measures to empower and train female employees - including self-defence training to protect them from third party violence.

61 Workplace Harassment Model Language, UNIFOR (2014)
https://www.unifor.org/sites/default/files/documents/document/unifor_workplace_harassment_model_language_-_march_14.pdf

▼ IMPLEMENTATION AND MONITORING

The success of any negotiated agreement relies on effective implementation and monitoring. Unions need to ensure that any commitment is put into action. Unions should negotiate for procedures and committees to be put in place to monitor compliance and implementation, including joint union-employer committees.



In the horticulture industry in East Africa, 70% of the workers are women, and sexual harassment against them is common. A sectoral collective agreement signed in 2010 between the Horticulture and Allied Workers' Union (UHAWU) and the Uganda Flower Exporters Association (UFEA) includes measures to address the prevalent sexual harassment in the sector. Under the agreement, companies are required to establish a sexual harassment policy and take steps to eliminate and prevent sexual harassment in the workplace. The agreement includes a definition on the types of sexual harassment, a disciplinary procedure, employers' obligations to take measures to prevent sexual harassment if they employ more than 25 employees, and a grievance procedure. As part of its gender-responsive approach, the agreement includes the establishment of a joint gender and equality subcommittee to monitor and make recommendations.

▼ NON-DISCRIMINATION AND EQUALITY

CBAs can also promote non-discrimination and equality by including an anti-discrimination or non-discrimination clause.

*"The Employer agrees that there shall be no discrimination, interference, restriction, harassment or coercion exercised or practiced with respect to any Employee or applicant for employment by reason including but not limited to age; race; creed; colour; place of origin; ethnic origin; citizenship; ancestry; political or religious affiliation, beliefs or activities; sex; gender expression or gender identity; transsexual/transgendered identification; sexual preference, orientation or identification; marital status; family status; parental status; number of dependents; class; place of residence; physical appearance; record of offences except where it relates to bona fide employment qualifications; Acquired Immune Deficiency Syndrome (AIDS), AIDS-related illnesses, positive Human Immunodeficiency Virus (HIV) test and any other illness or disability, mental, physical or other disability, so long as it does not significantly impair the performance of the duties of the position; union membership or activity; nor by reason of the exercise of any of the rights contained in this Agreement."*⁶²

Model Sexual Harassment Clause: ITUC⁶³

- (a) **Introduction.** The union and the employer recognise that sexual harassment may occur in the workplace and are committed to preventing and ending it. Sexual harassment is also a disciplinary offence.
- (b) **Definition.** Sexual harassment is unwanted, unwelcome and unasked-for behaviour of a sexual nature. It can occur either on a one-time basis or as a series of incidents, however minor. Sexual harassment is coercive and one-sided and both males and females can be victims.
- (c) **Action.** A harassment victim may lodge a harassment complaint with a person of confidence, designated by the union in agreement with the company. The person(s) of confidence, who will be appropriately trained, shall investigate any harassment complaint, in a timely fashion and on a confidential basis. An employee alleging harassment in the workplace has the right, after informing the person of confidence, to leave the work area without loss of pay, rights or benefits, and to refuse to return to the work area until there has been an investigation of the complaint. The redress must reflect the seriousness of the harassment case. It may be an apology, a transfer to another department or a layoff. The harasser, not the victim, must suffer the consequences of his or her actions. The employer will include compulsory anti-sexual harassment training in its orientation for new employees in company time.

Collective Bargaining with Global Corporations

In addition to improving CBAs, the Convention and Recommendation can be used as powerful tools in campaigns and negotiations with transnational corporations (TNCs). Some unions are already working together across national borders to campaign against violence and harassment in TNCs.

The Service Employees International Union (SEIU) in the USA and Canada, for example, working with the International Union of Foodworkers, the Brazilian trade union centre UGT and other unions across the world, have joined together to demand action to address sexual harassment at McDonald's restaurants. Unions have filed class action lawsuits and joint complaints which highlight the failures of McDonald's global management to address sexual harassment. (For further information see Section 3.2)

“*There is a culture of sexual harassment and inappropriate behaviour which permeates from the top down in the company... Women and LGBTQ+ workers are particularly vulnerable. When they complain, nothing gets done...*

With the MeToo movement happening we saw it as an opportune time to elevate the issue and highlight the issue of sexual harassment in the working-class movement. The low wage service economy means that sexual harassment is widespread... McDonald's claims to have a good system, but also claim no responsibility because their chains are franchises. We have argued that if they are responsible for the uniforms and hamburgers, then they are also responsible for the sexual harassment.

Nicholas Allen, Services Employees International Union (SEIU), USA

Union members from Marriott hotels in Africa, Asia and the Pacific, Europe and the Americas have come together to demand global action to protect workers from the endemic sexual harassment which plagues the industry. Surveys have shown that a large majority of hospitality workers - up to 89% in some countries - have experienced sexual harassment on the job at some point in their working lives. Campaigning together, unions have built global solidarity, helped to raise awareness of the issue and brought pressure on the company to come to the negotiating table.

“ At the core of the campaign was to expand the places where panic buttons were supplied to room cleaners and to push companies to take the hard line on enforcement... We were fortunate that the emergence of the #MeToo movement coincided with it. It focused the discussion and helped to shift the culture with management, members, and the public... The focus on Marriott has enabled us to win language in collective bargaining agreements with Marriott in eight cities. We have developed language which then became standard for use in other companies... By joining with other unions, we have built a global movement. On top of this, we have won thousands of new members as a result... Importantly, we are giving people the tools to fight back and struggle in a global way.

Ian Lewis, UNITE HERE Local 2, USA



GLOBAL FRAMEWORK AGREEMENTS (GFAS)

Some TNCs have signed agreements or joint statements with one or several GUFs, which set minimum standards for working conditions, gender equality and union recognition. Some of these now include issues of violence and harassment in the world of work.

In 2016, the multinational company **Unilever**,⁶⁴ the IUF and IndustriALL Global Union signed a Joint Commitment which sets out procedures for management and unions to work together to prevent and combat sexual harassment. The agreement is based on the key principles that sexual harassment is a disciplinary offence, and cases of sexual harassment will be investigated confidentially and handled in a manner that ensures the confidentiality of the persons involved and within strict timescales; and that in cases of sexual harassment, it is the perpetrator and not the person making the complaint who will, where necessary, be redeployed.

According to the agreement Unilever will:

- train all staff and managers on the policy and their responsibilities under it
- monitor cases of sexual harassment to identify where further action might be appropriate
- will not tolerate retaliation or victimisation against employees who identify and raise issues relating to any form of sexual harassment or who lodge complaints and/or participate in any proceedings relating to alleged sexual harassment either directly with management or through the individual or collective grievance procedures.

At a local level, throughout Unilever operations, it was agreed that local management and trade unions should agree and document a clear local policy on sexual harassment, and complaints procedures and mechanisms for dispute resolution/grievance handling, based on international standards and national legal and collective bargaining law and practice.

The agreement states that:

- a) sexual harassment cases are handled by persons of confidence with specific training
- b) all complaints concerning sexual harassment are to be investigated securely, expeditiously, and confidentially
- c) investigation of complaints is to be carried out by independent persons/structures
- d) complainants in all cases must be informed of their legal rights
- e) the outcome of the complaint investigation is formally recorded and communicated to and reviewed by the complainant
- f) sanctions on those found to have engaged in sexual harassment are clearly stipulated
- g) full protection and support is given to the victims of sexual harassment throughout the process and its outcome.

The agreement recognises that there are areas of higher risk, e.g. plantations, where many temporary workers are employed and where there are high numbers of women supervised by a majority of men. In these circumstances, specific awareness and training measures should be agreed and deployed by management and the trade union.

The adoption of C190 provides new opportunities to add important new clauses into GFAs. Some global unions have already done this.

In 2019, UNI Global Union signed a global agreement with telecommunications company **Orange**.⁶⁵ The agreement commits the company to gender equality and empowers workers to enforce the agreement's principles. Importantly the agreement specifically aligns itself with C190:



"Orange complies with the convention concerning the elimination of violence and harassment in the world of work, adopted by the General Conference of the International Labour Organisation on 21 June 2019..."

Article 7 and 8 of Chapter 4 of the agreement specifically focuses on 'Combating Discrimination and Violence.' Article 8 states:



"The Group is committed to combating sexism and harassment in all its forms, be it physical, sexual and/or psychological, everyday violence in the workplace, and improper behaviour of any kind. Any behaviour affecting the dignity of women or men in the workplace, or which creates an intimidating, hostile, degrading, humiliating or offensive environment, undermining the respect due to every individual, goes against Orange's fundamental values."

- The agreement commits the company to prevent, detect and address situations involving violence and harassment.
- In line with C190, it includes enhanced support for victims/survivors of domestic violence. The company and union offer special work time arrangements, relocation, emergency accommodation assistance, emergency economic support, as well as referral to external organisations.
- The agreement emphasises social dialogue and collective bargaining to implement its contents at the local level. It also provides for the establishment of local committees on workplace equality, as well as a network of workplace equality officers.

⁶⁵ Global agreement on workplace gender equality within the Orange group, UNI Global Union (2019)
https://uniglobalunion.org/sites/default/files/files/news/orange_-_uni_global_agreement_on_workplace_gender_equality.pdf

Global Union Federation campaigns to raise awareness to tackle violence and harassment

UNI Global Union → <http://en.breakingthecircle.org>

ITUC → <https://www.ituc-csi.org/GBV>

IndustriALL
Global Union → <http://www.industrialunion.org/violence-against-women-not-in-my-union-not-in-my-workplace>

PSI → <https://publicservices.international/campaigns/for-a-world-of-work-free-from-violence-and-harassment?id=5676&lang=en>

IDWF → <https://idwfed.org/en/updates/gender-based-violence>

Building Workers
International → <https://www.bwint.org/cms/gender-equality-44>

IUF → <https://www.iuf.org/what-we-do/fighting-against-sexual-harassment/>

EI → <https://www.ei-ie.org/en/detail/16557/ratifyc190-mobilising-for-a-world-of-work-free-from-violence-and-harassment>

ITF → <https://www.itfglobal.org/en/campaigns/un-day-elimination-violence-against-women-and-girls-2019>

IFJ → <https://www.ifj.org/actions/ifj-campaigns/online-trolling-you-are-not-alone.html>

2.6

Campaigning for Ratification of C190

On 17 December 2019, Uruguay became the first country to ratify C190.

