

# Stop Gender Based Violence at work! Support an ILO Convention!

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International Trade Union Confederation



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Gender-based violence at work, whether occurring at the actual place of work or on the way to and from work, can take on multiple forms, including:

- Physical abuse including assault, battery, attempted murder and murder
- Sexual violence including rape and sexual assault
- Verbal abuse
- Bullying
- Psychological abuse and intimidation
- Sexual harassment
- Threats of violence
- Economic and financial abuse
- Stalking

Gender-based violence is a manifestation of unequal power relations between women and men and serves to perpetuate those inequalities. Regardless of where the violence takes place, gender-based violence has the potential to impact the workplace. A woman who is victimised away from the workplace by her intimate partner may be stalked by the perpetrator at her workplace, creating a safety concern for her and for others at the workplace. In addition, she may struggle to maintain connectivity to the workplace because of the abuse, and may miss days of work or her performance may be impacted. Finally, if the abuse takes place at the workplace, committed by another co-worker, supervisor or customer, the worker may not feel safe at work. In each of these instances, the worker may need to take time off from work to heal from physical injuries, to seek counselling for psychological injuries, and to attend civil or criminal court proceedings to address the violence.

**Trade unions are calling for a new international Convention on gender-based violence** at the workplace and have called on the International Labour Organization's Governing Body (ILO GB) to put the topic on the ILC agenda as soon as possible. Although the Workers' Group and several government members of the ILO GB have indicated their support for such a standard, there are still voices against it, including the Employers' Group.

The ILO GB will meet again in **November 2015**. At that meeting the ILO GB will decide whether or not to include a standard setting item on gender-based violence on the agenda of a future International Labour Conference.

**If an ILO Convention addressing gender-based violence in the world of work is to become a reality, trade unions around the world need to lobby**



**both their government and employer members of the ILO GB in support of such a standard.** This briefing contains ideas for actions trade unions can take with their members, with employers, with politicians and with civil society partners.

## **ILO process**

At the March 2014 meeting of the ILO GB, the following governments expressed strong support for a standard setting item on “violence against women and men in the world of work”: Canada, Cuba, Germany, India, Italy, Netherlands, Sri Lanka, Uruguay and USA. The current composition of the ILO GB can be found here: [http://www.ilo.org/ilc/ILCSessions/103/reports/WCMS\\_245440/lang--en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/WCMS_245440/lang--en/index.htm)

Violence against women and men at the workplace was already considered an issue for discussion at the 316th session of the ILO GB in November 2012. It had the strong support of the Workers' group and the governments of India and Italy. These groups reiterated their support at the 317th session in March 2013, this time with support of the governments of Australia and Mexico for the inclusion of the proposal at the 103rd session of the International Labour Conference (ILC) in 2014. The group of industrialized market economy countries (IMEC) and the government of the United Kingdom supported a general discussion, while the employers' group was not in favour of the proposal indicating that issues of violence at the workplace should be approached from a broader perspective.





## Why is there a need for an ILO standard on GBV?

Workplaces constitute unique contexts in which to address violence. Having an ILO Convention and Recommendation on the subject provides the basis for workers and management to confront common challenges. Such an International Labour Standard could give guidance on well-designed company human resources GBV policies and guide social dialogue and collective bargaining agreements.

Research shows that gender-based violence (GBV) has serious negative effects on women's participation in the labour force and on labour productivity. Further, differences between women's and men's exposure to the risk of specific forms of work-place violence are reinforced by sex-segregated workplaces.

Neither the current international framework nor national laws provide consistent protection against gender-based violence in the workplace context. In a majority of countries GBV instruments focus primarily on criminalisation of offenders, usually through inclusion of sexual offences in the penal code. Whilst vitally important, such responses are not necessarily crafted to the character of workplace relations. As the ILO Committee of Experts has noted, confining sexual harassment to criminal procedures has generally proven inadequate, as the criminal laws may deal with the most serious cases, but not the range of conduct in the context of work that should be addressed as sexual harassment, and the burden of proof in criminal cases is higher, with limited access to redress.

- **35% of women worldwide have experienced violence whether physical and/or sexual**
- **Between 40 and 50% of women experience unwanted sexual advances, physical contact or other forms of sexual harassment at work.**



## Why should employers support an ILO standard on GBV?

An ILO standard on GBV would benefit employers, the working environment and industrial relations by:

- Ensuring consultation with the social partners in the drafting of the legislation
- Better defining what constitutes GBV at work
- Giving clear guidance to employers and workers concerning their responsibilities to prevent, address and redress GBV at work
- Assisting employers with crafting well-designed human resource policies that contain clear processes for preventing GBV and addressing the consequences of GBV in the world of work - including the impact of domestic violence on the workplace
- Assisting employers in establishing clear procedures for reporting grievances and complaints
- Providing guidance to employers on investigating and handling complaints of GBV at work
- Better defining the extent of employers' liability (vicarious and direct) for GBV at work
- Creating a workplace culture where GBV is not tolerated.
- Improving safety at work and reducing employers' economic losses associated with gender-based violence (for e.g. through absenteeism, loss of productivity, court/tribunal cases, and negative publicity).



