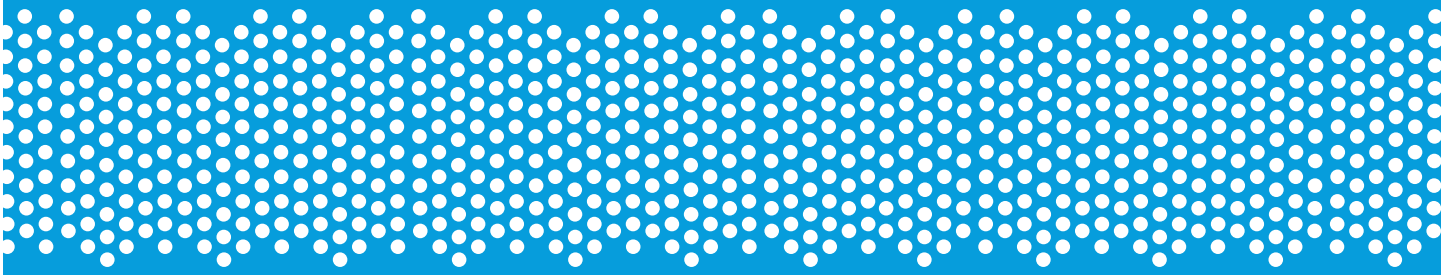
HANDBOOK

Addressing violence and harassment against women in the world of work



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UN WOMEN

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FOREWORD

All women and men have the right to live and work free from violence and harassment. However, while this is generally accepted, violence and harassment remains pervasive throughout the world of work. It affects all jobs, sectors and occupations. It has serious consequences for workers, their families and communities, as well as for enterprises' reputations and productivity.

Violence and harassment against women in the world of work – the topic of this Handbook - hampers women's empowerment and their access to and progress in the labour market. It also affects the sustainability of the economy in general and perpetuates occupational gender segregation. Violence and harassment against women is often rooted in unequal gender power dynamics, gender stereotypes, patriarchal values and historical inequalities between men and women.

Recently, global movements have raised their voices against this phenomenon, calling for real change to achieve safe, healthy and respectful work environments for all women. There is hope – and it is coming from the world of work itself.

As the second centenary of the International Labour Organization begins, and the 25th anniversary of the Beijing Platform for Action approaches, the ILO and UN Women are proud to present this Handbook. It provides a glimpse into emerging good practices to address violence and harassment against women in the world of work, by governments, employers, workers and their organizations, and civil society. We hope that, through its systematic compilation of lessons and practical actions, the Handbook will make an important contribution to decent work and gender equality for all.

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ACRONYMS

CEACR	Committee of Experts on the Application of Conventions and Recommendations (ILO)
EIGE	European Institute for Gender Equality
EPSU	European Federation of Public Service Unions
ETF	European Transport Federation
ETUC	European Trade Union Confederation
EU	European Union
EU-OSHA	European Agency for Safety and Health at Work
Eurofound	European Foundation for the Improvement of Living and Working Conditions
FRA	European Union Agency for Fundamental Rights
FWF	Fair Wear Foundation
IFC	International Finance Corporation
ILO	International Labour Organization
IndustriALL	IndustriALL Global Union
ITF	International Transport Workers' Federation
ITUC	International Trade Union Confederation
IUF	International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations
MNE	Multinational enterprise
NGO	Non-Governmental Organization
OECD	Organization for Economic Cooperation and Development
OSH	Occupational safety and health
PSI	Public Services International
UN	United Nations
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNESCO	United Nations Educational, Scientific, and Cultural Organization
WEPs	Women's Empowerment Principles
WHO	World Health Organization

1. INTRODUCTION

1.1 Overview of the UN Women-ILO Handbook

Everyone has the right to live and work free from violence and harassment. In spite of this, violence and harassment against women in the world of work is present in all jobs, occupations and sectors of the economy in all countries across the world. Some women are disproportionately affected by violence and harassment because of their employment status, the type of work they carry out, or because of the conditions in the sector that they work in.

There are many emerging good practices to prevent and respond to violence and harassment against women, coming from international organizations, governments, employers, trade unions and non-governmental organizations (NGOs), amongst others.[1] The United Nations Framework to Underpin Action to Prevent Violence against Women has highlighted the workplace as an important entry point for addressing this issue across the economy and society (UN Women, 2015a, p.41). However, systematic documentation of these policies and practices is scarce. This handbook aims to address this gap.

The publication of this joint UN Women-ILO Handbook coincides with the unprecedented mobilization of millions of women, behind #MeToo and other movements, in a global response to sexual harassment and sexual assault in the world of work. Moreover, this handbook is being published within the context of the International Labour Organization (ILO) standard-setting process which is working towards a new international standard or standards on ending violence and harassment in the world of work. With the final discussion and the possible adoption of an international Convention, Recommendation or both, scheduled for the ILO's International Labour Conference in 2019, this process follows many years of work by governments, employers' and workers' organizations.

What do we know about violence and harassment in the world of work?

- "Violence against women – particularly intimate partner violence and sexual violence – is a major public health problem and a violation of women's human rights." (WHO, 2017)
- Taking into account that definitions vary, estimates from available country surveys show that as many as 75 per cent of the world's women aged 18 years and over, or at least 2 billion women, have experienced sexual harassment (Chamie, 2018).
- Between 45 and 55 per cent of women surveyed across the 28 European Union (EU) States have experienced sexual harassment since the age of 15. It is estimated that up to 75 per cent of women in a professional capacity or in top management jobs have experienced sexual harassment in their lifetime (FRA, 2014).

Violence and harassment against women in the world of work is a serious violation of women's human rights and a major barrier to achieving equality of opportunity and access to decent and dignified work (ILO, 2016e, para 1). It has a devastating impact on women workers' health, wellbeing and performance at work. It is also deeply connected to social norms, values and stereotypes that foster gender inequalities,

1 The inclusion of any name of a company, other organization or individual and/or specific examples of polices, practices or initiatives does not constitute an endorsement of such entities, persons or examples by the ILO or UN Women.

discrimination against women and unequal power relations between men and women, including intersecting forms of discrimination, for example, based on gender and race, disability or social origin.

"Regardless of income level or social status, violence affects women and girls of all ages and impacts their full and equal participation in society and the economy. Violence takes many forms, including not only physical, but also sexual, emotional, and economic, as well as harassment experienced in public and in places of work and education. Beyond the individual harm inflicted on women and their families, gender-based violence is a global problem with substantial economic costs."

(Tavares and Wodon, 2018, p.1)

The World Health Organization (WHO) estimates that 1 in 3 women have experienced some form of physical and or sexual violence in her lifetime (WHO, 2017). This statistic does not include sexual harassment, where numbers would be higher. Despite its high prevalence, violence and harassment remains largely unreported, with many victims, bystanders and witnesses afraid or reluctant to come forward or unsure about how to do so. Where victims do complain, many face ineffective systems or procedures, experience retaliatory action, or further violence and harassment, or lose their jobs. Furthermore, contract clauses on forced arbitration or coercive confidential agreements ("gag orders") may prevent some victims from sharing their experience, adding to the psychological distress they may be feeling and keeping the problem in the shadows. Social norms blaming the victim or stigmatizing women speaking out about gender inequalities also perpetuate the silence around violence and harassment. As a result, changing social norms and behaviour in the workplace is crucial to preventing violence and harassment against women in the world of work and in society more broadly. For example, when practical workplace policies and procedures are in place, world of work actors begin to understand what constitutes acceptable and unacceptable behaviour at work and are an important starting point for changing organizational culture that values and respects women and men equally.

It is encouraging that women around the world are saying that "time is up", and are standing up and speaking out about their experiences of sexual harassment and other forms of gender-based violence and harassment. For gender-based forms of violence and harassment against women to be systematically tackled, legal, policy and other practical measures are needed to promote women's equal and effective representation in the workplace and to give women voice and agency in raising their concerns. Perpetrators of violence and harassment must also be held accountable, and there must be an end to impunity.

Governments, employers and workers and their organizations, and civil society have a part to play in transforming the world of work. Practical workplace strategies and policies are an essential tool to promote this transformation, as is ensuring that employers' and workers' representatives have the skills and knowledge to help implement a gender-responsive approach to preventing and ending violence and harassment.

1.2 The structure of the handbook

Chapter 2, *Defining the problem and effects of violence and harassment against women in the world of work,* introduces readers to the conceptual framework on gender equality and the need to transform social norms – a theme that runs throughout this handbook - and key concepts regarding violence and harassment against women in the world of work. It also explains the various dimensions of violence and harassment in the world of work that are explored in the handbook, as well as related costs and impact.

Chapter 3, *International and regional legal and policy framework,* gives a brief overview of several international and regional human rights frameworks and policies. It identifies their relevance to ending gender-based forms of violence and harassment against women in the world of work, for example, through United Nations Conventions and international labour

standards, the Sustainable Development Goals and business and human rights initiatives.

Chapter 4, *The role of state and non-state actors in ending violence and harassment in the world of work,* goes a step further by exploring the role of state and non-state actors in ending violence and harassment against women in the world of work. It looks at the overarching framework of laws and services provided by governments and state actors. However, while a regulatory framework is necessary, it is insufficient for achieving practical, lasting change. What is also needed are measures that transform gender relations and lead to real change in women workers' lives. The active participation of state-actors, business associations, employers, trade unions and workers themselves, as well as NGOs and women's organizations, is therefore, critically important.

Chapter 5, *Social dialogue to end violence and harassment against women in the world of work,* explores the role of social dialogue by focusing on both tripartite and bi-partite dialogue to effect real and lasting change. Many of the examples, case studies and promising practices presented in this chapter show the importance of social dialogue, underpinned by freedom of association and the right to collective bargaining, in developing agreements - at the workplace, sectoral and global levels - to address violence and harassment against women.

Chapter 6, *Responding to situations in which women are more exposed to violence and harassment in the world of work* focuses specifically on how women are disproportionately affected because of their work in certain situations of informal and non-standard employment; in occupations and jobs where they are particularly exposed to gender-based violence and harassment from third-parties; and face additional risks associated with changing work organization, work processes and working patterns.

Chapter 7, *A transformative approach to ending violence and harassment against women in the world of work,* presents nine dimensions around which the world of work can be transformed in order to end violence and harassment against women. Working on these dimensions helps promote a world of work that is equal, dignified and respectful, where there is recognition of women's rights and decision-making roles, and where women's participation and contribution are valued. Along with practical workplace policies, programmes and initiatives, this chapter explores issues relevant to the wider world of work - including safe cities and public spaces - and the role of public services that meet women's needs (i.e. gender-responsive public services) and promote women's rights and provide for the infrastructure, planning and provision of services that guarantee their safety and their full participation in work and society.

The UN Women-ILO Handbook presents promising practices – policies, strategies, campaigns, initiatives and other actions – that provide helpful insights and practical examples of how to tackle violence and harassment against women in the world of work. Taken together, they show that much progress is being made all around the world – although much more work needs to be done – and that it is both possible and critically important to transform gender relations in the world of work in order to end violence and harassment against women.

2. DEFINING THE PROBLEM AND EFFECTS OF VIOLENCE AND HARASSMENT AGAINST WOMEN IN THE WORLD OF WORK

2.1 Introduction

Violence and harassment against women in the world of work is often the result of intersecting circumstances and risk factors that are closely connected to gender inequalities and rooted in gender-based forms of power and control. Research indicates that violence and harassment can manifest itself, in its many forms, in all sectors, jobs and occupations. Men can be victims of such violence and harassment, particularly if they do not conform to societal expectations of masculinity. However, the great majority of cases of gender-based violence and harassment in the world of work, especially that of a sexual nature, is reported by women, often because of the discriminatory social norms and structures that reinforce power inequalities based on gender.

Moreover, some factors may lead to women workers experiencing violence and harassment in disproportionate or unique ways, taking into account factors such as working conditions, unionization rates and the circumstances under which work is carried out. The presence of discrimination based on other factors such as race, social origin, migration status, disability, maternity, family responsibilities, sexual orientation and gender identity, may also influence how, and in what ways, women experience violence and harassment. Additional factors include women workers' education and skill levels, as well as the sector they work in, and the type of job carried out.