“After... C190 was adopted, the previous government called a tripartite meeting where the women delegates of the PIT-CNT acted to ensure that it was quickly implemented in legislation. The Vázquez government voted in favour of it, together with the labour movement, and the employers abstained. The PIT-CNT organised workshops to explain the content of the Convention and why it was important for unions to use it as a tool...”

Marcelo Abdala, General Secretary, Plenario Intersindical de Trabajadores – Convención Nacional de Trabajadores (PIT-CNT), Uruguay

Years of campaigning by unions and lobbying for reforms in law laid the foundations for this ratification. The triumph was helped by the fact that unions in Uruguay had already successfully lobbied for laws to be put in place that addressed some of the issues covered by C190. This included Law No. 18561 on sexual harassment, prevention, and penalties in the workplace and Law No. 19580 on gender-based violence against women. The united campaign built by the unions, the Ministry of Labour, the government, and women’s organisations also helped.

Then, Fiji unanimously voted to ratify and C190 was officially adopted there on 25th June 2020. On 9th December 2020, Namibia also ratified it. So, with ratification by at least two countries, **the Convention will now officially enter into force (become legally binding) on the 25 June 2021.**

In Fiji, alliance building was an important tool in the ratification campaign. Trade unions, feminist movements, women’s rights organisations, and civil society organisations came together to build solidarity. Building relationships with key stakeholders, evidence-based lobbying, and awareness-raising campaigns proved effective.

“Evidence-based advocacy has always been the key strategy... to lobby for reform and ratification of treaties... National, regional and global solidarity is needed... Through FWRM’s advocacy from grassroots to the national level, it has been integral to ensure women’s voices are meaningfully included and heard... A strong collective voice from feminist and women’s movements is integral to demand space and promote positive change.”

Nalini Singh, Fiji Women’s Rights Movement (FRWM), Fiji

A growing number of governments across the world are expressing their intention to ratify C190.

UNION STRATEGY

To successfully push for ratification usually requires a big lobby and advocacy campaign from unions. The strategy will be different for every union, but some important things to consider are:

- ➔ **Mainstreaming C190 into union trainings** can raise awareness and mobilise workers.
- ➔ **Building formal and informal structures** can help in the advocacy campaign.
- ➔ **Spreading the word** can build public support and pressure governments to take action. This can include social media campaigns, holding meetings, workshops, forums, and events to raise awareness and explain C190, encouraging union leaders to speak about the importance of C190, and producing and sharing materials on C190.

- ➔ **Collecting and sharing stories** can show why ratification is urgently needed.
- ➔ **Undertaking research** can help to justify the fight, build union strategy, and help in negotiations.



In Nicaragua, the Federación de Mujeres Trabajadoras Domésticas y de Oficios Varios de Managua (FETRADOMOV) has been disseminating information through social media, building alliances with other trade unions, and holding educational workshops about gender-based violence. The most active union members are from the Trans Women Domestic Workers Union (SITRADOTRANS). Their role in the campaign has helped to break through the traditional male-dominated leadership and has also encouraged real inclusion and solidarity in the mobilisation process to achieve ratification.

African trade unions have organised meetings and workplace trainings under the slogan “C190. It can change lives. Organise. Educate. Implement”.

In the Asia Pacific region, unions have taken to the streets – blocking roads and reclaiming spaces – using the slogan ‘Women, unions and power’ to demand an end to gender-based violence.



POLITICAL STRATEGY

It is important to know how our governments and employers voted in the adoption of C190. This way we can see who our allies are, and who we might have to win over.⁶⁶

After this, the strategy could include:

- ➔ Creating a petition for ratification of the Convention
- ➔ Writing to governments to ask for support for ratification⁶⁷
- ➔ Contacting the relevant Ministry and requesting a meeting to discuss why C190 is important to ratify
- ➔ Contacting friendly politicians who support worker/women’s issues and encouraging them to lobby within their own political party to support ratification.



The first step we took was to call for a tripartite meeting where we had the Minister of Labour and the Federation of Kenya Employers and the workers... We then invited the Ministry to unpack the Convention so that workers and employers on the ground and the Ministry got to know what each and every article stands for... We are also having meetings with the Deputy Labour Commissioner, to come and share with us the gaps between our national laws and what is needed to push for ratification for this Convention.

Rose Omamo, General Secretary, Amalgamated Union of Kenyan Metal Workers (AUKMW), Kenya

⁶⁶ You can check how your governments and employers’ organisations voted here: <https://www.ilo.org/ilc/ILCSessions/108/committees/violence-harassment/lang--en/index.htm>

⁶⁷ See a sample letter here: https://www.ituc-csi.org/IMG/docx/model_letter_c190_ratification_eng.docx

Good Reasons to Ratify C190

- ✔ Violence and harassment at work is still widely tolerated. C190 is an opportunity for real change.
- ✔ Violence and harassment disproportionately affect women. C190 takes a gender approach which tackles the underlying inequalities that cause GBVH.
- ✔ Violence and harassment impacts people's health, dignity, and wellbeing. Not only this, but it results in large costs for employers and puts a strain on public services.
- ✔ In the post-pandemic world with increasing insecurity, C190 is a powerful tool to protect everyone from violence and harassment.
- ✔ C190 takes an integrated approach. We must all work together to tackle the problem – in national law, regulations and policies and in company and workplace agreements.

LEGAL STRATEGY⁶⁸

In order to ratify C190, Governments should amend national legislation and policy, using the provisions of the Convention. Trade unions can campaign for Commissions to be put in place to review existing legislation and highlight where the gaps lie. *Remember: The ratification process in Uruguay was helped by the fact that it already had supportive laws in place.*



Of course, C190 does not cover everything. The provisions in C190 are the minimum standards that we should be aiming for. It is important to campaign and negotiate for national laws to go further. This includes using the provisions recommended in R206.



ALLIANCE-BUILDING

Successful ratification campaigns require unions to build alliances at the local, national, regional, and global level. Our combined power strengthens our chances to succeed. Working together with other trade unions, feminist movements, LGBTI organisations, labour support organisations, migrants' associations, non-governmental organisations, and other civil society allies as well as academics and experts can be powerful tool to move the campaign forward. Invite allies to discuss how you can work together, organise joint actions and develop common messages to engage a wide audience.



Remember: These are just some suggested ideas. There is no 'one-size-fits-all' or single way to achieve ratification. Finding the right strategy that works best for each union will usually take lots of exploration and experimentation. There are many other ways that might work better in your local context. The most important thing to is for workers to be at the centre of ratification efforts, including those at most risk such as women, informal, and precarious workers.

68 Public Services International (PSI) have published three regional studies that give information on national laws and regional conventions:

Africa: <https://publicservices.international/campaigns/for-a-world-of-work-free-from-violence-and-harassment?id=5676&lang=en>

Inter-Americas: <https://publicservices.international/resources/publications/regional-study-on-legislation-and-practices-on-violence-and-harassment-in-the-world-of-work?id=10853&lang=en>

Europe: <https://publicservices.international/resources/publications/protecting-workers-from-gender-based-violence-and-harassment-in-europe?id=10861&lang=en>

3

APPLYING C190 AND R206 TO OUR OWN ORGANISATIONS

Effective action to end violence and harassment in the world of work requires stronger and more inclusive unions. Yet many of us struggle with internal cultures and structures which discourage the active involvement of those workers who are at greatest risk from violence. At worst, workers can suffer violence and harassment within the union itself.

To build a truly inclusive and representative union that is able to challenge violence and harassment, we need to mobilise workers to be more aware of violence and harassment, reform our internal structures and culture, and engage men in the struggle. More inclusive and representative unions are stronger unions.

C190 and R206 are important tools to educate, mobilise, and challenge discriminatory practices and culture within our unions, and also to establish policies and procedures to prevent and protect against any violence and harassment there.

Add Image

3.1

Reforming our unions

Without equal and inclusive unions, we cannot effectively address violence and harassment in the world of work. But the inequality we see in society is unfortunately often seen in the union. Trade unions have historically been dominated by industrial workers – typically men. Still today, the membership and leadership of trade unions is often dominated by men, and inequality is entrenched in the union culture, beliefs, and structures.

This has led to women being underrepresented, particularly in leadership positions. Becoming a union leader today is still a struggle for women, and once in leadership positions, women continue to face discrimination and isolation. This also means that violence and harassment continue to happen inside our own unions. But, as employers, C190 also applies to our own trade unions. We must take steps to ensure that also our own organisations and operations are free from violence and harassment.

“ We trade unions should be the structures that advance gender equality not only in words but in deeds. We should show the practical example. We say something, we do it. We should not be silent about discrimination anywhere.

Natalya Levytska, Independent Trade Union of Miners of Ukraine (KVPU), Ukraine

Ending violence and harassment in the world of work requires an *“inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations”*. (C190) This applies to our unions too. Our unions must look inwards to adopt policies and actions that address the risk factors for violence and harassment that exist within our own structures and cultures.

▼ RISK ASSESSMENTS

The first thing our unions should do is to carry out a risk assessment (as required by Article 9 of C190) to help identify the risk factors and hazards within our own structures that increase the likelihood of violence and harassment, particularly those that *“arise from discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment”* (Para 8c of R206). By identifying how existing union policies, practices and actions reinforce inequality, we can take measures to prevent and control them and make sure that all future work is targeted at overcoming inequalities. In line with C190, there are steps that our unions can take to do this.

Please check in section 3.1 all ‘Good Practice’ boxes and ‘Story’ sections are highlighted correctly

INTERNAL POLICIES AND PROCEDURES

We should review our own internal policies and procedures and adopt and implement new policies on violence and harassment (in line with Article 9a of C190, and Para. 7 of R206). Remember all policies should take a gender-responsive approach and include a clear procedure for investigating complaints. As well as setting a model example for unions as employers, this can also raise awareness about what an effective workplace policy on violence and harassment should include. Unions should make sure that policies cover everyone – not just union staff – and all union activities and events.

✓ In the USA, the AFL-CIO has adopted a model anti-discrimination and anti-harassment policy for its affiliated unions to adopt. The policy protects officers and staff from discrimination based on personal characteristics. It also protects officers and staff from harassment, including sexual harassment. It includes a policy statement, definitions and details of complaint and investigation procedures.