## Why should governments support an ILO standard on GBV?

- It would contribute to the realisation of women's rights
- It would reduce women's vulnerability to exposure to GBV and increase their economic independence and productivity at work
- It would save money! Domestic and workplace violence costs the economy billions of dollars in health care, court cases, lost wages, and sick pay. For e.g. in Australia alone, it has been estimated that gender-based violence will cost the economy \$15.6 billion by 2021-2022 unless effective action is taken to prevent this
- It would contribute significantly to realising decent work objectives
- It would help to improve health and safety at work and improve industrial relations
- It would assist in building greater consistency into legal frameworks aimed at eradicating gender-based violence and promoting women's human rights

## What could an ILO Convention possibly cover?

- A broad definition of gender-based violence at work which would include the diverse forms of violence endured by workers at their workplace
- Provisions to prevent gender-based violence at work
- Measures to protect and support workers affected by gender-based violence
- A description of the groups most affected by gender-based violence: LGBT, indigenous and migrant workers, workers living with HIV/AIDS and disabilities, people trapped in forced and child labor
- Protect all workers without discrimination as to race, colour, language, religion, political or other opinion, national or social origin, property, marital status, sexual orientation, HIV/AIDS status, migrant or refugee status, age or disability, or place of work
- Recognise the impact of domestic violence on the workplace
- Invoke a broad definition of the "workplace"



- Provide various employment and social security rights for complainants, including the right to reduce or reorganise working hours
- Make specific provision for the appropriate and sensitive treatment of complainants of violence who suffer from multiple forms of discrimination, prohibiting employers from discriminating against them or penalising them for the consequences of the abuse.



### Take action now!

- Call meetings with your government to present your arguments in support of an ILO Convention on gender-based violence – you can use the arguments set out on this briefing
- Call meetings with your employers' associations to explain how an international standard on GBV would benefit business and industrial relations and why employers should support such a standard – again make use of the arguments set out in this briefing
- Contact the government and employer members of the ILO Governing Body and ask them to support a Convention: [http://www.ilo.org/ilc/ILCSessions/103/reports/WCMS\\_245440/lang--en/index.htm](http://www.ilo.org/ilc/ILCSessions/103/reports/WCMS_245440/lang--en/index.htm)
- Send or email a letter, or a petition to the key Government and independent or opposition Members of Parliament outlining why an ILO standard on gender-based violence is needed (see the sample letters and petition)
- Build alliances at local and national level in support of ending gender-based violence at work
- Send postcards to the Ministers of Labour and Women's affairs and present a petition signed by a broad constituency including women's groups, human rights networks and union members among others



- Hold meetings with membership to inform them of the importance of the issue and what they can do to make a difference at workplace, national and internal levels
- Make sure to include issues of gender-based violence on your union's bargaining agenda
- Conduct workplace surveys on women workers' experiences of gender-based violence and use the results to inform your discussions with governments and employers, as well as your organising and bargaining agendas. Please also inform ITUC of the results: [equality@ituc-csi.org](mailto:equality@ituc-csi.org)
- Engage male champions of change (e.g. from amongst your membership, from local/national media, politicians, etc.), and get them to speak out in favour of an ILO standard on gender-based violence
- Use the press and social media (twitter, Facebook, blogs, etc.) to highlight and spread awareness of the extent of the problem and the need for an ILO labour standard on gender-based violence

***Please act quickly – we have until  
November 2015 to make the difference  
at the ILO!***







## Resources and tools:

### ITUC global call to support an ILO Convention on gender-based violence:

<http://www.ituc-csi.org/unions-call-for-ilo-standard-on>

Domestic and workplace violence costs the economy millions of dollars in health care, court cases, lost wages, and sick pay. Check out ITUC's report in 2009 - Part II: Who Bears the Costs? <http://www.ituc-csi.org/ituc-report-gender-in-equality-in>

### Equal Times - articles: Violence against women, the global fight back:

<http://www.equaltimes.org/violence-against-women-the-global?lang=en#.U7PekECHX3U>

**Flyer:** <http://www.ituc-csi.org/flyer-stop-gender-based-violence>

**Order buttons at** [equality@ituc-csi.org](mailto:equality@ituc-csi.org)

Sharan Burrow, ITUC General Secretary, said, ***“Everything must be done to have a Convention soon. The ILO governing body has to put it on its agenda; women at work deserve to have this essential international tool.”***  
<http://www.ituc-csi.org/world-women-s-conference-trade>

The agreed conclusions of the 57th session of the United Nations Commission of the Status of Women (2013) call on Governments to:

*“take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address discrimination and violence against women and girls, as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors”:*  
<http://www.un.org/womenwatch/daw/csw/57sess.htm#ac>

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