In order to address this phenomenon effectively, it is necessary to understand what amounts to violence and harassment, who is affected by it, what its causes and effects on the world of work are, and where and how it happens.

2.2 Key concepts

2.2.1 Violence and harassment against women

Diverse sources of international and regional law address the concepts of violence and harassment, such as the United Nations Declaration on the Elimination of Violence Against Women, the Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), and

the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Convention of Belém do Pará). Throughout this handbook, the terminology violence and harassment against women is used. This allows for the combination of concepts reflected in international law.

For the purposes of this handbook, violence and harassment against women includes, but is not limited to, the following: sexual violence, including sexual assault and sexual harassment; physical violence, such as assault, battery and murder; psychological violence and harassment, including bullying and mobbing; threats of violence and harassment; verbal and non-verbal forms of harassment; and stalking. The issue of domestic violence is also included within this handbook, as it has an important impact on the world of work.

2.2.2 Gender-based violence

Gender-based violence is a pervasive form of violence and harassment rooted in unequal power relations between (and among) women and men, and it both reflects and reinforces the subordinate status of women in many societies (Cruz and Klinger, 2011). While anyone can be victim of such violence, including those who do not conform to gender stereotypes or to traditional, societal expectations based on gender - for example, LGBTI persons - the great majority of reported cases concerns women.

2.2.3 Violence against women

In 1993, the *United Nations Declaration on the Elimination of Violence against Women* defined "violence against women" as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life" (UNGA, 1993, Article 1). Violence against women is based on deeply-rooted social norms and practices that devalue women and their potential for advancement in the world of work. There is extensive international evidence showing that violence against women can only be effectively tackled through a gender equality framework that addresses gender, social and cultural norms, as well as unequal and stereotypical gender roles and relations (Ellsberg *et al*, 2014; Fulu *et al*, 2014; Arango *et al*, 2014).

2.2.4 Sexual harassment

Sexual harassment involves sexualized forms of unwanted or unwelcome behaviour or conduct. It has the "purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment."[2] Although anyone may be subject to sexual harassment, women are the overwhelming majority of reported victims.

> "Sexual harassment includes such unwelcome sexually determined behaviour as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable ground to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment."
>
> (United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation No. 19, Violence against Women, paragraph 18, XI session, 1992.)

Sexual harassment can be physical, psychological, verbal and non-verbal and can include conduct such as: sexual violence and assault, including rape; unwelcome requests for sexual favors and dates; unwelcome touching; leaning over; cornering; stalking; making sexually-lewd comments or unwelcome communications of a sexual nature, including displaying or sharing sexually lewd pictures and pornographic material.

2 As defined in European Union Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (Recast) (OJ L 204, 26.7.2006, pp. 23–36).

In the European Union, physical sexual harassment is the most commonly-reported form of sexual harassment, followed by verbal and non-verbal sexual harassment. Overall, 29 per cent of surveyed women in the European Union had experienced "unwelcome touching, hugging or kissing"; 24 per cent had been subjected to "sexually-suggestive comments or jokes that offended them"; and 11 per cent to non-verbal forms including cyber harassment, such as "unwanted, offensive sexually-explicit emails or SMS messages, or offensive, inappropriate advances on social networking sites" (FRA, 2014, p.96). A national survey by the Australian Human Rights Commission in 2018 found that, in many cases, harassment was ongoing over a long time period (Australian Human Rights Commission, 2018). Offensive, sexually suggestive comments or jokes were the most commonly-reported form of workplace sexual harassment, experienced by one in four women and approximately one in ten men.

The ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) includes sexual harassment in the context of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) as a particular form of discrimination on the basis of sex, and notes that definitions of sexual harassment often include both *quid pro quo* and *hostile environment* as elements of sexual harassment.

- Quid pro quo involves:

  (1) "any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex affecting the dignity of women and men, which is unwelcome, unreasonable, and offensive to the recipient; and" (ILO, 2003, p.463)

  (2) "a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job." (ILO, 2003, p.463)

- Hostile work environment involves "conduct that creates an intimidating, hostile or humiliating working environment for the recipient." (ILO, 2003, p.463)

For example, a quid pro quo pattern of sexual harassment occurs when approval or rejection of a sexual proposition is the basis for a decision regarding appointments, career progression, salary increases and bonuses, allocation of work and tasks, or contract extension or renewal. *Hostile environment* sexual harassment, for example, may include unwelcome or humiliating jokes or comments of a sexual nature, or portrayal of offensive sexually-explicit materials.

2.2.5 The world of work

Violence and harassment is not limited to the traditional, physical workplace and can also occur in the broader world of work.[3]

A notion of the world of work that goes beyond the physical workplace touches on issues such as women's safety in public spaces, transport, night work and when the home or the street is the workplace (Cruz and Klinger 2011; ILO, 2016e; UN Women 2010b). The world of work is continuously and rapidly evolving, and new forms of work, including types of non-standard forms of employment and work in the so-called "gig" economy,[4] are becoming more commonplace (Heeks, 2017 and Moore, 2018).

3 According to the ILO Meeting of Experts on Violence against Women and Men in the World of Work (3-6 October 2016), "there is a need to intensify efforts to deal with the range of manifestations of violence in the world of work" and "the world of work is considered to cover not only the traditional physical workplace, but also commuting to and from work, work-related social events, public spaces including for informal workers such as street vendors, and the home, in particular for homeworkers, domestic workers and teleworkers." ILO (2016) Report of the Director-General: Fifth Supplementary Report: Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work, GB.328/INS/17/5. Appendix I. Geneva, ILO, para 3 and 5.

4 According to the ILO Meeting of Experts on Non-Standard Forms of Employment, these include, among others "fixed-term contracts and other forms of temporary work, temporary agency work and other contractual arrangements involving multiple parties, disguised employment relationships, dependent self-employment and part-time work." ILO (2015) Conclusions of the Meeting of Experts on Non-Standard Forms of Employment, Governing Body, 323rd Session, Conclusions. Para. 2.

2.2.6 Who is affected by violence and harassment?

All women, regardless of their job, sector in which they work or employment status, can experience violence and harassment in the world of work, including women working in the formal and informal economy, trainees, apprentices, interns, volunteers, job seekers and job applicants. As shown in this handbook, some women are more exposed to violence and harassment if they work in jobs or sectors where there is a presence of certain risk factors.

2.3 Gendered power inequalities underpinning violence and harassment in the world of work

Violence and harassment against women results from unequal gender roles and unequal power relations between men and women in society, including at home, at work, at school, and across institutions. These are rooted in, and reinforced by, social norms that perpetuate harmful attitudes, stereotypes, behaviours, and multiple (intersectional) forms of discrimination. For example, some men sexually harass women who enter senior-level positions or who occupy jobs that have been traditionally considered male, because they regard them as a threat to traditional gender power structures in the workplace (FRA, 2014).[5] For example, in a study of women working in typically male-dominated trades in the United States, nearly a third reported that they frequently, or always, experienced sexual harassment (Hegewisch and O'Farrell, 2014).

In many countries across the world, society fails to effectively condemn violence against women, which is reinforced by "...the ideology of men's entitlement and privilege over women, social norms regarding masculinity, and the need to assert male control or power, enforce gender roles or prevent, discourage or punish what is considered to be unacceptable female behaviour" (CEDAW, 2017, para. 19).

A global poll carried out by Care International as part of their campaign #ThisIsNotWorking found that significant numbers of men believe that it is acceptable to sexually harass and abuse women at work (CARE, 2018). The poll - involving 9,408 adults (51 per cent men and 49 per cent women) in eight countries (Australia, Ecuador, Egypt, India, South Africa, the United States, the United Kingdom and Vietnam) - found that nearly a quarter of men surveyed believed that "it is sometimes or always acceptable for an employer to ask or expect an employee to have intimate interactions such as sex with them, a family member or a friend." Thirty-nine per cent of Indian men surveyed said it was sometimes, or always, acceptable to wolf-whistle or cat-call at a colleague. In the United Kingdom, 36 per cent of 25-34 year-olds responded that "it is sometimes or always acceptable to pinch a colleague's bottom in jest." The study also indicates a "gender gap" in the perception of acceptability of sexual harassing behaviours. For instance, in the United States, 44 per cent of men aged 18-34 responded that "it is sometimes or always acceptable to tell a sexual joke to a colleague at work, while only 22 per cent of women in that age group do" (CARE, 2018) .

Unconscious bias negatively affects women's autonomy and integrity at work and is closely connected to gender stereotypes in society, which can limit the development of women's professional opportunities (ILO, 2017a). Gender stereotypes result from deeply-engrained attitudes, values, norms and prejudices against women that have the effect of maintaining men's power over women. They include assumptions about women having less power in the family, in society, being subservient to men and taking the predominant role in carrying out unpaid household and care work. This results in a form of bias that can become ingrained in key economic and social institutions, such as workplaces, local governments and public service organizations. This can occur in subtle, systemic ways, underpinned by patriarchal organizational cultures, policies, processes and decision-making that perpetuate social norms. Such gender stereotypes – whether at the individual or institutional level - largely disadvantage women in the workplace, but they can also

5 The survey found that that sexual harassment is commonly experienced by women with a university degree and by women in the highest occupational groups (75 per cent of surveyed women in the top management category and 74 per cent of those in the professional occupational category had experienced sexual harassment in their lifetime). See also: ILO (2016) Women at Work: Trends 2016. Geneva, ILO.

negatively affect men, for example, by discouraging them to work in professions considered "feminine" (UN Women, 2015b).

In addition, institutionalized sexism – in governments, companies, trade unions, city planning agencies, law enforcement bodies, amongst others – has the effect of perpetuating social norms and gender inequalities that tolerate violence and harassment against women at work. Challenging sexism in the world of work means that decision-makers take the responsibility to act upon gender inequalities and promote equality, through the implementation of gender equality policies and leading culture change in the workplace, and at a societal level through gender-responsive public services.

Ending violence and harassment against women is inextricably linked to achieving gender equality and to tackling related underlying causes and risk factors (ILO, 2017b, p. 98). In gender-balanced and female-dominated workplaces, sexual harassment tends to be lower (PEW Research Center, 2018). Gender-diverse, as well as ethnically and culturally diverse, companies "are better able to attract top talent; to improve their customer orientation, employee satisfaction, and decision making; and to secure their license to operate" (McKinsey & Company, 2015). In 2017, companies with more gender-diverse executive teams were reportedly "15 percent more likely to experience above-average profitability" (Hunt et al., 2018).

2.4 Impact of violence and harassment against women in the world of work

2.4.1 Impact on, and harm caused to, women workers

Violence and harassment against women in the world of work can have devastating effects on women's safety, health, wellbeing and, ultimately, their participation in work. Many women face significant harm from violence and harassment at work, affecting their health, wellbeing and rights (UNGA, 2018, A/RES/73/148). Violence and harassment at work is a major psychosocial problem that can affect individual health and wellbeing (Eurofound, EU and OSHA, 2014 and Eurofound, 2015).

Surveys have repeatedly drawn out the negative effect of violence and harassment on women's health and wellbeing, resulting in increasing rates of sick leave or, eventually, resignation. This is particularly the case when violence and harassment is persistent or is not dealt with effectively when complaints are made. For example, a European survey of women transport workers reported high levels of physical and psychological ill-health as a result of sexual harassment and sexual assaults at work, with "...often devastating effects on women workers' physical and mental health and wellbeing, their capacity to work, and their relationships with family, friends and work colleagues." (ETF, 2017, p.13)

2.4.2 Impact on the workplace and on employers

Violence and harassment substantially affects work and the working environment; it can have devastating effects on the health and wellbeing of victims, as well as serious consequences for the employer and society at large. For example, in universities and colleges where a pervasive culture of sexual harassment exists, sexual harassment fuels a negative organizational culture (Johnson *et al*, 2018a). According to the US National Academies of Sciences, Engineering and Medicine, in the academic areas of science, engineering, and medicine, sexual harassment results in long-term health and psychological impacts on women, as well as "...significant damage to research integrity and a costly loss of talent in these fields." (Johnson *et al*, 2018b, p.1) This happens despite the positive efforts being made to attract women to study and work in Science Technology Engineering or Mathematics (STEM) subject areas (EIGE, 2017). Research shows that tackling the issue helps protect workers' and employers' safety and health and can enhance the profitability and reputation of enterprises.