Policy Statement

The [insert name of state federation/central labor council] is committed to providing all of its employees with a workplace free from discrimination and harassment. The [...] does not discriminate against or allow harassment of any employee based on the employee's race, ethnicity, religion, color, sex, age, national origin, sexual orientation, disability, gender identity or expression, ancestry, pregnancy, or any other basis prohibited by law, or based on the employee's protected activity under the anti-discrimination statutes (that is, opposition to prohibited discrimination or participation in the statutory complaint process). The [...] reaffirms that it will not tolerate discrimination or harassment in any form. This prohibition covers any discrimination or harassment in the workplace, regardless of whether the discrimination or harassment is committed by a supervisor, officer, co-worker or nonemployee, such as a vendor, consultant, or employee or officer of an affiliate, or invitee to a [...] sponsored activity, event or meeting.⁶⁹

The union also adopted a model code of conduct which covers everyone, including those who are not staff, in a central body's workplace, as well as anyone who attends a central body activity, event, or meeting. The AFL-CIO encourages its affiliates to adopt the policy and code.⁷⁰

In the UK, the TUC has developed a model equality clause⁷¹ for its affiliated unions to adopt to show a clear commitment to equality and to eliminate harassment and discrimination within the union.

69 Anti-discrimination and anti-harassment policy, AFL-CIO <https://aflcio.org/sites/default/files/2018-02/Policy.pdf>

70 Code of Conduct, AFL-CIO <https://aflcio.org/sites/default/files/2018-02/Code%20of%20Conduct.pdf>

71 Model Equality Clause, TUC <https://www.tuc.org.uk/research-analysis/reports/tuc-equality-audit-2018?page=3>

**The objects of the union shall include:**

- a) The promotion of equality for all including through:
 - (i) collective bargaining, publicity material and campaigning, representation, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities
 - (ii) the union's own employment practices.
- b) To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age or other status or personal characteristic.

“ *For 17 years at a national level, members from equity committees and communities have been lobbying for inclusion at the table... and we haven't achieved our goals yet, but are determined to get there at our next Convention... 'Nothing about us, without us'... One of the achievements we've pushed for with CUPE is when we address people on our Convention floor, we use gender-inclusive language. We have adopted 'brothers, sisters and friends'... It was a very practical piece that said we are shifting towards being more inclusive... We also created signage that said 'trans people welcome here'. This hung in the Convention room. As well, in each washroom that sign was also there. It was a way to say you are welcome here.*

Gina McKay, Canadian Union of Public Employees (CUPE), Canada

**INFORMATION AND TRAINING**

Everyone in the union should be given accessible information and training on risks and hazards, as well as on internal policies, (in line with Article 9d of C190). This includes training union officials to advise members, to be able to recognise and respond to violence and harassment, and to train specialised contacts on violence and harassment. This includes:

- Including violence and harassment in OSH and gender equality training.
- Making sure officers, stewards and representatives are aware of their roles and responsibilities.
- Working with union gender experts and OSH specialists to draw up gender-responsive occupational safety and health risk management programmes on violence and harassment.

Remember, C190 calls for an *'inclusive, integrated and gender-responsive approach'*. In our unions we must also identify the underlying deep-rooted inequalities in our structures that increase the likelihood of violence and harassment. Too often, women are expected to adapt themselves to the union structures that have been designed by men, for men. We must work to transform our unions to make them inclusive structures and environments, reflecting the diversity of our members.

Carrying out a gender impact assessment (analysing structures, policies, and actions to see if they reduce, maintain or increase gender inequalities) of union policies, actions, decisions, structures, and CBAs is an effective way to do this.

▼ COLLECTIVE BARGAINING

A gender perspective and the provisions of C190 should be mainstreamed into union bargaining agendas, and to ensure that agreements address the underlying causes of inequalities which lead to violence and harassment. These are not ‘women’s issues’, but union issues for everyone to deal with.

▼ COMMITTEES AND NETWORKS

We can also amend our union Constitutions to make sure that a gender responsive approach is integrated into all decision-making structures, policies, procedures, and activities of the union. Union structures specifically for women are needed as safe places for women to develop their ideas and confidence, as well as find support for struggles and experiences of violence and harassment, including within the union.

The South African Commercial, Catering and Allied Workers Union (SACCAWU) has a long-standing commitment to address GBVH. It is integrated throughout union training and education programmes. The union has also established women’s committees to address violence and harassment in the workplace. The committees build advocacy campaigns to raise awareness, providing information materials to emphasise the problem of gender-based violence and tell workers how they can get help.

“ Since Nepal is a country with patriarchal and male dominated culture, this also sometimes reflects within the union structure, Women often face challenges to be at higher levels of the union... We need more support from union leadership on issues around violence and harassment against women... Our issues are kept aside...


We decided that we had to do something about this and take the initiative. We did a lot of advocacy to change the union Constitution and were able to have an amendment added to it. Now women have a place ensured in the central committee and in decision making as well... We are also working on building confidence of women and advocating to give priority to women’s issues because we feel it is something that is very important for us and will help us in the future to win this ongoing war...


There has definitely been improvement in the perception of the union. Now, when I say I want to do a programme on women’s issues, the men agree...

We as women need to show them what we can do. We need to help other women realise their true potential, what they can do, how they can do it. We need women to feel more confident, to say what they want and do what they want.

Saraswati Rijal, Central Committee Member, Independent Transport Workers’ Association of Nepal (ITWAN), Nepal

We can also build networks of women to strengthen their role in the union and enable them to build a common agenda and strategy to fight for their rights.

 **Unions in Guatemala and Costa Rica have established networks as spaces for women to share experiences, be empowered and build a common agenda to fight for gender equality.**

 *As women, many of us lack information and we lack confidence. We must empower women... and it is time that we show how valuable and intelligent we are and that it does not necessarily take a man to get ahead. We are women, we are strong, and we have a lot to learn to change these systems that for decades have been led by men and our fear for ourselves.*

The main thing that women need to understand is that they do not deserve to be mistreated and they know that if they suffer from a blow, humiliation or psychological abuse, there is a network of women in Costa Rica to help them. It is very important that women take control...

Dania Obando Castillo, General Secretary of Sindicato de Trabajadores de la Palma (SITRAPA), Costa Rica

▼ QUOTAS, TARGETS AND SEATS

We can make constitutional amendments to reserve seats or set quotas, targets, or minimum percentages to improve the representation of women and other vulnerable groups in union structures and decision-making bodies. We should make sure that women are properly represented in our negotiating teams so that their perspectives, particularly on GBVH, are represented there.

We can also introduce measures to monitor equality within the union, such as internal equality audits. As a short-term strategy this can be effective to force change in slow changing structures.

Since 2010, UNI Global Union has been fighting to balance the representation of women and men in the decision-making positions within the union. The union launched a '40 for 40' campaign which aimed to achieve better representation in its structures, specifically to increase women's representation in all UNI structures and decision-making bodies by 40%. As a result of the campaign, UNI has gone from 17.3% women in decision-making positions to 43%.⁷²

After introducing quotas in its structures, the Zambia National Union of Teachers (ZNUT) experienced huge changes in its structure and culture. In 2014, women held 10% of elected positions in the union. Five years later, women held 35% of elected positions. More women now stand to be elected for union positions, and more men actively advocate and support women candidates.

72 For more information about this campaign see: <https://www.uni40for40.org/>

▼ BUILDING WOMEN'S CAPACITY

Formal representation in the union does not always automatically guarantee full participation. Once women become members, they need the confidence and knowledge to be actively involved. Building the capacity of and empowering women in trade unions is crucial in implementing a gender-responsive approach to violence and harassment. Training is also fundamental to women's active participation in trade unions.


Women causes, mentoring programmes, leadership training, training for negotiators and women's networks can build women's capacity, enable them to share experiences and strategize together. It also shows women that they have an active and important part to play in our unions. This can enable women to have the confidence to eventually take on leading roles as organisers, negotiators, and leaders. Mentoring by older and more experienced women leaders and trade unionists is also an effective tool. Having more women in decision-making positions will also contribute to an environment free from violence and harassment.

“ ... I was a victim of violence. I was locked up at home. But for seven years, I have played an active role in the union. It has meant an enormous growth and knowledge for me, and today I am able to stand up for myself in front of anyone to defend not only my rights, but also the rights of my sisters.

Ana Maria Millacares, Confederación Nacional de Trabajadores Metalúrgicos (CONSTRAMET), Chile

For years, the concerns and issues of female members of the Maharashtra State Transport Kamgar Sanghatana (MSTKS) union in India – particularly sexual harassment – had not been properly addressed, due to power inequalities within the union.

In 2016, the women's wing of MSTKS formed a 'Nirbhaya (fearless) Advocate Committee'. The Committee has developed empowerment activities for women, including trainings on masculinity and gender which has bridged the gap between young men and women workers in the union. The empowerment activities have also helped to create a space for women within the union and have supported women into leadership positions. As a result, the youth wing of the union is now actively supporting women on priority issues – including sexual harassment committees and violence free workplaces. The work carried out by MSTKS has also created safe space for women to share their experiences of violence.


 **Sheela Naikwade is the Vice President of MSTKS union in India and has been at the forefront of fighting for change through women's advocacy.**


“ Transport is a male dominated sector – there are very few women working in this sector. This means women workers are rarely seen as priority. Women suffer from violence and harassment in the workplace. We built the Nirbhaya (fearless) Committee to fight for workers' rights and build women's skills as leaders... We have pushed for women to be included at every level of the union from the grassroots up.

So now women leaders are there, and we started a Women's Advocacy Training programme for women workers, to encourage their participation in the union activities. It has trained women workers on how to identify problems, how to build support, how to negotiate with management... We did workshops and conferences on these issues and we built links with NGOs to develop women's skills in leadership. So, slowly these women have become interested in trade union activities, they are now standing up and demanding their rights. Now there is a committee against sexual harassment and it is working proactively. It is not just on paper. We are demanding that women must be safe in their workplace and violence should not be normalised, and should not be accepted as part of the job in male dominated sectors like ours.

Most GUFs also provide support to affiliates to help reform and improve the organisation and representation of women in union structures.


UNI Global Union has a mentoring programme which aims to achieve a balanced representation of women and young women in unions and decision-making bodies by building leadership skills, sharing information and providing union members with mentors. Since the programme began in 2013, it has trained over 700 women in 51 countries. Today there are more than 300 tandems working in over 42 countries around the world. The programme has inspired other women to join the unions. This has encouraged a better gender balance in male-dominated unions. With more women in leadership positions, unions have a better gender perspective and are able to properly respond to the needs of workers, including in the fight against GBVH.