Table 1 sets out the consequences that violence and harassment has for women workers and for organizations, and indicates positive results that can arise when the issue is properly dealt with.

TABLE 1:

The impact of violence and harassment against women in the world of work and the positive outcomes of addressing it

The impact of violence and harassment on women workers	Positive outcomes for an employer if the problem is tackled effectively
• Workers' psychological, physical and sexual health, dignity and self-esteem are affected. • Motivation, performance and attachment to the workplace are compromised. • Higher rates of absenteeism and higher turnover. • Severe harm and danger for victims and co-workers who may intervene to stop violence and harassment. • Negative impact on workplace relations, team working performance and company reputation. • Impact on the quality of services provided (e.g. to the public). • Victims' capacity to carry out their job effectively or reaching their full potential at work is reduced. • Career chances are jeopardized, particularly if a victim leaves her work without a reference. • Ramifications beyond the workplace, including poor social functioning and harmful coping mechanisms (e.g. alcohol/substance abuse).	• Days lost from sick leave will be reduced. • Contributes to a good working environment, benefitting workers' health, safety and wellbeing. • Companies have improved reputations, enabling them to attract and retain workers. • In the absence of violence and harassment, productivity of former victims and perpetrators, as well as bystanders, improves. • Workers' satisfaction improves if they are able to talk to someone they trust and find trusted solutions to their problems. • There is a positive impact on the wider community and family relationships if violence and harassment at work is identified and stopped.

2.4.3 Economic costs of violence and harassment against women in the world of work

Research at various levels has quantified the economic costs associated with violence and harassment against women in the world of work. At the global level, the cost of violence against women (public, private and social) has been estimated at approximately US$1.5 trillion; this is about the size of the Canadian economy (UN Women, 2016b). Violence against women, in some countries, is estimated to cost up to 3.7 per cent of their gross domestic product, which is more than double what the majority of governments spend on education (World Bank, 2018). An example at the country level is the cost of sexual harassment in the Cambodian garment sector, which is estimated to be US$89 million per year (CARE International, 2017b).

In addition, domestic violence has a significant cost for employers and the economy overall, amounting to billions of dollars in many countries. Estimates show the high cost of domestic violence, in terms of lost economic output and productivity, sickness, absenteeism and lost jobs, as set out in Table 2.

TABLE 2:
Estimated cost of domestic violence, intimate partner violence or family violence

Australia	It is estimated that violence against women, including when occurring in private life, is estimated to cost $13.6 billion per year, of which $465 million is borne by employers (Powell, Sandy and Findling, 2015).
Bolivia	It is estimated that companies lose approximately US$2 billion a year due to impact of intimate partner violence (Vara-Horna, 2015).
Canada	Spousal violence produced a total estimated economic cost of $7.4 billion in 2009 (Zhang, Hoddenbagh, McDonald and Scrim, 2012).
Egypt	Married women are estimated to lose nearly 500,000 working days a year due to marital violence (United Nations, 2017).
New Zealand	Family violence is estimated to cost $368 million per year due to lost productivity, stress and staff turnover (New Zealand Government, 2018).
Peru	It is estimated that 70 million working days are lost in Peru, because of violence against women, leading to an annual loss of more than 6.7 billion US dollars (Vara-Horna, 2014).
United Kingdom	Domestic violence cost around £16 billion in 2008, including services, lost economic output, and human and emotional costs (Walby, 2009).
United States	Data for 1995 estimate that victims of severe intimate partner violence lost "a total of nearly 8.0 million days of paid work – the equivalent of more than 32,000 full-time jobs – and nearly 5.6 million days of household productivity as a result of the violence." (National Center for Injury Prevention and Control, 2003, p.1)

2.5 Settings in which violence and harassment against women in the world of work can occur

Women workers may experience violence and harassment in a number of interrelated settings. They may experience it in their physical workplace. They may also experience it in the wider world of work, for example, when they attend work-related events, travel to and from work, when they use employer-provided accommodation or through technologies, such as mobile phones and computers. Also, the violence and harassment they experience in their private lives may spill over into their working lives, when, for example, abusive, intimate partners or ex-partners follow them to work and/or commit violence and harassment against them or against their colleagues. In addition, violence and harassment at work perpetrated by work colleagues can also follow workers into their private lives, for example, when a woman worker is stalked by a colleague in a public space away from the workplace, at her home or through technology, such as e-mail or social media.

2.5.1 Violence and harassment in the workplace

Violence and harassment against women in the workplace is often an expression of power and control (by co-workers, employers and supervisors, and third parties). It can include a range of overt and covert action, and can be affected by the organization of work and work processes. Research on these dynamics and their negative impact, along with women's advocacy and increased reporting of violence and harassment, as well as due to legal obligations, has led many workplaces to adopt policies and procedures, often jointly-agreed between employers' and workers' representatives.

Workplaces in certain sectors, jobs or occupations may present higher exposure to violence and harassment, depending on the existence of numerous risk factors and circumstances. For instance, working with third parties – such as clients, customers, patients or users - is a significant risk factor for violence and harassment against women. It is estimated that up to 42 per cent of workers working in direct contact with the public, many of whom are women, experience third-party violence (EPSU *et al*, 2013). This may take place, for example, in workplaces such as bars and cafés, in places where criminal justice or policing is carried out, in places where money or prescription drugs are handled, where health care, care or education services are provided, and where work is carried out in isolated or mobile locations (Canadian Centre for Occupational Health and Safety, 2017). Violence and harassment from third parties has also been reported by transport workers, such as bus drivers, ticket collectors, conductors and air stewards (ITF, 2018; ETF 2017).

The composition of the workforce is also an important factor. Often influenced by social and cultural gender norms, there are occupations where women predominate – such as shop assistants, bar and restaurant workers, teachers, nurses and social care workers – and where they face significant exposure to violence and harassment. Unions representing workers in the public sector report that aggression from service users and patients has become commonplace and has even increased significantly in recent years (Public Services International, 2018). In this regard, a lack of resources, equipment, infrastructure and staffing can also contribute to violent and harassing behaviours, particularly where service users may have complex needs that are not being met. In the health sector, austerity measures have led to insufficient resources for staffing and for high-quality services, contributing to an increase in the incidence and the severity of violence in the workplace (ILO, 2018a, p.180).

The following data gives a snapshot of sexual harassment against women in a selection of countries:

- A national survey in Australia found that almost two in five women and just over one in four men experienced sexual harassment in the workplace in the last five years (Australian Human Rights Commission, 2018, p.8).

- In Uganda, a survey carried out in over 2,910 organizations indicated that 90 per cent of women interviewed had been sexually harassed at work by their male seniors (ITUC, 2014b).

- In Mexico, survey evidence estimates that 46 per cent of women employed in the formal economy reportedly experience some type of sexual harassment at work (Verite, 2009).

- In Indonesia, 85 per cent of surveyed women workers reported that they were concerned with sexual harassment at work (Better Work, 2014).

- In the UK, more than half of all women and nearly two-thirds of women aged 18 to 24 years responding to a national survey said they had experienced sexual harassment at work (TUC and Everyday Sexism, 2016).

- A nation-wide survey on violence against women in Georgia with 6,006 women and 1,601 men, estimated that 20 per cent of women had experienced sexual harassment, and that 10 per cent of women reported experiencing it at the workplace.[6]

- In France, 20 per cent of women workers said that they have experienced sexual harassment in the course of their working life (Défenseur des Droits, 2015). A further study in 2018 concluded that 1 in 3 women workers has been a victim of sexual harassment (Observatoire du harcèlement sexuel, 2018).

The following is a snapshot of data on violence and harassment across different sectors:

- In the US, research findings suggest that more than 50 percent of women faculty/academic and

6 Data was collected by UN Women in partnership with the national statistical office GEOSTAT. Additional information provided by Tamar Sabedashvili, UNWomen, Georgia. See: GEOSTAT and UN Women (2018) National Study on Violence Against Women 2017. Summary Report. Tiblisi, UN Women/ GEOSTAT.

other staff, and 20–50 percent of women students, encounter or experience sexual harassment in colleges and universities (Johnson *et al*, 2018a).

- In Ecuador's export-oriented flower production industry, over 55 per cent of flower workers who were surveyed said that they experienced some form of sexual harassment; this estimate rises to 70 per cent for younger workers between the ages of 20-24 years (Mena and Proaño, 2005).

- Approximately 60 per cent of surveyed Indian and Bangladeshi garment factory workers is estimated to have experienced "some type of harassment at work, verbal abuse or physical abuse" (Fair Wear Foundation, 2013).

- In Cambodia, a survey of 1,287 garment workers (1,085 women and 198 men) showed that nearly one-third of women garment workers reported experiencing sexually harassing behaviours in the workplace over the 12-months prior to the survey (CARE International, 2017b).

- A survey of 1,444 women transport workers' experiences of violence and harassment in 24 European countries found that one quarter of women transport workers believed that violence against women is a regular occurrence in the transport sector (from colleagues/managers and from customers) (ETF, 2017).

- A survey of nearly 500 hotel workers in Chicago, who are mainly women of colour and immigrants, found that sexual harassment and sexual assault happen regularly in the sector (UNITE HERE Local 1, 2016). Over half of all hotel workers surveyed (including housekeepers, room service servers, bartenders and servers) had experienced sexual harassment from guests, including incidences of sexual assault. Just under a half of housekeepers surveyed have had guest(s) expose themselves, flash them, answer the door naked or masturbate in their presence.

2.5.2 Violence and harassment in the wider world of work

Beyond the traditional, physical workplace, violence and harassment may occur in the broader "world of work", including, for example, during work-related events, travel to and from work, in employer-provided accommodation or through work-related technologies.

Along with the massive growth of technology facilitating communications through e-mail and social media, there is an increase in technology-related violence and harassment (UNHRC, 2018; UN, 2015; Association for Progressive Communications, 2017). In some countries, the high level of abuse of women and girls through technology and social media has led to new national strategies to address "digital sexual abuse", particularly affecting girls and young women (Danish strategy on *Stepping Up Initiatives Against Sexual Abuse*, agreed in 2017, cited in EC-OSB, 2017). In the world of work, technology can be used to target women, particularly those in specific occupations or positions with a high public profile, such as politicians, journalists, human rights defenders, and women's rights campaigners.

Violence and harassment can also occur in public spaces, where work is carried out by front-line emergency workers (police officers, paramedics, ambulance technicians), municipal workers, transport workers, as well as street or market vendors (ILO, 2016e, point 5). The world of work may also include the home, where it is a place of work, for example, for homeworkers, domestic workers and teleworkers. Although all workers in these spaces may be affected by violence and harassment, women can be particularly exposed to it, because of prevailing social and cultural norms that promote the "acceptability" of women being sexually harassed. A further, key issue is that public spaces are frequently unsafe for women travelling to and from work, particularly affecting women working shifts and having to travel by foot or public transport in the dark or late at night. Preventative actions by local authorities – such as improving street lighting or the positioning of bus stops – can have a beneficial impact on making women's, as well as men's, lives safer when they commute to work.

The selected data below shows that women face multiple risks, experiences and fear of violence and harassment in public spaces, which frequently has an impact on their working life (UN Women, 2014):

- In a survey by the French national equality body, 100 per cent of women respondents reported that they had been sexually harassed or assaulted at least once while using public transport (Haute Counseil à l'Égalité entre les Femmes et les Hommes, 2015).
- In Great Britain, a YouGov survey estimated that two-thirds of women have been sexually harassed in a public place and that more than one-third have experienced unwanted sexual touching. Abuse is reportedly more common amongst young women aged 18 to 25, with 85 percent of respondents reporting unwanted sexual attention (UN Women, 2014).
- In New Delhi, India, survey data estimate that 92 per cent of women have experienced some form of sexual violence in public spaces in their lifetime; 88 per cent of women are also estimated to have experienced visual and verbal sexual harassment (unwelcome comments, whistling, leering or making obscene gestures) in their lifetime (UN Women, 2014).
- In Quito, Ecuador, a 2011 scoping study found that 68 per cent of surveyed women experienced some form of sexual harassment and sexual violence in public spaces, at least once in the previous year (UN Women, 2014).[7]
- In Port Moresby, Papua New Guinea, a 2011 scoping study in six markets found that 55 per cent of women experienced some form of sexual violence in market spaces in the previous year (UN Women, 2011b).
- A survey on sexual harassment of 2,200 women in Great Britain, India, Brazil and Thailand found that three-quarters of the women had experienced some form of harassment within the last month, mainly in public spaces (Action Aid UK, 2016).