 **Leyla Ben Hazem is from the Tunisian General Labour Union (UGTT) and is the coordinator of the UNI Mentoring Programme in the Middle East and North Africa region.**

 *The young women who participate in the Mentoring Program will feel closer to and better represented by the union, which will develop their capacities to produce a multiplier effect vis-à-vis young unionists... the presence of more women in positions of responsibility will encourage more women to unionise. A higher proportion of well-prepared women in unions will provide much needed gender balance in many unions where men are in the majority... The changes were palpable for many women who at the beginning of the program did not even dare to speak in plenary. The union training they received during the first 2 years was one of the main assets to encourage them to run for decision-making positions at all levels of unions... A credible union must represent all workers without any exclusion based on race, gender, sexual orientation, political orientation, religion... Together we are stronger!!*

In 2014, the International Trade Union Confederation (ITUC) launched the Count Us In! campaign⁷³ which set the goal of 80% of ITUC affiliates to have 30% of women in their decision-making bodies. Unions that committed to the 30% target were also required to aim for a 5% increase in women's membership. The campaign has helped to improve the representation of women decision-making positions in many unions throughout the world. In 2015, CUT Brazil became the first national trade union federation to introduce gender parity in its decision-making bodies.

In Peru, the textile and garment industry is split along gender lines (textiles is male, clothing is female). Ten years ago, the FNTTP textile union was male dominated, and had virtually no members in the garment industry, where exploitation was widespread. Then the male leaders in the union made the decision to start organising women. The decision was to give space to women in the organisation and in the decision-making bodies and elected leadership. As a result, now at least 40% of their national executive are women and a young woman leader has recently been elected as General Secretary.

 *I joined the union in 2012... I did not know anything about my labor rights... my life changed dramatically because I learned that I had labor rights and learned that there was a way to be able to defend them. When I join, I realise that I have some power, and that this power was unionism.*

Lorena Chavera Cáceres, General Secretary, Federación Nacional de Trabajadores Textiles de Perú (FNTTP), Peru

73 For more information see: Count us in: Women leading change, Equal Times https://www.equaltimes.org/IMG/pdf/women_in_leadership_en_final.pdf

3.2

Organising, Educating and Mobilising

To campaign for ratification and negotiate agreements using C190, our unions also need the mobilisation capacity to do so. Violence and harassment are political, economic, and social issues. This means everyone has a role to play in preventing and addressing violence and harassment. We can use C190 and R206 to educate and mobilise workers, activists, and members to take action against violence and harassment in the world of work.



MAINSTREAMING C190 AND R206 INTO UNION TRAINING AND EDUCATION

Workers are more likely to engage on an issue once properly trained about it. Mainstreaming C190 and R206 into training and education and union wide information campaigns can raise awareness and build capacity to promote them. This could include training and awareness raising on what is violence and harassment, the causes and effects of it, the provisions in C190 and R206, and how to campaign and use them.

Violence and harassment is often hidden within our unions. The low visibility of the issue, as well as fear of repercussions, mean that workers may be reluctant to report it, contributing to the substantial problem of underreporting. Training and awareness-raising around C190 and R206 can also be an important tool to challenge stigma, provide workers with the confidence to speak out about their own experiences, and encourage them to challenge it, including within the union itself.

Our unions should hold informal discussions and workshops for women workers, vulnerable groups, and male workers to break myths and prejudices around violence, particularly domestic violence. This can also help workers to better understand harmful stereotypes and intersections of discrimination that worsen violence and harassment, and help to create a non-judgemental environment that enables survivors to seek support. This can further mobilise workers to join the union and mobilise towards making C190 a reality.

Many unions are already developing trainings and encouraging workers to speak out. Speaking out is also a powerful tool to build women's confidence.

“ In our union we did an information walk in the town about violence. Most women are not aware that you can speak out to someone when something is happening. What we do is to go around the town and inform the ladies that we have protection when this happens... Many then approached us to ask what the steps to take to stop violence are.

We need to show that the union can help with the issues that we are going through... Holding workshops and seminars can help us... Also, we need to encourage women to speak out about sexual harassment. If I keep quiet about it, then my boss keeps molesting me or other people and using harassment to keep power. But if I go out and speak about it, maybe it can be dealt with and it can stop happening...

Agnes Mwongera, Transport Workers' Union of Kenya (TAWU), Kenya

A truck drivers' union in Argentina (*Sindicato de Choferes de Camiones de Buenos Aires*) has developed a training programme to raise awareness of violence and harassment and to encourage workers who experience violence and harassment at work to speak up. Shop stewards are trained to recognise violence and provide support to workers when they experience violence and harassment – whether they are union members or not. As a result of the trainings, workers are now asking for help when faced with violence and harassment in the workplace and it has also enabled workers to see the benefits of the union and encouraged them to join.

“ Usually the problem is that women come to tell us what they are going through, but sometimes it is difficult for us to get them to speak up when we need to report those cases because they feel ashamed. Thanks to all the meetings that we have had, these workers are now speaking out and feel supported, and report the cases.

Marcos Vidal, Shop Steward, Sindicato de Choferes de Camiones de Buenos Aires (Camioneros), Argentina

“ With training sessions, we explain to them that they don't need to feel ashamed, that we can help them with that problem. We can take them to a place of trust where they can get help. It is not that easy to change things over night. When shop stewards detect a potential case of violence we intervene...

Laura Cordoba, Womens Secretariat, Sindicato de Choferes de Camiones de Buenos Aires, Camioneros), Argentina

Unions have also found strength in mobilising members to speak out through public campaigns in the fight against violence and harassment. Alliance-building and outreach with social movements, women's groups, and the local community have been a key tool in building momentum on the issue. It has enabled unions to connect to the experiences of workers, and it has also shown workers that the union is listening to them.

SEIU union organisers in the USA have built alliances with NGOs to encourage survivors to speak out about their experiences of sexual harassment. Having women survivors at the forefront of the struggle has been an important tool to raise awareness of how widespread the issue is and to encourage others to come forward and speak about their experiences, including in the campaign to tackle violence and harassment in McDonalds (For further information see Section 2.5).

“ Carrie Budahn is from the SEIU and has been involved in work with survivors to build their confidence and encourage them to feel empowered to stand up and speak out.

“ We have set up Women's Committees in different cities to build their confidence and leadership skills. The workers get together to support each other and grow the movement. We also have a survivors' core group who work to support each other throughout the cases. The survivors also do trainings on sexual harassment – not just for women; they will also have men in the room. After the training they split up groups into men and women and discuss what is happening in the workplace and how to identify and deal with violence... We also find where McDonalds are speaking or having meetings, and then our women go and stand up and interrupt their meetings with their stories.

In Lesotho, the Independent Democratic Union of Lesotho (IDUL) has been fighting GBVH at factories owned by Nien Hsing Textile for many years. A recent study revealed terrible violations, such as managers and supervisors forcing female workers into sexual relationships in exchange for better working conditions. Management failed to take any disciplinary action against the offenders, creating a tolerance of abuse and a fear of reporting the violations for many women.

A successful campaign by the IDUL has led to a binding agreement with the company which establishes a programme to end the harassment. The programme is based on the provisions of C190. As part of the agreement, an independent entity has been formed to investigate cases of violence and harassment. There is a free information line that workers can use to report violations, which are referred for investigation and rulings. There is an agreement that commits the brands that buy from the factory to cut orders if it fails to fulfil its obligations. Education and training on sexual harassment is also taking place for factory workers, supervisors, and managers.

“*So far, workshops have been conducted, shop stewards have been trained, and the union is now training the 11,700 workers that are employed by the companies. Although it is still in its early days, 276 cases have already been reported. This shows how effective the programme is... We are targeting women and men, and involving the families also. We are making sure that everybody is aware of the problem and what we can do about it... We are committed to protecting workers' rights and well-being at factories, and to ensure that female workers feel safe, valued and empowered... This is a breakthrough to better working conditions and will protect workers from retaliation by employers.*

May Rathakane, Deputy General Secretary, Independent Democratic Union of Lesotho (IDUL), Lesotho

In the Philippines, the Alliance of Filipino Workers (AFW) has built advocacy campaigns to address the violence and harassment that nurses face. Nurses make up more than half of AFW's membership. In 2017, the AFW formed the Registered Nurses Task Force. Working together with PSI and the SEIU, the task force developed an organising strategy – with ending violence in the workplace at its core – to strengthen the mobilising power of the nurses and to recruit workers. AFW leaders have been trained to carry out awareness raising programmes on workplace violence, and the union has negotiated several collective agreements that include provisions that address inequality, discrimination, and workplace violence – particularly sexual harassment.

As part of the strategy, the task force went around the country and conducted 'listening tours.' This provided a space for nurses – both union and non-union members – to share their experiences of violence in the workplace. Not only has it raised awareness of the problem, and encouraged workers to speak out, but it has also encouraged more workers to join the union.

IndustriALL Global Union calls on affiliated unions to take a pledge to combat violence against women and take active steps to implement its commitment. Affiliates are encouraged to print the pledge and display it in the workplace or union office. The campaign has been a successful tool for affiliates to kickstart local campaigns on violence and harassment and to push affiliates to include violence and harassment as a priority issue in their agenda.⁷⁴

74 For more information about this campaign see: <http://www.industrialunion.org/violence-against-women-not-in-my-union-not-in-my-workplace>; http://www.industrialunion.org/sites/default/files/uploads/documents/2017/SRI_LANKA/new-piktochart_26130875-2.pdf



SUPPORT FROM MEN

All of this action against violence and harassment requires support from male trade union leaders, negotiators, and members. Although it is often characterised as a ‘women’s issue’, most perpetrators of violence and harassment are men, and GBVH is caused by inequality between men and women. This means that it is also a problem for men to address. At the same time, men can also be harmed by violence and harassment. As the majority of members and leaders in our unions, commitment and understanding by men are essential to effectively remove violence and harassment from our unions. Having male unionists and activists speaking out about violence and harassment instead of standing by can be a powerful tool to challenge violence and harassment. Men are part of the change and it is also their responsibility to be transformed, and to help transform others.

In taking a gender-responsive approach, our unions must work to deconstruct the harmful norms, sexist attitudes and negative power relations between men and women that perpetuate violence and harassment.

Training men to promote and use C190 will encourage them to become advocates and allies in the fight against violence and harassment. Awareness raising campaigns which target men can enable them to better understand the gendered nature of violence and why C190 is important.

“The unions have to recognise the structural differences men and women have to face in life, at work, in pay and opportunity. We have to educate all our work mates, especially the men. Women already know about these differences. We live with them every day of our lives, and this is not an issue for women to solve by ourselves.

Anna Fernebro, Industrifacket Metall (IF Metall), Sweden

Opening spaces for building understanding, through gender awareness, equality, and violence and harassment training, can help men to recognise and change the harmful attitudes and behaviours that cause violence and harassment. It can help them to understand why violence and harassment is also the responsibility of men. Men-only work groups can be a helpful tool to encourage men to explore their own understandings of masculinity, intersections of inequality, and violence and harassment. This can encourage male members to take a zero-tolerance approach to GBVH.

“We need to make sure that we build capacity to develop male feminists. We do not have any other choice than to conscientize our men, to develop capacity of male feminism in order to ensure that they walk with us along this journey, side by side, and to ensure that we equally occupy these spaces for us in all platforms, in trade unions and confederations.

Bonita Loubser, Southern African Clothing and Textile Workers Union (SACTWU), South Africa

The truck drivers' union in Argentina (*Sindicato de Choferes de Camiones de Buenos Aires*) has developed short films - starring the workers themselves - as an educational tool which explores the problematic attitudes and behaviours that lead to violence in the workplace. They have played an important role in helping men to better understand the experiences of women, and also enabled them to recognise how they have been perpetrators themselves. The union has already seen changes in the attitudes of male workers as a result.

“ The response of male workers was really great. Many of them did not realise that they were doing certain things that were not appropriate. They had this micro male chauvinism attitude because of their family habits and how they were raised. Through these trainings... men admitted that they were violent or that they needed to change their behaviours or that they were engaging in this improper behaviour. It is very difficult to unlearn the behaviour that you have learned.

Lorena Bayarres, Shop Steward, Sindicato de Choferes de Camiones de Buenos Aires, Camioneros, Argentina

Measures to promote solidarity between male and female members is another way to help men to better understand the problems facing women and how they can actively support the fight. This can include involving men in women's work groups or women's committees.

“ We have incorporated men into women committees so that when we are discussing issues, the men can also take part... If you are discussing issues such as sexual harassment, in most cases we find that the men will say, 'it is the way the ladies behave', or 'the way a lady dresses', that provokes the men. But what you need to do is help them to understand that a man needs to have control over his body and emotions. So, as much as he might see a lady dressed in a way that is not appealing to him, or that provokes him, it is up to him to take control over himself... At the beginning it is hard to convince them, but at the end of trainings, they come to understand you and even pass the message around to other men. They make the other men understand that it something that is in your brain and it is for you to remove it.

Caroline Busaka, Kenyan Union of Sugar Plantation Workers (KUSPAW), Kenya

UNI Global Union's 'Break the Circle' campaign tries to raise awareness about violent attitudes and actions and find ways to address them at the individual and societal level. The 'I am man enough' campaign challenged the notion of violence being a woman's issue and aimed to raise awareness that GBVH is a problem that concerns both men and women, and men can also be agents of change.⁷⁵

75 For more information about this campaign see: <https://youtu.be/GBFwvwcQcD4>
<http://en.breakingthecircle.org/>

In Canada, the United Steelworkers (USW) has been involved in a programme called ‘Be More Than a Bystander’ which aims to engage male leaders to speak out about GBVH and intervene, rather than standing by and letting it happen. The programme began as a partnership between the Ending Violence Association of British Columbia (BC) and the BC Lions Football Team, where football players were trained to talk to students about gender-based violence and consent. After the success of that programme, the union partnered with the Association to establish training for local union men to talk to members and workplaces about:

- Violence against women, the causes, prevalence, and types of violence that women face
- How to respond to violence including sexism and misogyny
- Bystander intervention and how to step in and speak up

Male unionists go on to train other members on confronting GBVH. It has had a huge impact challenging perceptions and attitudes of men in the union.

“ The programme was opening up their minds. There is a great conversation that happens after the sessions, especially if the room is a bit more diverse and if there are women in the room. The impact has been that men want to do more, want more presentations, and we are working on partnerships with employers... We are training our men and, instead of sitting back, watching, and listening and seeing the behaviour happen, we are giving them the skills to stand up... and say that it is not OK, and when something happens to intervene... Men are training other men in order for them to say “We can sign the pledge, but we need to do more and take responsibility. It is not only our sisters’ responsibility.

Dayna Sykes, Education Coordinator, United Steelworkers (USW), North America

Common campaigns around C190 and violence and harassment, and how to put it into practice involving both men and women can also be a powerful tool to build shared solidarity and strengthen the fight against violence and harassment.

In Chicago, USA, UNITE HERE Local 1 has been fighting to address the harassment of workers in hotels and casinos in Chicago. In 2016, the union carried out a survey of 487 hospitality workers. It revealed that 49% of housekeepers had experienced guests exposing themselves, flashing them, or answering the door naked, and 58% of hotel workers had had some experience of harassment by guests. The union realised that this problem needed addressing, and in 2016 launched a campaign.⁷⁶

The union held public meetings, lobbied City Council members and developed campaign materials, presenting sexual harassment not just as a women’s issue, but a labour and a health and safety issue. Men from the union were mobilised to take a strong stand against sexual harassment and violence against women. When they were asked to read out testimonies of violence and harassment experienced by women hotel workers, the stories genuinely shocked the men, and they publicly pledged to end violence and harassment against women. As a result of UNITE HERE Local 1 and the Chicago Federation of Labor’s efforts, in 2017 Chicago City Council passed the ‘Hands Off Pants On’ ordinance to protect Chicago hotel workers from sexual harassment. It legislated that:

1. All hotel employers must provide a panic button to cleaning alone in guest rooms and rest rooms;
2. All hotel employers must develop, maintain and comply with a written anti-sexual harassment policy;
3. Hotel workers are protected from retaliation when they report sexual violence by guests.

76 For more information see: <https://www.handsoffpantson.org/>

WEB RESOURCES

Information leaflets about the ILO can be found at: www.ilo.org

The text of all Conventions and Recommendations, and information about which countries have so far ratified which Convention, can be found at the ILOLEX database at: www.ilo.org/ilolex/english/recdisp1.htm

▼ ILO C190 AND R206

C190 - ILO Violence and Harassment Convention, 2019 (No.190)

This is the full text of the original C190.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

R206 – ILO Violence and Harassment Recommendation, 2019 (No.206)

This is the full text of the original R206.

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206

Video: What is C190?, Common GUF Campaign

This is a video which explains some keys aspects of the Convention.

<https://www.dropbox.com/s/gqbgue68va763p7/C190%20Final%20English.mp4?dl=0>

Mini guide on C190 & R206, International Trade Union Confederation (ITUC)

This is mini guide highlights some of the most important parts of C190 and R206.

https://www.ituc-csi.org/IMG/pdf/c190_mini_guide_en.pdf

Frequently asked questions on C190 & R206, International Trade Union Confederation (ITUC)

This document answers some of the most frequently asked questions about C190 and R206.

https://www.ituc-csi.org/IMG/pdf/c190_faqs_en.pdf

Mini explainer cards produced by the International Trade Union Confederation (ITUC)

Designed to be used digitally or printed and used as cut-outs during face-to-face education activities

<https://trello.com/c/ZIDAD0Zn/100-explainer-cards-english>

ILO Policy Brief. ILO Violence and Harassment Convention No. 190 and Recommendation No. 206, International Labour Organization (ILO), 2020

This policy brief gives an overview of the Convention and Recommendation.

http://www.ilo.ch/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/briefingnote/wcms_749786.pdf

Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work, International Labour Organization (ILO), 2016

This report provides information from the first Meeting of Experts on Violence against Women and Men in the World of Work.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_533534.pdf

Ending Violence and Harassment Against Women and Men in the World of Work - Report V(1), International Labour Organization (ILO), 2018

This is the White Report which was part of the standard setting process on C190.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_553577.pdf

Ending Violence and Harassment Against Women and Men in the World of Work - ILO Report V(2), International Labour Organization (ILO), 2018

This is the Yellow Report which was part of the standard setting process on C190.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_619730.pdf

Ending Violence and Harassment Against Women and Men in the World of Work - ILO Report V(1), International Labour Organization (ILO), 2019

This is the Brown Report which was part of the standard setting process on C190.

https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_637108.pdf

Convention No.190 and Recommendation No.206 at a glance, International Labour Organization (ILO), 2020

This handout gives an overview of the key elements of C190 and R206.

https://www.ilo.org/global/topics/violence-harassment/resources/WCMS_738114/lang--en/index.htm

How ILO convention will positively affect journalists, International Federation of Journalists (IFJ)

This infographic highlights how C190 can positively impact women journalists.

<https://www.ifj.org/actions/ifj-campaigns/ilo-convention-190-it-can-change-lives.html>

Tackling violence in the health sector, Public Services International (PSI), 2018

This is a report on trade union actions to tackle violence against women and men in the world of work.

<http://www.world-psi.org/en/node/9513>

Regional Study on Violence and Harassment in the World of Work, Public Services International (PSI), 2020

This report gives examples of legislation and practices on violence and harassment in Latin America.

<https://publicservices.international/resources/publications/regional-study-on-legislation-and-practices-on-violence-and-harassment-in-the-world-of-work?id=10853&lang=en>

Protecting Workers from GBVH in Europe, Public Services International (PSI), 2020

This is a comparative analysis of the European instruments that address violence and harassment at work.

<https://publicservices.international/resources/publications/protecting-workers-from-gender-based-violence-and-harassment-in-europe?id=10861&lang=en>

'For a world of work free from violence and harassment, Public Services International' (PSI), 2020

This webpage highlights why C190 is important for public sector workers.

<https://publicservices.international/campaigns/for-a-world-of-work-free-from-violence-and-harassment?id=5676&lang=en>

Common GUF Campaign Materials

IndustriALL Global Union, UNI Global Union, the International Domestic Workers Federation (IDWF), Public Services International (PSI) and the International Federation of Journalists (IFJ) have created common campaign materials on C190 and R206 to be used by affiliates, including a logo, poster, and leaflet.

Leaflet: <https://www.iuf.org/wp-content/uploads/2020/08/ilo190flyer-e.pdf>

Poster: https://iuf.org/wp-content/uploads/2021/02/poster_ilo_convention_190_en.pdf

C190 Logo: <https://iuf.org/wp-content/uploads/2021/02/ILO190EN-scaled.jpg>



VIOLENCE AND HARASSMENT

Podcast on gender segregation, International Transportworkers Federation (ITF), 2020

This podcast explores the problem of gender segregation in the transport industry.