7 Scoping studies are a method used to comprehensively map evidence across a range of study designs in a specific area, with the aim of informing future programmes and policy.

2.5.3 Domestic violence and its impact on the world of work

Domestic violence (sometimes referred to as intimate partner violence, family violence or domestic abuse) includes physical, sexual, psychological and economic violence, as well as coercive control, carried out by an intimate partner. This can include, for example, control over women's social interactions and autonomy, control of children and parenting, verbal, emotional, economic control, and threats of abuse and violence. All of these can have devastating psychological consequences, affecting a woman's confidence, her ability to leave a violent relationship and to sustain meaningful employment.[8] Chart 1 shows eight interlinked forms of power and control of women in relation to domestic violence and its effects on the world of work.

The impact of domestic violence has become an important workplace issue, recognizing how power and control interconnect work and private life (Pillinger, Schmidt and Wintour, 2016). For example, economic violence has a direct impact on women's ability to work, such as preventing women from having sufficient money for bus fares to get to work or to buy clothing suitable for work, and sometimes violent partners break women's work tools or physically remove women from their workplaces (Trades Union Congress, 2015). Research indicates that women who experience domestic violence are employed in higher numbers in casual and part-time work, and their earnings are up to 60 per cent lower, compared to women who do not experience such violence (UN Women, 2016b; Vyas, 2013).

Domestic violence affects women's full and active participation in the labour market, as many women experiencing domestic violence end up leaving their jobs. It can also affect the safety of victims and of others in the workplace, including co-workers, employers, patients or customers. Preventing this from happening and supporting victims of domestic violence at work can save women's lives.

8 See for instance, the Duluth Domestic Intervention Program (National Centre for Domestic and Sexual Violence) which shows that power and control are connected to and encompass coercion and threats, emotional abuse, isolation of victims, denial and blaming the victim, controlling and using her children and economic abuse. For further information see: https://www.theduluthmodel.org.

CHART 1: IMPACT OF DOMESTIC VIOLENCE AT WORK

This version of the Power and Control wheel, is adapted with permission from the Domestic Abuse Intervention Project in Duluth, Minnesota, and Futures Without Violence www.futureswithoutviolence.org.

Data suggests that significant numbers of women workers experience domestic violence and that it has a profoundly negative impact on their safety and capacity to work and to stay in their jobs:

- As many as 38 per cent of all murders of women are committed by male intimate partners, some of which are known to have been committed in the workplace.[9]

- A United States study found that 44 per cent of respondents had experienced the effects of domestic violence in their workplace; 21 per cent of men and women surveyed identified as victims of intimate partner violence; and 64 per cent of victims of domestic violence expressed their ability to work had been affected, including 21 per cent who listed job loss as the reason their productivity decreased (Corporate Alliance to End Partner Violence, 2005).

- Surveys carried out in Australia, Belgium, Canada, Mongolia, New Zealand, the Philippines, Taiwan, Turkey and the United Kingdom of workers suggest that, on average, one-third of workers, principally women, experience domestic violence at some point in their lives; around half of victims reported feeling that their job performance was negatively affected, and three out of four had a hard time concentrating while at work (DV@Worknet, 2011-2017).

- In Canada, one third of workers (in a survey of 8,429 respondents) had experienced domestic violence and, for over half of them, violence followed them to work. Among those victimized, 81 per cent said that it negatively impacted their work performance. Women, gender diverse and Aboriginal people, people with disabilities and those reporting a sexual orientation other than heterosexual, reported higher levels of domestic violence (Wathen, MacGregor, MacQuarrie and the Canadian Labour Congress, 2014).

- In a study in selected districts of Sri Lanka, 16 per cent of surveyed women who experienced intimate partner violence reported having to take days off work, and 32 per cent reported having had to seek medical attention for injuries (de Mel *et al*, 2013).

Perpetrators of domestic violence can also be employees who may also bring the problem into the workplace. The victim and the perpetrator may work in the same workplace, or the workplace may be the only place where an ex-partner knows where to find a victim. When perpetrators use work-related resources to abuse a victim, this not only places the victim and co-workers at risk, but it also has related costs for employers, arising from lost productivity and lost days from work:

- A study of 152 domestic violence perpetrators in the state of Maine, United States, found that 78 per cent used workplace resources at least once to express remorse or anger, check up on, pressure or threaten their victim (Runge, 2018).

- A survey of 443 heterosexual male domestic violence offenders in Canada found that one-third of them had been in contact with their (ex)partner during work hours to engage in emotional abuse and/or in monitoring of them (Scott, Lim, Kelly, Holmes, MacQuarrie, Wathen and MacGregor, 2017). The men reported that they regularly engaged in texting and fighting with their (ex)partners and that they were distracted by thinking about their whereabouts. One-fifth of the men indicated that someone at work knew about their behaviours, and nearly half said that domestic violence issues often negatively affected their work performance.

The workplace is an important entry point for addressing the social norms and behaviours that underpin domestic violence and the impact that it has on the woman worker and her workplace. This requires acknowledging the right of women to work independently and to have an independent income, which can also provide a pathway to leaving a violent relationship. Early intervention is essential if a woman is to have access to support and specialized services in the community, to enable her to stay at her job and to live independently.

9 For example, in the US between 2003 and 2008 just over one-third of homicides in the workplace were carried out by intimate partners. Over half of workplace homicides perpetrated by intimate partners occurred in parking lots and public buildings. See Triesman, H.M. et al. (2012) Workplace Homicides Among US Women: The Role of Intimate Partner Violence. Annals of epidemiology, 22(4):277-84.

3. INTERNATIONAL AND REGIONAL LEGAL AND POLICY FRAMEWORK

This chapter provides an overview of a number of international and regional instruments and initiatives that have a bearing on the development of national laws and policies to address violence and harassment against women in the world of work.

3.1 United Nations

The United Nations and its specialized agencies have an important role to play within the international legal and policy framework to address violence and harassment against women in the world of work, including through the following instruments:

- The **ILO Declaration of Philadelphia**, **1944**, 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" (ILO, 1944, Article II(a)).

- The **ILO Convention No. 111** covers sexual harassment, understood by the CEACR as a form of discrimination based on sex. In its general observation from 2003, the CEACR "urges governments to take appropriate measures to prohibit sexual harassment in employment and occupation" and notes that sexual harassment "undermines equality at work by calling into question integrity and dignity and the well-being of workers...[and]...damages the enterprise by weakening the bases upon which work relationships are built and impairing productivity" (ILO, 2003, p. 463).

- The **United Nations Convention on the Elimination of All Forms of Discrimination against Women**, **1979**, provides that "State Parties shall take appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights..." (Convention on the Elimination of Discrimination against Women, 1979, article 11). When interpreting this provision, General Recommendation No. 19 states that "Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the workplace" (CEDAW, 1992, Article 11, para. 17). General Recommendation No. 35 states that gender-based violence against women occurs in public and private spaces and all areas of human interaction, including "...the family, the community, public spaces, the workplace, leisure, politics, sport, health services, educational settings and the redefinition of public and private through technology-mediated environments, such as contemporary forms of violence occurring online and in other digital environments" (CEDAW, 2017, para. 20)

- The **Beijing Declaration and Platform for Action, 1995**, refers to sexual harassment as a form of violence against women and calls for governments, employers, trade unions, community and youth organizations and non-governmental organizations to "develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere" (UN, 1995, para. 126).

3.1.1 ILO Fundamental principles and rights at work and international labour standards

Closely connected to eliminating violence and harassment in the world of work, including violence and harassment against women, is the importance of respecting, promoting and realizing fundamental principles and rights at work (ILO 1998), notably:

- 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
- The elimination of discrimination in respect of employment and occupation

ILO Convention No. 111 is an essential treaty providing a framework to address sexual harassment. Sexual harassment is considered a form of sex discrimination covered by the Convention.[10] The Convention can be used to help integrate a gender dimension into world of work initiatives, including measures to address sexual harassment and violence through collective bargaining.[11]

Furthermore, other ILO standards address certain elements or forms of violence and harassment against women, particularly where this affects specific groups of workers, such as:

- The **Indigenous and Tribal Peoples Convention, 1989 (No. 169)** requires Governments to take measures to ensure that "workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment" (ILO, 1989, No. 169, para. 20.3 (d)).
- The **Maternity Protection Convention (No. 183) and Recommendation (No. 191), 2000,** seeks to ensure the rights of mothers and pregnant women, including their protection against discrimination.
- The **HIV and AIDS Recommendation, 2010 (No. 200)** requires the adoption of measures "to prevent and prohibit violence and harassment in the workplace" (ILO, 2010, No. 200, para. 14(c)).
- The **Domestic Workers Convention, 2011 (No. 189)** requires that Members ratifying the Convention ensure effective protection against violence, abuse and harassment for domestic workers (ILO, 2011c, No. 189, Article 5). Mechanisms to protect domestic workers include establishing accessible complaint mechanisms, ensuring that all complaints are investigated and establishing programmes for relocation

10 In 2003 the CEACR expressed the view that sexual harassment is a form of sex discrimination and urged governments to take appropriate measures to prohibit it. In 2012 the CEACR clarified that 'the scope of the protection against sexual harassment should cover all employees, male and female, with respect not only to employment and occupation, but also vocational education and training, access to employment and conditions of employment'. See: ILO (2003) op cit, p.463; ILO (2012) Giving globalization a human face: General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization, Report III (Part 1B), International Labour Conference, 101st Session, para. 793.

11 'Collective bargaining can ensure the systematic integration of gender dimensions into labour market and macroeconomic policies in general, and address specific issues such as the gender pay gap, enhanced protection against discrimination, work–family measures and childcare infrastructure, sexual violence and harassment, and the promotion of female employment.' ILO (2009) Resolution on gender equality at the heart of decent work. (para. 37). See also language considered in the first discussion of the International Labour Conference, stressing that Members should take appropriate measures to "encourage collective bargaining at all levels as a means of preventing and addressing violence and harassment in the world of work and dealing with the effects of domestic violence on the world of work" and to "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" (ILO (2018e) Reports of the Standard-Setting Committee: Resolution and proposed Conclusions submitted for adoption by the Conference. Provisional Record 8A (Geneva), para. 19(a).

from the household and rehabilitation of domestic workers (ILO, 2011b, No. 201, para. 7).

- The **Protocol of 2014 to the Forced Labour Convention, 1930,** sets up measures to prevent forced or compulsory labour including measures to protect workers, in particular migrant workers, from possible abusive and fraudulent recruitment and placement practices (ILO, 2014b, Article 2(d)).

- The **Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)** provides that States should ensure that an integrated policy framework to facilitate the transition to the formal economy addresses the promotion of equality and the elimination of all forms of discrimination and violence, including gender-based violence, at the workplace (ILO, 2015b, No. 204, para.11 (f)).

- The **Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)** states that, in responding to discrimination arising from or exacerbated by conflicts or disasters, Members should "prevent and punish all forms of gender-based violence, including rape, sexual exploitation and harassment, and protect and support victims" (ILO, 2017b, No. 205, para. 15(e)).

At the present time, violence and harassment is addressed for specific groups in specific contexts through different international instruments. That being said, the ILO is carrying out a standard-setting process with a view to the adoption of a Convention supplemented by a Recommendation, specifically addressing violence and harassment in the world of work (ILO, 2018c).

3.1.2 The UN Sustainable Development Goals

Contained in the 2030 Agenda for Sustainable Development adopted in 2015, the Sustainable Development Goals (SDGs) set out 17 Goals which Governments committed to achieve by 2030, with a vision of shared prosperity and security (United Nations General Assembly, 2015). Goal 5 to achieve gender equality and empower all women and girls encompasses the elimination of all forms of violence against women and girls and Goal 8 aims at full and productive employment and decent work for all.[12] However, progress on gender equality, including decent work and freedom from violence, has been uneven (UN Women, 2017a).