<https://www.itfglobal.org/en/news/podcast-boys-and-girls-jobs>

Video: Violence against women in the media, UNI Global Union, 2015

This video looks at the inequality in the portrayal of women in the media and how this contributes to GBVH.

<https://youtu.be/HtywZ5ogQxA>

Discussion Guide: Violence against women in the media, UNI Global Union

This guide raises questions to encourage men and women trade unionists to think about how women and men are portrayed in the media.

http://en.breakingthecircle.org/descargas/en/man/PROGRAMA_UNI_violencia_en.pdf

The economic case for preventing violence against women, PricewaterhouseCoopers (PwC), 2015

This report estimates the costs and benefits of preventing violence against women.

<https://www.pwc.com.au/pdf/a-high-price-to-pay.pdf>

Violence against women transport workers: Summary report, European Transportworkers' Federation (ETF), 2017

This report summarises the main findings of a survey by the ETF on violence against women workers in transport in Europe.

https://www.etf-europe.org/wp-content/uploads/2018/09/ETF-summary-report-VAW-at-work-in-transport_EN.pdf

Violence against women transport workers: Supplementary report, European Transportworkers' Federation (ETF), 2017

This supplementary report draws together written comments of women transport workers who responded to the ETF's survey.

https://www.etf-europe.org/wp-content/uploads/2018/09/ETF-Supplementary-report-VAW-at-work-in-transport_EN.pdf

Video: 'Stories from women working in Nairobi public transport', International Transportworkers Federation (ITF), 2018

In this video, women talk about the abuse that they face on Matatu minibuses in Nairobi.

<https://www.youtube.com/watch?v=fPXIK25O0-A>

Video: 'Violence at Work', UNI Global Union, 2010

This video explains the causes and types of violence and harassment that workers face.

<https://youtu.be/VmswHjRioeg>

Discussion Guide: 'Violence at work', UNI Global Union

This is a discussion guide to encourage reflection on the video 'Violence at Work'.

<http://en.breakingthecircle.org/descargas/en/video2/guiaen.pdf>

Video: 'What is violence?', UNI Global Union, 2013

This video explores the causes of gender-based violence, and the effect that it has on workers' lives.

<https://youtu.be/VV9PZ4asJFQ>

Discussion Guide: 'What is violence?', UNI Global Union

This guide suggests activities to encourage discussion on the video 'What is violence'.

http://en.breakingthecircle.org/descargas/en/video1/guia_discu_en.pdf

Journalists and gender-based violence, International Federation of Journalists (IFJ)

The results from this survey from the IFJ shows that one in two women journalists suffered gender-based violence at work.

<https://www.ifj.org/media-centre/news/detail/category/press-releases/article/ifj-survey-one-in-two-women-journalists-suffer-gender-based-violence-at-work.html>

Testimonies of Women Workers, International Federation of Journalists (IFJ), 2017

As part of their #Don'tTroll campaign, the IFJ has collected stories of women who have experienced online violence.

<https://www.ifj.org/actions/ifj-campaigns/international-day-for-the-elimination-of-violence-against-women-2019.html>

Video: 'Worker stories of violence and harassment', IndustriALL Global Union, 2017

This is a video which gives quotes from women who have suffered gender-based violence.

<https://www.youtube.com/watch?v=SvAqJqoOAZY>

Women health workers and the challenges they face, Public Services International (PSI), 2020

PSI World Women's Committee members talks about the challenges in their countries, at home and in the workplace, for women healthcare workers and for all women

<https://publicservices.international/resources/news/women-health-workers-and-the-challenges-they-face?id=10670&lang=en>

Violence against women – Fact Sheet, World Health Organisation (WHO), 2017

This fact sheet gives some statistics on violence against women.

<https://www.who.int/news-room/fact-sheets/detail/violence-against-women>

Ending violence against women – facts and figures, UN Women

This fact sheet gives some statistics on violence against women.

<https://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

Workplace violence in the health services – fact sheet, International Labour Organization (ILO), 2003

This report gives an overview of the violence that workers face in the health sector.

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_161953.pdf

COVID-19 and ending violence against women and girls, UN Women, 2020

This brief highlights the impact of the COVID-19 pandemic on women and girls.

<https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

Policy brief: Sexual harassment in the entertainment industry, International Labour Organization (ILO), 2020

This brief provides an overview of the trends and patterns around sexual harassment in the entertainment industry.

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_761947.pdf



SEXUAL HARASSMENT

Sexual harassment in the world of work, International Labour Organization (ILO)

This handout defines sexual harassment in the world of work, its causes, impacts and suggests how unions can work to prevent it.

https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/briefingnote/wcms_738115.pdf

Video: 'Sexual Harassment', UNI Global Union, 2018

In this video workers tell their experiences of sexual harassment.

<https://youtu.be/HuOzollf3Rw>

Quiz: 'Sexual Harassment', UNI Global Union

This quiz enables workers to test themselves on their knowledge about sexual harassment at work.

<http://en.breakingthecircle.org/quiz/8m/>

<https://www.tuc.org.uk/sites/default/files/SexualHarassmentreport2016.pdf>

Hands off pants on – Sexual harassment in Chicago's hospitality industry, UNITE HERE Local 1, 2016

This report summarises a survey on sexual harassment in the hospitality industry.

<https://www.handsoffpantson.org/wp-content/uploads/HandsOffReportWeb.pdf>



DOMESTIC VIOLENCE

Campaign Toolkit: Paid Domestic Leave, Public Services International (PSI)

This guide gives information about paid domestic violence leave, including the current policy landscape, some good arguments to use when campaigning and negotiating and sample clauses.

<http://www.world-psi.org/sites/default/files/documents/research/toolkit-on-paid-domestic-leave-full-v3.pdf>

'If your colleague is abused at home', 3F, 2010

This handbook provides information about domestic violence, why and how it affects the workplace, ideas for developing strategies for dealing with domestic violence and examples of best practice on how to deal with domestic violence in the workplace.

http://fiu-ligestilling.dk/en/tools_materials/if-your-colleague-is-abused-at-home-dealing-with-domestic-violence-in-the-workplace/

'Information for workers experiencing domestic violence', UNI Global Union

This guide gives information about domestic violence and guidance for workers experiencing domestic violence.

http://en.breakingthecircle.org/descargas/en/man/guidemembers_en.pdf

Video: 'Domestic violence and the workplace', International Transportworkers Federation (ITF)

In this video, a worker tells their story of domestic violence.

<https://itf-org.sharefile.com/d-s444c5a688274eee8>

Video: 'When Domestic Violence comes to work', International Transportworkers Federation (ITF)

This video explores the impact that domestic violence has on the world of work.

<https://itf-org.sharefile.com/d-s2640ffbf2e748c29>

'Domestic Violence Risk Factors', International Transportworkers Federation (ITF)

This is an information handout on the risk factors for domestic violence.

<https://itf-org.sharefile.com/d-sb47c266e6da547a4bbd1358b9e0ce651>

Domestic Violence Safety Planning Tips, International Transportworkers Federation (ITF)

This handout provides safety planning tips for survivors of domestic violence.

<https://itf-org.sharefile.com/d-sca6fc20418d442dc93b6e5c5cf7e87d5>

Domestic Violence Safety Planning Template, International Transportworkers Federation (ITF)

These handouts suggest workplace domestic violence safety plans.

<https://itf-org.sharefile.com/d-s977e12b6405e4f959bd961e14dd14462>

<https://itf-org.sharefile.com/d-s230098a9b8074fca58c03a866d9b1b5>

‘Domestic Violence and the Workplace: A Quantitative Study with Men’, International Transportworkers Federation (ITF), 2019

This webpage details the results of an ITF survey conducted with male perpetrators of domestic violence.

<https://itfviolencefreeworkplaces4women.wordpress.com/2020/03/08/domestic-violence-and-the-workplace-a-qualitative-study-with-men/>

Domestic Violence Warning Signs, International Transportworkers Federation (ITF)

This document suggests warning signs to look out for on victims of domestic violence.

<https://itf-org.sharefile.com/d-s071840e010342f19>

Domestic violence: a workplace and union issue, International Union of Foodworkers (IUF), 2020

This information briefing explains why domestic violence is a union and workplace issue, and suggests a range of actions that unions can take.

<https://www.iuf.org/wp-content/uploads/2020/11/Breaking-the-silence-Domestic-violence-a-workplace-and-union-issue.pdf>

DV@Work COVID-19 Briefings, dv@worknet, 2020

These short briefings suggest policy and workplace responses to deal with the increase in domestic violence during the COVID-19 crisis.

<http://dvatworknet.org/content/dvwork-covid-19-briefings>

Video: Domestic violence is a trade union issue, IndustriALL Global Union, 2020

This video highlights why domestic violence is a union issue.

<https://fb.watch/1ZX7HYIkPV/>

Domestic violence and abuse: a trade union issue, UNISON, 2017

This guide provides information about domestic violence in the workplace and a model workplace agreement on domestic violence and abuse.

<https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>

Can work be safe, when home isn't – Survey Findings, Canadian Labour Congress (CLC), 2014

This report gives information and statistics about the impact of domestic violence in the world of work.

http://dvatworknet.org/sites/dvatworknet.org/files/Canada_survey_report_2014_EN_0.pdf

Impact of domestic violence in workplaces in India, International Transportworkers Federation (ITF), 2020

This report gives information and statistics about the impact of domestic violence in the world of work.

<https://www.itfglobal.org/en/reports-publications/impact-domestic-violence-in-workplaces-in-india>

‘Domestic Violence and the Workplace - A Bargaining Guide’ United Food and Commercial Workers Union (UFCW) Canada

This guide has model language for domestic violence that has been negotiated in collective agreements across Canada.

http://www.ufcw.ca/templates/ufcwcanada/images/women/publications/Domestic-Violence-and-the-Workplace-A-Bargaining-Guide-EN_V4.pdf

Domestic Violence Guide, UNI Global Union

This guide suggests good examples for policies on domestic violence for UNI affiliated unions.

http://en.breakingthecircle.org/descargas/en/man/violencepolicies_en.pdf

Domestic Abuse and Coronavirus, Trades Union Congress (TUC), 2020

This guide helps activists to develop the awareness and skills to give support and advice to those who may be in danger of domestic violence.

<https://learning.elucidat.com/course/5e875ae4d0715-5e8c6417dfc28>

Model Domestic Violence Language, Canadian Labour Congress (CLC)

This resource has model clauses for suggested language that unions can use to develop proposals on domestic violence for collective bargaining.