Building on the SDGs, the UN Secretary General convened the UN High Level Panel on Women's Economic Empowerment in 2016. It is formed by the heads of influential development and financial institutions in the world, such as the International Monetary Fund (IMF), the World Bank and the ILO, along with representatives from governments, business, workers' organizations and civil society.

> "Changing norms should be at the top of the 2030 Agenda to expand women's economic opportunities. Everyone has a role to play in challenging adverse social and economic norms – girls, women, men and boys within families, communities, businesses, civil society organizations and government."
>
> UN Secretary-General's High-Level Panel on Women's Economic Empowerment (UN Secretary-General's High-Level Panel on Women's Economic Empowerment, 2016, p.3)

The SDGs provide a perspective on the role of businesses in promoting human rights and sustainable development. This may include the promotion of decent work, equal pay and a working environment free from violence and harassment. Along these lines, some initiatives include, as an element of human rights performance evaluations, violence and harassment against women as set out, for example, under the Corporate Human Rights Benchmark.[13]

12 Sustainable Development Goal 5 'Achieve gender equality and empower all women and girls' includes the target 5.2 to 'Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.'

13 Corporate Human Rights Benchmark 2019 Methodology. https://www.corporatebenchmark.org/sites/default/files/CHRB%202019%20Methodology%20AGAPEX%2016Jan19.pdf

3.2 Regional instruments

Several regional instruments complementing the international legal and policy framework address violence and harassment against women.

- The **Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará), 1994,** requires State parties to "apply due diligence to prevent, investigate and impose penalties for violence against women" (Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Article 7 (b)), and to establish "fair and effective legal procedures for women who have been subjected to violence" (Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Article 7(f)) as well as "the necessary legal and administrative mechanisms to ensure women subjected to violence have effective access to restitution, reparations or other just and effective remedies (Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, Article 9(g))".

- The **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003,** requires State Parties to "enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public" (African Union, 2003, article 4.1 (a)) and to "adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women" (African Union 2003, article 4.2(b)).

- The South Asian Association for Regional Cooperation (SAARC) has adopted the **Convention on Preventing and Combating the Trafficking in Women and Children for Prostitution, 1997,** which obliges State parties to take effective measures to ensure that trafficking is "an offence under their respective criminal law" and "punishable by appropriate penalties which take into account its grave nature" (The Member States of The South Asian Association for Regional Cooperation, 1997, Article III (1)).

- The **Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), 2011,** requires State Parties to "take the necessary legislative or other measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction" (Council of Europe, 2011, Article 40). At an institutional level, campaigns can be used to mobilize the public and the private sector in prevention, for example, by targeting employers' associations or trade unions. The Council of Europe has a systematic framework for monitoring progress and views the workplace as a potential area for future monitoring under the independent inspection body, GREVIO (Hester and Lilley, 2014).

3.3 Business and human rights initiatives

Several non-binding declarations and principles exist to promote the role of businesses in the promotion of human rights. These can potentially impact on how business conduct affects violence and harassment against women.

The **Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)** is an ILO instrument adopted by Governments and employers' and workers' organizations in 1977 and revised in 2017. It provides guidance to multinationals and other enterprises on respecting workers' rights and contributing more broadly to economic and social development, as well as guidance to governments on creating an enabling environment to encourage all companies to do so. It forms the framework for the ILO's work on corporate social responsibility, containing principles derived mainly from international labour standards, and incorporates the 1998 ILO Declaration on Fundamental Principles and Rights at Work. Enterprises are encouraged to help promote equality of opportunity and treatment in employment and occupation. The MNE Declaration

stipulates that, "Governments should pursue policies designed to promote equality of opportunity and treatment in employment, with a view to eliminating any discrimination based on race, colour, sex, religion, political opinion, national extraction or social origin" (ILO, 2017a, para. 28) and, should progressively achieve a safe and healthy working environment, which includes "steps to combat workplace violence against women and men and attention to building safety" (ILO, 2017a, para. 43).

The **UN Guiding Principles for Business and Human Rights,** adopted in 2011, provide a set of non-binding principles addressing businesses responsibility to respect human rights, including by avoiding infringing on the human rights of others and addressing adverse human rights impacts with which they are involved (UN Human Rights Council, 2011a). Such responsibility refers to internationally-recognized human rights which, under the Principles, include, at a minimum, the rights encompassed in the International Bill of Human Rights and the ILO Declaration on Fundamental Principles and Rights at Work. Human rights due diligence is an important element of accountability in this framework, requiring business to introduce monitoring systems "to identify, prevent, mitigate and account for how they address their impacts on human rights" (UN Human Rights Council, 2011a, para. 15(b)).

The Organisation for Economic Cooperation and Development (OECD) **Guidelines for Multinational Enterprises,** adopted in 1976 and updated in 2011, set out recommendations from governments to multinational enterprises (MNEs) regarding decent work, equality and collective bargaining (OECD, 2008). Companies have a due diligence responsibility to identify, prevent and mitigate adverse impacts on human rights. The Guidelines are supported by implementation procedures, where enforcement lies with the establishment of National Contact Points, which are built-in grievance mechanisms that can be used by trade unions and civil society organizations. In addition, trade unions can report directly to the OECD's Trade Union Advisory Committee (TUAC).

The **UN Global Compact**[14] is a corporate sustainability initiative aimed at companies to integrate into their business practices ten universally-accepted principles covering human rights, labour, environment and anti- corruption. It is a global network involving UN agencies, companies, governments, employers' organizations, trade unions and NGOs. Companies also commit to issue an annual Communication on Progress regarding the advancement in implementing the ten principles and in supporting broader UN development goals. Today, more than 9,000 companies from over 160 countries participate in the UN Global Compact to share experiences and engage in dialogue through its local networks and thematic working groups.

The **Women's Empowerment Principles** (WEPs) – a joint initiative of the UN Global Compact and UN Women – are global principles offering guidance to businesses on empowering women at work, including through respecting and supporting human rights and non-discrimination and ensuring the health, safety and well-being of all women and men workers. More than 2,000 business leaders from companies across the world have adopted the WEPs (UN Women, 2019).

WEPs' Principle 3 aims to ensure the health, safety and well-being of all workers and highlights the responsibility of employers to support victims of violence and to provide a workplace that is free from violence. Suggestions include offering services to survivors of domestic violence; respecting requests for time off for counselling or medical care; training staff to recognize the signs of violence against women; identifying security issues, including the safe travel of staff to and from work; and establishing a zero-tolerance policy towards violence and harassment at work.[15]

In addition to guidance and normative instruments, the role of business in promoting human rights has also been developed through considerations of **human**

14 For recommendations on what companies can do in the workplace see: United Nations (2008) The Labour Principles of the United Nations Global Compact – A Guide for Business. ILO, Geneva. https://www.unglobalcompact.org/what-is-gc

15 See: https://weps-gapanalysis.org/glossary/#1

rights due-diligence, which has implications for how companies can detect and prevent violence and harassment against women. As violence and harassment against women is often entrenched in and normalized through gender discrimination, which sometimes renders it invisible, human rights due diligence is a potential way to identify and act upon abuses.

At the national level, some governments have taken proactive roles to raise awareness of how violence and harassment can be prevented through due-diligence.[16] Regarding action at the international level, the Human Rights Council is in the process of developing a "Legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises" (UNHRC, 2018, A/HRC/WG.16/4/1), and its Optional Protocol.[17]

16 For example, French companies are legally required to identify and prevent risks to human rights, health, safety and the environment (including sub-contractors). The Dutch government is debating the introduction of similar legislation, in addition to the existing Dutch agreements on international responsibility in business conduct. Similar commitments have been developed in Bangladesh and Germany.

17 The Zero Draft of a Legally binding instrument to regulate, in international human rights law, the activities of translational corporations and other business enterprises and of its Optional Protocol are available online at: https://www.ohchr.org/EN/HRBodies/HRC/WGTransCorp/Session4/Pages/Session4.aspx

4. THE ROLE OF STATE AND NON-STATE ACTORS IN ENDING VIOLENCE AND HARASSMENT AGAINST WOMEN IN THE WORLD OF WORK

4.1 Introduction

Both state and non-state actors – such as employers' and workers' organizations, NGOs and women's organizations or associations - have an important role to play in preventing violence and harassment against women in the world of work. While focusing primarily on non-state actors' activities, this handbook also highlights the role of state actors in regulating and monitoring violence and harassment against women in the world of work.

4.2 The role of governments and state actors

Governments are the primary subjects of international law and, therefore, the key actors entrusted with the implementation of international law obligations concerning violence and harassment against women in the world of work. They are also responsible for other regulatory framework obligations on human rights and women's rights, policies and gender-responsive budgetary commitments to reduce gender inequalities at work. Access to gender-responsive public services and policies,[18] such as fair taxation and social policies, is another area through which governments can enable women to live and work in security and equality.

A further important role of state actors is to ensure the full implementation, monitoring and enforcement of legislation. However, laws alone are insufficient. Governments have a role in promoting societal change and legislation needs to be complemented by comprehensive policies and practical measures that tackle the root causes of violence and harassment through social norms change, including within institutions and in the world of work. Furthermore, workplace actors also need to contribute to making laws relevant and in facilitating their application to the workplace.

18 For further information and definitions on gender-responsive public services, see Chapter 6 of this Handbook.

Emerging good practice approaches in national legislation[20] suggest that legislation should contain the following:

- Recognise the right of all workers, including women, to work in an environment that is free from violence and harassment.
- Provide access to remedies and support for victims, and appropriate sanctions against perpetrators.
- Ensure that enforcement and monitoring mechanisms are accessible and effective.
- Prohibit mandatory arbitration clauses relating to sexual harassment complaints.
- Provide legal protection for complainants of violence and harassment in the world of work, as well as bystanders, witnesses and whistleblowers, particularly to avoid victimization and retaliation.
- Ensure that workers in non-standard forms of employment are protected against violence and harassment, including sexual harassment.
- Include the presence of sexual harassment policies and procedures as a requirement for bidders in public tendering procedures.
- Require the adoption and implementation of a comprehensive violence and harassment prevention strategy.
- Foster the active participation of actors in the world of work, to prevent violence and harassment in the workplace, including through the development of policies on sexual harassment and the establishment of internal complaint and investigation procedures.
- Adopt measures aiming to support the implementation of legislation on violence and harassment, such as carrying out awareness-raising amongst the general public; and guidance, education and training for social partners, judges, labour inspectors, police officers and other public officials.

4.2.1 Legislation on violence and harassment against women in the world of work, including sexual harassment

Although significant progress has been made in legal reforms to prevent and prohibit all forms of violence against women, including sexual harassment in anti-discrimination, civil and/or criminal law, many countries across the world still have no legislation preventing and protecting against sexual harassment. Based on 2018 World Bank data from 189 countries, 59 do not have legislation on the sexual harassment in employment (World Bank, 2018, p.20).[19]

4.2.2 Legislation and policies on domestic violence and its effects on the world of work

Some countries have adopted laws and policies addressing the situation of workers who are victims of domestic violence, for example, in Argentina,[20] France,[21] Italy[22], the Philippines[23], Spain[24], Canada,[25] New Zealand[26] and the United States.[27] While some countries address the effects of domestic violence on the world of work through specific laws on

19 For further information about good practice approaches to legislation see: UN Women (2010) Handbook for Legislation on Violence against Women. New York, UN Women. See also: UN Women Virtual Knowledge Centre Guidance on Legislation: http://www.endvawnow.org/en/modules/view/8-legislation.html#6.

20 Ley 10318/2016. Reglamento 1295/16 Córdoba, is a provincial law in the Argentine province Córdoba that gives an entitlement of renewable leave for gender violence (in the family or in the workplace) of up to 30 days in any one year for Provincial State workers (teachers, health workers and workers in public administration).

21 The French Labour Code gives an employee the right to abstain from work if she has been a victim of gender-based violence.