<http://canadianlabour.ca/model-language>

Family and Domestic Violence Model Clause, Australian Council of Trade Unions (ACTU)

This is a model clause from the ACTU on family and domestic violence.

<https://www.actu.org.au/media/886613/actu-model-family-and-domestic-violence-leave-clause-revised-18-march-2.pdf>

Model Domestic Abuse Policy, University and College Union (UCU), 2016

This is a model clause for domestic violence.

https://www.ucu.org.uk/media/8390/Model-domestic-violence-policy/pdf/Domestic_abuse_model_policy.pdf



LGBTI+ DISCRIMINATION

Guide against LGBTI+ discrimination, UNI Global Union

This guide provides some background information on the challenges faces by LGBTI+ workers and provides guidance on actions unions can take to tackle the issue.

http://en.breakingthecircle.org/descargas/en/discriminacion/uniguideeto%20lgbti_en.pdf

The Yogyakarta Principles

This is a set of principles about human rights in the areas of sexual orientation and gender identity published as a result of an international meeting of human rights groups.

http://yogyakartaprinciples.org/wp-content/uploads/2017/11/A5_yogyakartaWEB-2.pdf



UNION ACTION, WORKPLACE POLICIES AND COLLECTIVE BARGAINING

Violence and harassment against women and men in the world of work Trade Union Perspective and Action, International Labour Organization (ILO), 2017

This report gives examples of how trade unions have contributed to preventing and addressing violence and harassment in the world of work.

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/publication/wcms_546645.pdf

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This resource kit provides practical strategies to address gender-based violence in the workplace.

<https://gbv.itcilo.org>

'Guidelines for media and unions to combat online harassment' International Federation of Journalists (IFJ)

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https://www.ifj.org/fileadmin/user_upload/guidelines_EN_final.pdf

'Take Action Toolkit', International Transportworkers Federation (ITF), 2017

This toolkit developed provides useful resources and materials that unions representing transport workers can use to take action against violence and harassment.

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'Preventing violence and harassment in the workplace', Canadian Union of Public Employees (CUPE), 2018

This guide makes suggestions of how unions can prevent violence and harassment through collective bargaining agreements.

<https://cupe.ca/preventing-violence-and-harassment-workplace-0#section29>

Sample Sexual Harassment Policy, International Labour Organization (ILO)

This is a model workplace policy on sexual harassment.

https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/policy/wcms_407364.pdf

Sexual harassment is a workplace issue – Guidance and model policy, UNISON, 2020

This document gives guidance on dealing with sexual harassment in the world of work, and suggests model language to use.

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Addressing violence and harassment against women in the world of work, European Transportworkers Federation (ETF), Jane Pillinger, 2020

This document gives suggestions of what to include in a workplace policy addressing violence and harassment.

<https://www.etf-europe.org/wp-content/uploads/2020/11/ETF-Workplace-Policy-Guidance-addressing-violence-and-harrasment.pdf>



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Stopping sexual harassment at work, A Trade Union Guide, International Trade Union Confederation (ITUC)

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This document provides guidance on resolving issues of violence and harassment at work.

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Zero Tolerance – Dignity at Equality at Work, Unite the Union

This guide includes information about dealing with harassment, discrimination and bullying at work.

<https://unitetheunion.org/media/2476/zero-tolerance-guide.pdf>

Bullying a reps' guide, Public and Commercial Services Union, PCS

This guide suggests how to handle cases of bullying and harassment at work.

<https://www.pcs.org.uk/your-union/activists-resources/organising-your-workplace/health-and-safety/hazards-and-health-a-14>

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https://www.unifor.org/sites/default/files/documents/document/red_book_-english-36619-_harassment_investigation_guide.pdf



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Safe and healthy working environments free from violence and harassment, International Labour Organization (ILO), 2020

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Making women visible in occupational safety and health, International Union of Foodworkers (IUF), 2019

This guide makes suggestions of how to make occupational safety and health gender responsive.

<https://www.iuf.org/wp-content/uploads/2020/08/3.-Making-women-visible-in-OHS-ENGLISH-def.pdf>

Code of Practice on safety and health in the agriculture sector, International Labour Organization (ILO), 2010

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Guide for conducting workplace risk assessments, International Labour Organization (ILO), 2013

This 5-step guide gives information for employers, workers and their representatives on conducting workplace risk assessments.

https://www.ilo.org/safework/info/publications/WCMS_232886/lang--en/index.htm

Gender in Occupational Safety, Trades Union Congress (TUC), 2017

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<https://www.tuc.org.uk/sites/default/files/GenderHS2017.pdf>

Women's health, safety and well-being at work - Negotiators guide, Unite the Union, 2012

This negotiators guide gives information about improve the health and safety of women at work.

<https://unitetheunion.org/media/1480/womens-health-safety-well-being-at-work-unite-guide.pdf>



BUILDING STRONGER UNIONS

Tools for Equality, UNI Global Union

This guide provides information to enable trade unions to promote equal opportunities within the union.

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Equality in Union Culture – Practical Guide, UNI Global Union

This guide offers tools and instruments to promote gender responsiveness in the union structure.

https://uniglobalunion.org/sites/default/files/imce/3-booklet_on_equality_en.pdf

Equality in Union Culture – Good Practices, UNI Global Union

This booklet provides good practices on integrating gender equality in union organisations.

https://uniglobalunion.org/sites/default/files/imce/4-booklet_on_goodpractices_en.pdf

Gender Equality Guide, UNI Global Union

This guide includes information and activities to use in training sessions, meeting and debates in the union to promote equality.

https://uniglobalunion.org/sites/default/files/imce/1-guide_for_delegates_en_0.pdf

‘Women’s Global Advocacy Programme’, International Transportworkers Federation (ITF), 2019

This video tells the story of the struggle for equality of women in the Maharashtra State Transport Kamgar Sanghatana (MSTKS) union in India.

<https://www.youtube.com/watch?v=d4kBCd5rBf8>

Video: ‘Patriarchy affects men too’, International Transportworkers Federation (ITF), 2019

In this video, the male leaders of the MSTKS discuss patriarchy and the importance of gender equality in the union.

<https://www.youtube.com/watch?v=xzdNezAnd5c&feature=youtu.be>

Questionnaire: ‘Mapping Equality into Unions’, UNI Global Union

This questionnaire suggests questions to discuss when thinking about how to make unions more equal.

<https://uniglobalunion.org/sites/default/files/imce/questionnaire-en.pdf>

Video: ‘Are you man enough’, UNI Global Union, 2013

This is a video to raise awareness of gender-based violence as a problem that concerns both men and women, and to encourage men to be agents of change.

<https://youtu.be/GBFwvwcQcD4>

CONTACTS

International Labour Organization (ILO):
www.ilo.org



GLOBAL UNION FEDERATIONS

International Domestic Workers Federation

<https://idwfed.org/en>

Building Workers International

<https://www.bwint.org/>

International Union of Foodworkers

<https://www.iuf.org>

Education International

<https://www.ei-ie.org/>

International Trade Union Confederation

<https://www.ituc-csi.org/>

UNI Global Union

<https://www.uniglobalunion.org/>

International Transportworkers Federation

<https://www.itfglobal.org/en>

International Federation of Journalists

<https://www.ifj.org/>

Public Services International

<https://publicservices.international>

IndustriALL Global Union

<http://www.industrialunion.org/>

APPENDICES

APPENDIX A: Full text of C190

APPENDIX B: Full text of R206

▼ APPENDIX A: FULL TEXT OF C190

Preamble

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 108th (Centenary) Session on 10 June 2019, and

Recalling that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and

Reaffirming the relevance of the fundamental Conventions of the International Labour Organization, and

Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities, and

Recognizing the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment, and

Recognizing that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, is unacceptable and incompatible with decent work, and

Recognizing the importance of a work culture based on mutual respect and dignity of the human being to prevent violence and harassment, and

Recalling that Members have an important responsibility to promote a general environment of zero tolerance to violence and harassment in order to facilitate the prevention of such behaviours and practices, and that all actors in the world of work must refrain from, prevent and address violence and harassment, and

Acknowledging that violence and harassment in the world of work affects a person's psychological, physical and sexual health, dignity, and family and social environment, and

Recognizing that violence and harassment also affects the quality of public and private services, and may

prevent persons, particularly women, from accessing, and remaining and advancing in the labour market, and

Noting that violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity, and

Acknowledging that gender-based violence and harassment disproportionately affects women and girls, and recognizing that an inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work, and

Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence, and

Having decided upon the adoption of certain proposals concerning violence and harassment in the world of work, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-first day of June of the year two thousand and nineteen the following Convention, which may be cited as the Violence and Harassment Convention, 2019:

I. DEFINITIONS

Article 1

1. For the purpose of this Convention:
 - (a) the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;
 - (b) the term “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.
2. Without prejudice to subparagraphs (a) and (b) of paragraph 1 of this Article, definitions in national laws and regulations may provide for a single concept or separate concepts.

II. SCOPE

Article 2

1. This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer.
2. This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.

Article 3

This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (c) during work-related trips, travel, training, events or social activities;
- (d) through work-related communications, including those enabled by information and communication technologies;
- (e) in employer-provided accommodation; and
- (f) when commuting to and from work.

III. CORE PRINCIPLES

Article 4

1. Each Member which ratifies this Convention shall respect, promote and realize the right of everyone to a world of work free from violence and harassment.
2. Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into account violence and harassment involving third parties, where applicable, and includes:
 - (a) prohibiting in law violence and harassment;
 - (b) ensuring that relevant policies address violence and harassment;
 - (c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;

- (d) establishing or strengthening enforcement and monitoring mechanisms;
- (e) ensuring access to remedies and support for victims;
- (f) providing for sanctions;
- (g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and
- (h) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.

3. In adopting and implementing the approach referred to in paragraph 2 of this Article, each Member shall recognize the different and complementary roles and functions of governments, and employers and workers and their respective organizations, taking into account the varying nature and extent of their respective responsibilities.

Article 5

With a view to preventing and eliminating violence and harassment in the world of work, each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation, as well as promote decent work.

Article 6

Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work.

IV. PROTECTION AND PREVENTION

Article 7

Without prejudice to and consistent with Article 1, each Member shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment.

Article 8

Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including:

- (a) recognizing the important role of public authorities in the case of informal economy workers;
- (b) identifying, in consultation with the employers' and workers' organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment; and
- (c) taking measures to effectively protect such persons.