Good practices contained in legislation on the impact of domestic violence on work include the following provisions:

- Recognition that domestic violence is a world of work issue and that workers have the right to support and protection in employment;
- Prohibition of discrimination or retaliation against employees based on their status as a victim of domestic violence;
- Provision of paid or unpaid domestic violence leave;
- Establishment of security of employment, particularly following paid or unpaid leave;
- Provision of support services for victims in the workplace;
- Establishment of employers' obligations to take steps to ensure workers' safety in the workplace and when they return to work after a period of leave.

domestic violence, others include it within gender equality, labour or occupational safety and health legislation.

In most countries, protection or restraining orders issued by the courts explicitly or implicitly cover the workplace, although they are not always adequately enforced. A legal framework on enforcement of protection orders is critical to women workers' safety. In the United States, for example, ten States have passed laws, enabling employers to apply for workplace restraining orders to prevent violence, harassment and stalking of their employees (Legal Momentum and The Women's Legal Defence and Education Fund, 2015). It is important to note that, when the employer applies for such measures, it should be done in consultation with, and with the consent of, victims. In addition, promising practices can be found in Germany[23] and in the EU through the introduction of a European protection order, which, according to national law, can be applicable in the workplace. Furthermore, protection orders may also cover protection against workplace stalking, such as in Italy,[24] which can happen in the framework of domestic violence or can be perpetrated by other actors of the world of work, such as colleagues or clients. [25]

22 In the United States, seventeen States require state employers to adopt policies addressing domestic violence and/or have developed model policies for private businesses. Puerto Rico has gone further in requiring all businesses to adopt a protocol addressing domestic violence. Several States allow for paid leave and a Federal Executive Order Establishing Sick Leave for federal employees provides for seven or more days paid sick leave. Several states prohibit employers from discriminating against victims of domestic violence and forty-two States have amended their Unemployment Insurance Codes to clarify that victims of domestic violence are eligible for benefits. For further information see: Widiss, D, A. (2008) Domestic Violence and the Workplace: The Explosion of State Legislation and the Need for a Comprehensive Strategy. Florida State University Law Review, 669.

23 Under the Violence Protection Act (GewSchG) 2002 a protection order can bar the presumed perpetrator from the victims' workplace.

24 In Italy, criminal law Act No. 38 of 23 April 2009 introduced the new crime of 'persecutory acts' (stalking), together with penalties, including where stalking takes place in the workplace.

25 Workplace stalking can involve stalking by partners and ex-partners, clients stalking staff or, in some circumstances, clients stalking other clients, as can be the case in residential care or mental health care settings. It can involve excessive forms of contact and abuse by emails, telephone calls and social media, unsolicited gifts, and physical or sexual assault in the workplace. A US survey carried out in 2011, 5.1 million women and 2.4 million men had been stalked the previous year. Of women murdered by an intimate partner, 76 per cent were stalked first, and 85 per cent of women who survived murder attempts were stalked. See: NCADV https://ncadv.org/statistics

National strategies, policies and action plans are also essential tools to require action from governments and other stakeholders to help address violence against women, including domestic violence (UN Women, 2016a). Promising practices where the effects of domestic violence at work have been addressed in national strategies or action plans on violence against women can be found in Scotland (Scottish Government, 2014), Victoria (Australia) (Victoria Government, 2010), Tunisia (Government of Tunisia, 2009) and Spain (Government of Spain, 2013), amongst others. For example, the Spanish National Strategy for the Eradication of Violence against Women (2013-2016) contains a comprehensive range of workplace measures to combat violence against women, including in collaboration with trade unions and employers' associations, such as disseminating information on the rights of working women who are victims of gender-based violence.

4.2.3 Under-reporting and women's access to justice and redress

Ensuring women's access to justice and redress is critical to achieving full enforcement and monitoring of laws addressing violence and harassment. In many countries, existing laws fail to take into account the negative impact of social and cultural norms on how women exercise their rights, as well as the lack of training of and awareness amongst labour inspectors and other authorities.

A significant barrier to preventing violence and harassment against women is that there is often little accountability for perpetrators in the world of work, and few women feel able to report or make formal complaints. In some countries and in some workplaces, there are no formal procedures for making complaints. In the EU Fundamental Rights Agency (FRA) survey, most women who reported sexual harassment kept the incident to themselves, only 4 per cent reported it to the police, and only 4 per cent talked to an employer or manager about it (FRA, 2014). In the US, it is estimated that approximately 70 per cent of workers who experienced harassment never talked with a supervisor, manager, or union representative about the case (Equal Employment Opportunity Commission, 2016).

In a survey from the UK, 79 per cent of the women who said they were victims of sexual harassment did not report it to their employer (Trades Union Congress and Everyday Sexism Project, 2016).

> "Less than 1 % of women who described the most serious incident of sexual harassment that has happened to them, consulted a lawyer, a victim support organisation or a trade union representative."
>
> —European Union Fundamental Rights Agency Survey (FRA, 2014, p. 96)

Systems for reporting and making complaints should be effective transparent and trusted. Any worker – as well as bystanders and witnesses - should be able to make complaints confidentially to the employer through multiple routes. If complaints are not handled properly, confidentiality is breached, no independent investigation is carried out, or if the outcome is not considered to be fair or appropriate, workers will lose trust in the system and may not report future cases.

In order to address these issues, some countries have adopted measures such as the establishment of expedited processes and specialized courts with expertise in cases of gender-based violence, and the provision of specialized training for prosecutors and police, amongst other authorities.[26] A further important issue is shifting the burden of proof in civil and administrative procedures, normally once the complainant has produced prima facie or plausible evidence of a violation (UN Women, 2018, p.9). Criminal standards of proof (such as "beyond a reasonable doubt" or "'clear and convincing evidence") within workplaces often prevent women from reporting and having effective remedies in cases of violence and harassment. Access to legal advice and assistance, accessible guidance and information, is also relevant in enabling victims to make complaints and seek justice.

26 For country examples see UN Women's Virtual Knowledge Centre: http://endvawnow.org/en/articles/144-specialized-courts-tribunals-for-violence-against-women.html?next=145

4.2.4 Monitoring and enforcement through equality bodies and Ombuds offices

Legislation on equality and non-discrimination is often used to address harassment at work, particularly sexual harassment. State-funded gender equality or anti-discrimination bodies and Ombuds offices also have a key role to play in identifying, raising awareness and proposing solutions to end violence and harassment against women in the world of work. Sometimes, equality bodies directly address cases of discrimination and violence at work. They also take a range of preventative actions, including: training for police and public bodies; preparing codes of practice on violence at work; undertaking awareness-raising; as well as supporting litigation regarding sexual harassment in the workplace (Equinet, 2015).

4.2.5 Gender-responsive labour inspection

Labour inspection is the immediate monitoring mechanism for the promotion, supervision and implementation of labour laws and occupational safety and health measures, as well as for the improvement of working conditions. As such, it is essential in preventing, monitoring and addressing violence and harassment against women at work.

Due to women's increasing participation in the labour force and the recognition that women can be disproportionately exposed to discrimination and violence, it is important to ensure that labour inspection is gender-responsive (ILO, 2014a). This can be achieved by hiring more women labour inspectors and by promoting gender awareness throughout the inspection system, including through the introduction of gender equality indicators for inspection and training to enable inspectors to identify and address violence and discrimination (ILO, 2012b, pp.27-28).[27]

4.3 The role of non-State actors

Workers' and employers' organizations, business associations, multi-stakeholder initiatives, NGOs and women's organizations play vital roles in preventing and addressing violence and harassment against women in the world of work. A compilation of guiding practices and measures taken by these organizations is provided in subsequent sections of this handbook.

27 In addition, the ILO (2006) General Survey on Labour Inspection (Chapter V), states that "...it is to be hoped that more steps will be taken to encourage the recruitment, training and promotion of women inspectors and to ensure that there is greater gender awareness throughout the inspection system." p.60

5. SOCIAL DIALOGUE TO END VIOLENCE AND HARASSMENT AGAINST WOMEN IN THE WORLD OF WORK

5.1 Introduction

Social dialogue consists of "all types of negotiation, consultation or simply exchange of information between representatives of governments, employers and workers on issues of common interest" (ILO, 2011a, p.5). Social dialogue is based on the right of freedom of association and collective bargaining, which are fundamental labour rights and human rights embedded in international law (ILO, 1948, No 87; ILO, 1949, No. 98 and UN, 1966). Without the right to be represented and to bargain collectively, workers have less ability to influence their working lives.

Bipartite social dialogue – between employers and workers - includes negotiations for collective agreements and workplace policies, which can reinforce legislative requirements and procedures on violence and harassment.

Social dialogue is important for achieving gender equality (ILO, 2018d; Briskin and Muller, 2011 and Pillinger, 2017a), and an effective tool for the development and implementation of policies, procedures and awareness-raising at company, sectoral, national and international levels for preventing violence and harassment against women.[28] However, it is important to note that social dialogue, freedom of association and collective bargaining are largely absent from the informal economy, where a large number of women work. Ensuring that the rights of workers in the informal economy are protected is an important challenge that requires specific strategies and approaches to organizing and representing women workers.

28 The ILO Meeting of Experts on Violence and Harassment against Women and Men in the World of Work noted that "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) are key to enabling workers and employers to build violence- and harassment-free workplaces" ILO (2016) Report of the Director-General: Fifth Supplementary Report: Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work, GB.328/INS/17/5. Appendix I. Geneva, ILO, para. 32.Pillinger, J., Schmidt, V., and Wintour W (2016) "Negotiating for Gender Equality." International Labour Office, INWORK. Geneva: ILO. Issue Brief: 4. Geneva, ILO.

5.2 Tripartite social dialogue

Tripartite social dialogue involves governments and employers' and workers' organizations and plays an important role in framing national policy, relevant overarching measures and plans of action.

Tripartite social dialogue

South African National Economic Development and Labour Council (NEDLAC)

In South Africa, violence at work has been an important subject for the tripartite South African National Economic Development and Labour Council, including in the adoption of legislation on gender-based violence and the establishment of the Code of Good Practice on the Handling of Sexual Harassment Cases (National Economic Development and Labour Council, 1998). The Code contains guidance on sexual harassment prevention measures and related procedures, which employers are encouraged to develop to create "workplaces that are free of sexual harassment, where employers and workers respect one another's integrity and dignity, their privacy, and their right to equity in the workplace" (National Economic Development and Labour Council, 1998, para. 1.3).

The Code of Conduct has paved the way for bipartite bargaining councils to negotiate agreements on violence at work. For example, a Safety and Security Sectorial Bargaining Council (SSSBC) Agreement on sexual harassment in the workplace was agreed to in 2011 (SSSBC, 2011).

Code of Practice on Sexual Harassment and Harassment at Work, Republic of Ireland

The Code of Practice on Sexual Harassment and Harassment at Work was prepared by the Equality Authority with the approval of the Minister for Justice and Equality and agreed to in consultation with the national employers' organization (IBEC) and the Irish Congress of Trade Unions (ICTU). The Code seeks the promotion of "working environments free of sexual harassment and harassment and in which the dignity of everyone is respected" (Irish Statue Book, 2012, p.5). It introduces employers and workers and their organizations to the concepts of harassment and sexual harassment in the workplace, and provides practical guidance on prevention measures and effective procedures to respond to sexual harassment and prevent its recurrence.

The Code states that an employer is legally responsible for the sexual harassment experienced by workers in the course of their work, unless practicable steps were taken "to prevent sexual harassment and harassment from occurring, to reverse the effects of it and to prevent its recurrence" (Irish Statue Book, 2012, p.5). Employers are encouraged to take steps through the adoption, implementation and monitoring of a comprehensive policy on sexual harassment and harassment. Guidance is given regarding what to include in policies and procedures, agreed between employers and trade union representatives. Furthermore, the code notes that "in so far as practicable clients, customers and business contacts should also be consulted" (Irish Statue Book, 2012, p.5).

5.3 Bipartite social dialogue and collective bargaining

Bipartite social dialogue between employers and workers can be done through formal or informal dialogue, and its results range from practical workplace solutions to formal collective agreements. Collective bargaining can take place at the national, sectoral or enterprise level. Where unionization rates are low or where there is hostility towards, or retaliation against, union activity (ITUC, 2017b), informal dialogue has proven to be an effective way to address some workplace concerns (Morris and Pillinger, 2018).

Trade unions are increasingly playing an important role in preventing violence and harassment and providing support to victims, particularly in sectors where women face greater risks of violence and harassment. At the global level, global union federations have led several ground-breaking global campaigns, as well as initiatives to raise awareness and organize women workers. They are contributing substantial support and expertise for unions across the world, for instance, in implementing measures to promote gender equality, eliminate sexual harassment and improve the representation of women in decision-making structures within unions (Union to Union, 2018).

Social dialogue is also essential in global supply chains, where effective forms of supply chain management can address sexual harassment by workers, supervisors and managers (ILO, 2016a). In this context, social dialogue contributes to improving productivity and fosters safe work practices, respect for workers' rights and improved work organization and working conditions. The Better Work Programme is a collaboration between the ILO and the International Finance Corporation (IFC) that works across all levels of the garment industry to improve working conditions and respect of labour rights for workers of the garment sector. Across the Programme's action, social dialogue has proven extremely important. A greater presence of women representatives and the holding of fair elections for workers' representative positions empowers women to better express their interests in the workplace. Following Better Work's intervention, such as prevention trainings, surveys covering over 15,000 garment workers and 2,000 factory managers in Haiti, Indonesia, Jordan, Nicaragua and Vietnam indicate that women workers generally earn higher wages and report reduced concerns regarding sexual harassment (ILO and IFC, Undated).

Social dialogue is crucial for women workers' voices to be heard, for example, on issues such as long working hours and production pressures, access to toilet breaks, and the introduction of complaints systems to deal with violence and harassment at work (Morris and Pillinger, 2018).

Collective bargaining to end violence and harassment against women

Collective bargaining to reduce sexual harassment in the cut flowers export sector in East Africa[34]

Sexual harassment has been identified as a problem in the horticulture sector in East Africa, where 70 per cent of workers are women. In Uganda, the improvement of workers' rights and enhancement of working conditions has been promoted on farms through collective bargaining and advocacy by trade unions and NGOs (Evers, Amoding and Krishnan, 2014).

The 2010 Collective Bargaining Agreement between the Uganda Flower Exporters Association (UFEA) and the Horticulture and Allied Workers' Union (UHAWU), requires the establishment of a sexual harassment policy and provides further detail on its key content (Collective Bargaining Agreement between

34 The Republic of Uganda Collective Bargaining Agreement between signatory members of Uganda Flower Exporters Association and Uganda Horticultural and Allied Workers' Union, available at: https://africapay.org/uganda/labour-laws/collective-agreements-database/the-republic-of-uganda-collective-bargaining-agreement-between-signatory-members-of-uganda-flower-exporters-association-and-uganda-horticultural-and-allied-workers-union-uhawu-. For further information see ITC-ILO (online) 'Challenging sexual harassment in horticulture through social dialogue in Uganda': https://gbv.itcilo.org/index.php/case_study/show/id/27.html

UFEA and UHAWU, 2010, para. 20 & 20.1), establishes employers' obligation to take measures to prevent sexual harassment if they employ more than twenty five employees (Collective Bargaining Agreement between UFEA and UHAWU, 2010, para 20.4) and provides for a grievance-handling procedure (Collective Bargaining Agreement between UFEA and UHAWU, 2010, para. 15). Along with these measures, the agreement also includes the establishment of a joint gender and equality subcommittee mandated to "study, inform/advise and make recommendations" to the Joint Negotiating Council (JNC) (Collective Bargaining Agreement between UFEA and UHAWU, 2010, para. 22a).

Through this collective agreement, working conditions have improved, and farms have implemented a mixture of employer-led and worker-led grievance mechanisms. Women workers can raise concerns with women respondents in the union's Women's Committee, and changes in management structures have been implemented to reduce excessive or discretionary power exacerbating sexual harassment.

Collective agreement on sexual harassment in the woodworking sector in Italy (CCNL Legno Industria, 2015)

There has been an active call to address gender-based violence in the Italian woodworking sector, where women workers represent 30 per cent of the workforce (ETUC, 2017a, p.10). The 2015 collective agreement between Federazione Nazionale Lavoratori Edili Affini e del Legno - Unione Italiana del Lavoro (FENEALUIL), Federazione Italiana Costruzioni e Affini - Confederazione Italiana del Sindicati Lavoratori (FILCA-CISL), Federazione Italiana dei Lavoratori del Legno, dell'Edilizia, delle industrie Affini ed estrattive - Confederazione Generale Italiana del Lavoro (FILLEA-CGIL) and FederlegnoArredo (FLA) is an innovative agreement on sexual harassment. It includes a detailed Code of Conduct on sexual harassment and mobbing, encompassing the establishment of a committee of worker and employer representatives tasked with raising awareness amongst employers and workers. The agreement requests companies to commit to signing the Code of Conduct within one year after the establishment of the committee (Pillinger, 2017b).

Negotiations in the banking/financial sector in Brazil

The 2016-2018 collective agreement between the Brazilian Confederation of Financial Sector Workers (CONTRAF-CUT) and the National Federation of Banks (Fenaban) foresees the voluntary adherence to the Protocol for the prevention of conflicts at work (Contraf-CUT and Febraban, 2016-2018, section 56). This Protocol has provisions regarding the prevention of conflicts at work, including harassment. It requires the establishment of complaints mechanisms internal to the workplace (Contraf-CUT and Febraban, Undated) section 2.a) and provides for the possibility that complaints are filed to the union, which would subsequently present it to the bank (Contraf-CUT and Febraban, Undated, section 4.a).

European Framework Agreement on Violence and Harassment at Work (BusinessEurope, ETUC, CEEP and UEAPME, 2007, sections 1 and 2)

The European Framework Agreement was signed in 2007 by the European social partners, including BusinessEurope, the European Centre of Employers and Enterprises (CEEP), the European Association of Craft, Small and Medium-sized Enterprises (UEAPME) and the European Trade Union Confederation (ETUC). It acknowledges that "different forms of harassment and violence...can be physical, psychological and/or sexual" and that violence and harassment "can potentially affect any workplace and any worker, irrespective

of the size of the company, field of activity or form of the employment contract or relationship." It includes violence and harassment occurring "amongst colleagues, between superiors and subordinates or by third parties such as clients, customers, patients [or] pupils." The agreement also provides employers, workers and their representatives with "an action-oriented framework to identify, prevent and manage problems of harassment and violence at work."

The implementation of the Framework Agreement was presented by the European social partners in a formal report in 2011 (BusinessEurope, ETUC, CEEP and UEAPME, 2011), showing that the agreement has led to the introduction of national and sectoral agreements, as well as legislation, to protect workers from violence and harassment, including sexual harassment. For example:

- The French social partners signed a national cross-industry agreement concerning harassment and violence at work on 26 March 2010 (BusinessEurope, ETUC, CEEP and UEAPME, 2011, p. 17) subsequently declared universally applicable by the French Government (European Commission, 2016, p. iv.).
- A national agreement signed by the Danish Working Environment Authority, the Employers' Confederation (DA) and the Danish Confederation of Trade Unions (LO), specifies that local agreements have to be adopted to tackle mobbing, harassment and sexual harassment at work. Guidelines have been adopted, and an amendment has been made to Labour law. This led to a wide range of local agreements at company level and in municipalities and regions (ETUC, 2017c, p.8).

5.4 Global framework agreements and joint statements between global unions and multi-national enterprises

Global framework agreements are the outcome of negotiations between multinational enterprises (MNEs) and global union federations and may take the form of policies, codes of conduct and other voluntary initiatives. They are underpinned by a number of non-binding international instruments concerning business operations, such as the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and the OECD Guidelines for Multinational Enterprises.

In recent years there has been an increase in the number of global framework agreements in sectors that employ large numbers of women. Some examples include: the Global Framework Agreement between Inditex and IndustriALL Global Union (IndustriALL) on the implementation of international labour standards throughout the supply chain of Inditex (Inditex and IndustriALL Global Union, 2014); the Global Framework Agreement between H&M Hennes & Mauritz GBC AB and IndustriALL and Industrifacket Metall (H&M Hennes & Mauritz GBC AB and IndustriALL and Industrifacket Metall, Undated); and the Global Framework Agreement between Carrefour and UNI Global Union to promote Social dialogue and Diversity and to ensure the protection of Fundamental Principles and Rights in the workplace (Carrefour and UNI Global Union, 2015).

In a globalized economy, global and regional framework agreements and joint statements have proven a valuable tool to prevent violence and harassment. Some agreements between MNEs and global union federations have been used to address gender equality issues and gender-based violence in global supply chains. Many women work in global production sites, sometimes established in Export Processing Zones (EPZs) in emerging and developing economies, some of which are covered by framework agreements, though many are not. However, challenges and deficits in realizing fundamental rights and decent work are well documented in many EPZs, with collective bargaining being rare and women workers particularly at risk of harassment and discrimination (ILO, 2017, para.5; Morris and Pillinger, 2016; Hadwiger, 2015).

Joint commitments between MNEs and global union federations on sexual harassment

Unilever, International Union of Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) and IndustriALL "Joint Commitment to prevent workplace sexual harassment" (IUF, IndustriALL and Unilever, 2016)

The Joint Commitment covers all Unilever supply chain organizations, which have implemented or are in the process of implementing the Joint Commitment, including complaints mechanisms. The Joint Commitment states that: "Unilever, the IUF and IndustriALL affirm their joint commitment to promoting diversity and inclusion within Unilever's non-management workforce." It emphasises that "...preventing sexual harassment in the workplace is an essential foundation for promoting a culture of inclusion and diversity" and "...full protection and support is given to the victims of sexual harassment throughout the process and its outcome." It goes further than similar global commitments made between MNEs and global unions by stating that, in situations where there are significant risks faced by women workers (for example, in plantations employing large numbers of temporary labour) and where there are high numbers of women supervised by a majority of men, "specific awareness and training measures should be agreed and deployed by management and the trade union." A Unilever–IUF –IndustriALL Joint Working Group on Diversity has been established to monitor the process and share experiences and best practices. The joint commitment builds on work carried out to raise awareness of gender inequalities, as part of Unilever's goal for a gender-balanced organization, particularly in management.

In 2017 the IUF produced a booklet "No Place for Sexual Harassment at Unilever" to help its members understand the role of workers, unions and management in preventing sexual harassment in the workplace (IUF, 2017a).

SODEXO-IUF "Joint Commitment on preventing sexual harassment" (SODEXO-IUF, 2017)

Sodexo, a French food services and facilities management company with a workforce of 425,000 workers, has engaged with the IUF to develop measures to address sexual harassment. An annex - in the form of a Joint Commitment attached to the existing global framework agreement - was agreed to in 2018, committing the company to zero-tolerance for sexual harassment. The Joint Commitment states that sexual harassment is an offence which can lead to disciplinary action, including dismissal from the company, and that Sodexo will provide training for all staff on this policy and their related responsibilities. Also included is a clause prohibiting sexual harassment in Sodexo's Supplier Code of Conduct, requiring the company to inform its subcontractors and suppliers of the policy and to use its influence to resolve cases of sexual harassment that might arise in the framework of its relations with subcontractors/suppliers.

IUF has now produced a guidebook for trade unions, "Zero tolerance for sexual harassment at Sodexo", setting out action for unions to take to implement the agreement (IUF, 2017b).

Chiquita, the IUF and the Coordinating Body of Latin American Banana and Agro-Industrial Unions (COLSIBA): "Joint understanding on sexual harassment" (Chiquita-IUF-Colsiba, 2013)

The Latin American regional framework agreement adopted by Chiquita, the IUF and COLSIBA in 2001 commits the parties to a joint understanding on sexual harassment (annexed to the agreement), to work on training strategies and share good practices, and to ensure that workers have access to information about their rights. The appendix also references the ILO Code of Practice on safety and health in agriculture, which includes a model sexual harassment policy (ILO, 2011d). The joint understanding on sexual harassment has been an entry point for a project in Panama. As a way of preventing sexual harassment, one of the objectives is to ensure there are more women workers in supervisory and managerial positions on the plantations, where the majority are currently men.