Article 9

Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;
- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and

- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article.

V. ENFORCEMENT AND REMEDIES

Article 10

Each Member shall take appropriate measures to:

- (a) monitor and enforce national laws and regulations regarding violence and harassment in the world of work;
- (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as:
 - (i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;
 - (ii) dispute resolution mechanisms external to the workplace;
 - (iii) courts or tribunals;
 - (iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and
 - (v) legal, social, medical and administrative support measures for complainants and victims;
- (c) protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate, and ensure that requirements for privacy and confidentiality are not misused;

- (d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work;
- (e) provide that victims of gender-based violence and harassment in the world of work have effective access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies;
- (f) recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work;
- (g) ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life, health or safety due to violence and harassment, without suffering retaliation or other undue consequences, and the duty to inform management; and
- (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

VI. GUIDANCE, TRAINING AND AWARENESS-RAISING

Article 11

Each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that:

- (a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;
- (b) employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment; and
- (c) initiatives, including awareness-raising campaigns, are undertaken.

VII. METHODS OF APPLICATION

Article 12

The provisions of this Convention shall be applied by means of national laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary.

VIII. FINAL PROVISIONS

Article 13

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 14

1. This Convention shall be binding only upon those Members of the International Labour Organization whose ratifications have been registered with the Director-General of the International Labour Office.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification is registered.

Article 15

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention within the first year of each new period of ten years under the terms provided for in this Article.

Article 16

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organization of the registration of all ratifications and denunciations that have been communicated by the Members of the Organization.

2. When notifying the Members of the Organization of the registration of the second ratification that has been communicated, the Director-General shall draw the attention of the Members of the Organization to the date upon which the Convention will come into force.

Article 17

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and denunciations that have been registered in accordance with the provisions of the preceding Articles.

Article 18

At such times as it may consider necessary, the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 19

1. Should the Conference adopt a new Convention revising this Convention, then, unless the new Convention otherwise provides:
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 15 above, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force, this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 20

The English and French versions of the text of this Convention are equally authoritative.

APPENDIX B: FULL TEXT OF R206

Preamble

The General Conference of the International Labour Organization,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 108th (Centenary) Session on 10 June 2019, and

Having adopted the Violence and Harassment Convention, 2019, and

Having decided upon the adoption of certain proposals concerning violence and harassment in the world of work, which is the fifth item on the agenda of the session, and

Having determined that these proposals shall take the form of a Recommendation supplementing the Violence and Harassment Convention, 2019,

adopts this twenty-first day of June of the year two thousand and nineteen the following Recommendation, which may be cited as the Violence and Harassment Recommendation, 2019:

1. The provisions of this Recommendation supplement those of the Violence and Harassment Convention, 2019 (hereafter referred to as “the Convention”), and should be considered in conjunction with them.

I. CORE PRINCIPLES

2. In adopting and implementing the inclusive, integrated and genderresponsive approach referred to in Article 4, paragraph 2, of the Convention, Members should address violence and harassment in the world of work in labour and employment, occupational safety and health, equality and non-discrimination law, and in criminal law, where appropriate.
3. Members should ensure that all workers and employers, including those in sectors, occupations and work arrangements that are more exposed to violence and harassment, fully enjoy freedom of association and the effective recognition of the right to collective bargaining consistent with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).
4. Members should take appropriate measures to:
 - (a) promote the effective recognition of the right to collective bargaining at all levels as a means of preventing and addressing violence and harassment and, to the extent possible, mitigating the impact of domestic violence in the world of work; and
 - (b) support such collective bargaining through the collection and dissemination of information on related trends and good practices regarding the negotiation process and the content of collective agreements.
5. Members should ensure that provisions on violence and harassment in national laws, regulations and policies take into account the equality and non-discrimination instruments of the International Labour Organization, including the Equal Remuneration Convention (No. 100) and Recommendation (No. 90), 1951, and the Discrimination (Employment and Occupation) Convention (No. 111) and Recommendation (No. 111), 1958, and other relevant instruments.

II. PROTECTION AND PREVENTION

6. Occupational safety and health provisions on violence and harassment in national laws, regulations and policies should take into account relevant occupational safety and health instruments of the International Labour Organization, such as the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).
7. Members should, as appropriate, specify in laws and regulations that workers and their representatives should take part in the design, implementation and monitoring of the workplace policy referred to in Article 9(a) of the Convention, and such policy should:
 - (a) state that violence and harassment will not be tolerated;
 - (b) establish violence and harassment prevention programmes with, if appropriate, measurable objectives;
 - (c) specify the rights and responsibilities of the workers and the employer;
 - (d) contain information on complaint and investigation procedures;
 - (e) provide that all internal and external communications related to incidents of violence and harassment will be duly considered, and acted upon as appropriate;
 - (f) specify the right to privacy of individuals and confidentiality, as referred to in Article 10(c) of the Convention, while balancing the right of workers to be made aware of all hazards; and
 - (g) include measures to protect complainants, victims, witnesses and whistle-blowers against victimization or retaliation.
8. The workplace risk assessment referred to in Article 9(c) of the Convention should take into account factors that increase the likelihood of violence and harassment, including psychosocial hazards and risks. Particular attention should be paid to the hazards and risks that:
 - (a) arise from working conditions and arrangements, work organization and human resource management, as appropriate;
 - (b) involve third parties such as clients, customers, service providers, users, patients and members of the public; and
 - (c) arise from discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment.
9. Members should adopt appropriate measures for sectors or occupations and work arrangements in which exposure to violence and harassment may be more likely, such as night work, work in isolation, health, hospitality, social services, emergency services, domestic work, transport, education or entertainment.
10. Members should take legislative or other measures to protect migrant workers, particularly women migrant workers, regardless of migrant status, in origin, transit and destination countries as appropriate, from violence and harassment in the world of work.
11. In facilitating the transition from the informal to the formal economy, Members should provide resources and assistance for informal economy workers and employers, and their associations, to prevent and address violence and harassment in the informal economy.
12. Members should ensure that measures to prevent violence and harassment do not result in the restriction of the participation in specific jobs, sectors or occupations, or their exclusion therefrom, of women and the groups referred to in Article 6 of the Convention.
13. The reference to vulnerable groups and groups in situations of vulnerability in Article 6 of the Convention should be interpreted in accordance with applicable international labour standards and international instruments on human rights.

III. ENFORCEMENT, REMEDIES AND ASSISTANCE

14. The remedies referred to in Article 10(b) of the Convention could include:
 - (a) the right to resign with compensation;
 - (b) reinstatement;
 - (c) appropriate compensation for damages;
 - (d) orders requiring measures with immediate executory force to be taken to ensure that certain conduct is stopped or that policies or practices are changed; and
 - (e) legal fees and costs according to national law and practice.
15. Victims of violence and harassment in the world of work should have access to compensation in cases of psychosocial, physical or any other injury or illness which results in incapacity to work.
16. The complaint and dispute resolution mechanisms for gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as:
 - (a) courts with expertise in cases of gender-based violence and harassment;
 - (b) timely and efficient processing;
 - (c) legal advice and assistance for complainants and victims;
 - (d) guides and other information resources available and accessible in the languages that are widely spoken in the country; and
 - (e) shifting of the burden of proof, as appropriate, in proceedings other than criminal proceedings.
17. The support, services and remedies for victims of gender-based violence and harassment referred to in Article 10(e) of the Convention should include measures such as:
 - (a) support to help victims re-enter the labour market;
 - (b) counselling and information services, in an accessible manner as appropriate;
 - (c) 24-hour hotlines;
 - (d) emergency services;
 - (e) medical care and treatment and psychological support;
 - (f) crisis centres, including shelters; and
 - (g) specialized police units or specially trained officers to support victims.
18. Appropriate measures to mitigate the impacts of domestic violence in the world of work referred to in Article 10(f) of the Convention could include:
 - (a) leave for victims of domestic violence;
 - (b) flexible work arrangements and protection for victims of domestic violence;
 - (c) temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences;
 - (d) the inclusion of domestic violence in workplace risk assessments;
 - (e) a referral system to public mitigation measures for domestic violence, where they exist; and
 - (f) awareness-raising about the effects of domestic violence.

19. Perpetrators of violence and harassment in the world of work should be held accountable and provided counselling or other measures, where appropriate, with a view to preventing the reoccurrence of violence and harassment, and facilitating their reintegration into work, where appropriate.
20. Labour inspectors and officials of other competent authorities, as appropriate, should undergo gender-responsive training with a view to identifying and addressing violence and harassment in the world of work, including psychosocial hazards and risks, gender-based violence and harassment, and discrimination against particular groups of workers.
21. The mandate of national bodies responsible for labour inspection, occupational safety and health, and equality and non-discrimination, including gender equality, should cover violence and harassment in the world of work.
22. Members should make efforts to collect and publish statistics on violence and harassment in the world of work disaggregated by sex, form of violence and harassment, and sector of economic activity, including with respect to the groups referred to in Article 6 of the Convention.

IV. GUIDANCE, TRAINING AND AWARENESS-RAISING

23. Members should fund, develop, implement and disseminate, as appropriate:
 - (a) programmes aimed at addressing factors that increase the likelihood of violence and harassment in the world of work, including discrimination, the abuse of power relations, and gender, cultural and social norms that support violence and harassment;
 - (b) gender-responsive guidelines and training programmes to assist judges, labour inspectors, police officers, prosecutors and other public officials in fulfilling their mandate regarding violence and harassment in the world of work, as well as to assist public and private employers and workers and their organizations in preventing and addressing violence and harassment in the world of work;

- (c) model codes of practice and risk assessment tools on violence and harassment in the world of work, either general or sector-specific, taking into account the specific situations of workers and other persons belonging to the groups referred to in Article 6 of the Convention;
- (d) public awareness-raising campaigns in the various languages of the country, including those of the migrant workers residing in the country, that convey the unacceptability of violence and harassment, in particular gender-based violence and harassment, address discriminatory attitudes and prevent stigmatization of victims, complainants, witnesses and whistle-blowers;
- (e) gender-responsive curricula and instructional materials on violence and harassment, including gender-based violence and harassment, at all levels of education and vocational training, in line with national law and circumstances;
- (f) materials for journalists and other media personnel on gender-based violence and harassment, including its underlying causes and risk factors, with due respect for their independence and freedom of expression; and
- (g) public campaigns aimed at fostering safe, healthy and harmonious workplaces free from violence and harassment.



Global Labour Institute

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