Carrefour and UNI Global Union Global Framework Agreement (Carrefour-UNI Global Union, 2015)

The Global Framework Agreement between Carrefour and UNI Global Union to promote social dialogue and diversity and to ensure the protection of fundamental principles and rights in the workplace was signed in 2015 and renewed in 2018. It includes a joint commitment whereby both parties express their concern regarding violence against women in the private and professional sphere and their commitment to reduce it (Carrefour-UNI Global Union, 2015, clause 3.3.4). The agreement also endorses the European Consultation and Information Committee (CICE) Declaration on the fight against violence against women, which recommends taking five measures: informing and forming in order to raise awareness and detect cases; communicating both internally and externally; building a network with external actors; accompanying and following-up on the victim; and reparation and taking action (Carrefour-UNI Global Union, 2015, Annex 3).

6. RESPONDING TO SITUATIONS IN WHICH WOMEN ARE MORE EXPOSED TO VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

6.1 Introduction

This chapter looks at situations in which women are more exposed to violence and harassment, with examples, case studies and promising practices from a selected range of sectors and employment situations. They illustrate how employers and workers, and their organizations, as well as NGOs, can address violence and harassment against women in the world of work.

6.2 Women in non-standard and informal employment

6.2.1 Women in non-standard employment

Available data from 2015 shows that nearly six out of ten wage and salaried workers worldwide are employed on part-time or temporary work (ILO, 2015, p.13). The ILO estimates that, in 2017, around 42 per cent of workers (or 1.4 billion) worldwide worked in own-account arrangements or in contributing family work in 2017 (ILO, 2018f, p.1). Furthermore, the number of workers in vulnerable employment is predicted to increase by 17 million workers per year in 2018 and 2019 (ILO, 2018f, p.1). Own-account workers and contributing family workers "...are more likely to be informally employed, have fewer chances to engage in social dialogue and are less likely to benefit from job security, regular incomes and access to social protection than their wage and salaried counterparts" (ILO, 2018f, p.6).

The context of non-standard forms of employment, particularly relating to job insecurity and economic pressure, can increase the likelihood of violence and harassment. Extensive research points to a significant increase of violence and harassment carried out against temporary and part-time workers. For instance, a large survey from Quebec shows that "both temporary workers and part-time workers to be more at risk of sexual harassment and occupational violence than their fulltime permanent counterparts" (ILO, 2016c, p. 202).

Women traditionally take on greater care responsibilities at home, and this constrains the type of employment they can undertake outside the home, often relying on part-time work to be able to balance work and family responsibilities. In fact, "in nearly all

countries of the world, women are ...more likely to be found in part-time work than men" (ILO, 2016c, p.121). It is important to note that women in non-standard and informal employment face significant risks of violence and harassment and they may be subject to violence and harassment based on their gender, as well as on their form of employment (AFL-CIO, 2017).[30] For example, a young woman intern, trainee or temporary worker who is propositioned with sex by an employer in exchange for access to a paid job; a low-paid bar worker or server who may be asked to tolerate sexist comments from customers as "part of the job"; or a woman farm worker who is sexually assaulted while working in an isolated field and is threatened into silence.

Organising and recruiting women and extending collective bargaining rights to workers in non-standard employment and informal work represents a significant new development, showing the widening reach of trade unions and collaboration between unions and informal workers' organizations.

6.2.2 Women in the informal economy

Globally, half of all workers today work in the informal economy.[31] Emerging and developing countries represent 82 per cent of world employment, and 93 per cent of the world's informal employment is found in these countries (ILO, 2018e). In some regions and countries, informal work is carried out by a disproportionate female workforce. For instance, "women are indeed more exposed to informal employment in more than 90 per cent of sub-Saharan African countries, 89 per cent of countries from Southern Asia and almost 75 per cent of Latin American countries" (ILO, 2018e, p. 21). Furthermore, "women in the informal economy are more often found in the most vulnerable situations, for instance as domestic workers, home-based workers or contributing family workers, than their male counterparts" (ILO, 2018e, p. 21).

The ILO Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) provides that "members should ensure that an integrated policy framework to facilitate the transition to the formal economy is included in national development strategies or plans" (ILO, 2015b, para. 10), which should address, among other areas, "the promotion of equality and the elimination of all forms of discrimination and violence, including gender-based violence, at the workplace"

(ILO, 2015b, para. 11(f)).

In order to ensure that women's voice and concerns are heard, particularly in work environments where they face discrimination and violence, a number of strategies have been adopted by unions and women's organizations (UN Women 2015b). These include establishing representative participation of women in leadership or coordination positions, creating specific gender-focused training programmes, and setting up gender forums or committees within the informal economy.

Workers' organizations are also promoting rights of workers in the informal economy, which can reduce situations of vulnerability to violence and harassment. For example, the Trade Union Confederation of the Americas (TUCA) adopted Resolution No. 9 "Workers in precarious and informal situations" at its 3rd Congress in 2016, which ratified its commitment to promote the extension of rights to informal economy workers, especially women, young people, Afro-descendants and migrant workers (Trade Union Confederation of the Americas and ITUC, 2016). Other examples include the Self-Employed Women's Association (SEWA) which supports members in negotiations with employers

30 For case studies from retail, food, hotel, homecare and agricultural sectors see: Futures Without Violence. Low Wage, High Risk, a pilot site project to address the vulnerability of low-wage workers to gender-based violence and exploitation. Available at: https://www.futureswithoutviolence.org/workplace-safety-equity/low-wage-worker-project/. This project focuses on violence prevention in the retail, food service, hotel, homecare, and agricultural sectors, where workers often earn less than the national average wage, endure unsafe and exploitative working conditions, and may have uncertain immigration status.

31 The informal economy includes unregistered and unrecognised enterprises, workers who are in precarious circumstances and includes own-account workers, contributing family workers, members of informal producers' cooperatives, employees holding informal jobs etc.

to improve working conditions,[32] including ending violence against workers who face many risks working as street vendors, market sellers and home-based workers. The global network of Women in Informal Employment Globalizing and Organizing (WIEGO), has helped raise awareness of occupational safety and health risks amongst market traders and amongst women workers in markets including in Accra, Ghana (Women in Informal Employment, Undated).

6.2.3 Women migrant workers

Migrating to escape violence, abuse, poverty and inequality, women may end up working in isolated occupations, such as domestic and care work, where they are more exposed to violence and harassment. According to the ILO, there were 67.1 million domestic workers in the world in 2013, of which 11.5 million were international migrants. About 8.5 million of all migrant domestic workers were women (ILO, 2016d, para. 16). En-route, women also face a heightened risk of abuse, extortion and sexual violence, particularly at border crossings. For many migrant women, the lack of information about the dangers of migrating continues to be a concern.

While some migration brokers and recruitment agencies offer limited protections to migrant domestic workers against violence and harassment, not all regular migration channels are free from violence and harassment. Furthermore, for those women without access to regular migration channels, there is little choice but to use irregular channels which risk a dangerous and potentially fatal journey.

Women can experience more situations of vulnerability to violence and harassment at work when they have limited bargaining power and contractual and other rights at work. As such, women need economic independence and employment security that can enable them to report acts of violence and harassment. Migrant workers often have limited bargaining power and insecure contractual arrangements and have their visa status tied to a specific employer or do not hold a valid work permit (ILO, 2016d, para. 531). They often have to work during unsocial hours (such as at night), and may, therefore, be forced to undertake unsafe journeys to and from work.[33]

Violence and harassment against women in vulnerable and informal employment

Women in Informal Employment Globalizing and Organizing (WIEGO): Gender and Waste Project in Brazil

The WIEGO Gender and Waste Project in Brazil has helped raise awareness about violence against women waste pickers (Dias and Ogando, 2015).[39] The project helped to highlight domestic violence faced by informal waste pickers and has helped to raise awareness about how to prevent and address violence faced by the women. Through participatory action research, the project created safe spaces for women waste pickers to discuss violence and intersecting issues of sexuality, social origin and race. Women shared experiences of facing multiple forms of violence at home and how this is linked to their overall empowerment as women within the waste pickers' movement. Dialogues were held with men and women leaders in waste pickers' cooperatives and the national waste picker movement on the need for collective work towards gender equality.

32 SEWA is a member of two global unions IUF and IndustriALL and in 2006, it became an affiliate to the ICFTU (now ITUC).

33 Also see: http://wiego.org/wee/gender-waste-project which includes information about the project, a toolkit and education pack.

Women informal brick kiln workers in India[39]

Trade unions affiliated with the global construction federation, the Building and Wood Workers' International (BWI), in India have implemented strategies to address the high levels of violence and harassment faced by women working in the informal sector, including in the brick kiln sector. There are an estimated 40,000 brick kilns in India, employing over 7 million workers. Women workers in the brick kiln industry are in extremely vulnerable situations placing them at risk of violence. Most are women migrant workers with low levels of formal education. In addition to sexual harassment and physical violence, women's situations are further affected by a lack of facilities such as separate toilets, changing/nursing rooms or child care facilities.

Trade unions have organized women brick kiln workers, raised awareness about violence and provided support to victims in taking legal cases. The unions use a combination of strategies to prevent and address these problems, including raising awareness about rights, using self-help groups, addressing problems through legal assistance, and union intervention. For example, in 2014, the union Hind Khet Mazdoor Panchayat (HKMP) received a complaint regarding exploitative conditions and harassment faced by women workers at the kiln. Union organizers visited the brick kiln, finding 44 workers (including 12 women) working and living without toilet facilities and adequate living conditions and facing verbal and sexual harassment. The HKMP filed complaints to the local labour department, district administration and police, resulting in the release of the 44 migrant workers.

Women strawberry pickers in Morocco (Hamilton and Theroux-Seguin, 2014)

In Morocco, women strawberry pickers were supported to claim their rights at work and address the problem of sexual harassment. The strawberry industry has grown 14-fold since 1990, leading to severe pressure, long working hours and persistent and high levels of sexual harassment against women pickers. In 2012, Oxfam and civil society partners began carrying out training with women strawberry pickers on their rights at work and literacy, which has led to 70 per cent more workers being registered for social security. This, in turn, has led to more workers having employment contracts, which further protects their rights. Oxfam has collaborated with the Ethical Trading Initiative and its British retailer members to encourage Moroccan growers to comply with international labour rights.

6.3 Women workers in sectors or occupations where they are more exposed to violence and harassment

The ILO has identified a number of risk factors that can increase the likelihood of violence and harassment (ILO, 2016e, para.14). These are relevant to many sectors and occupations in which women work and include working:

- in contact with the public;
- with people in distress;
- with objects of value;
- in situations that are not or not properly covered or protected by labour law and social protection;
- in resource-constrained settings (inadequately-equipped facilities or insufficient staffing can lead to long waits and frustration);
- unsocial working hours (for instance, evening and night work);

34 Women informal brick kiln workers in India (ILO, 2017e)

- alone, in relative isolation or in remote locations;
- in intimate spaces and private homes;
- in conflict and disaster zones, especially providing public and emergency services;
- where there are high rates of unemployment.

Further risks arise for workers with the power to deny services, which increases the risk of violence and harassment from third parties seeking those services. Women in high profile, opinion-forming and public positions may also be at heightened risk of violence and harassment, including women in politics, human rights defenders and journalists. Some employers' and workers' organizations have become so concerned about violence from members of the public that they have taken targeted measures to address the problem.

6.3.1 Women working at the bottom of global supply chains: garment and agricultural workers

Paid work creates opportunities for women to realize their rights, express their voice and develop their skills. It also facilitates their access to social protection. However, this is not the reality for many women working in global production, in the lowest segments of global supply chains. In fact, as the ILO Meeting of Experts on Violence against Women and Men in the World of Work noted, "Women are disproportionately represented in low-wage jobs, especially in the lower tiers of the supply chains, and are too often subject to discrimination, sexual harassment and other forms of workplace violence and harassment" (ILO, 2016e, para. 14).

In response to significant levels of gender-based violence at the factory or farm level, multi-stakeholder initiatives, such as the Fair Wear Foundation and programmes such as the ILO-IFC Better Work Programme (discussed below), have promoted decent work in the garment supply chain.

Women garment workers

Significant evidence collected in recent years shows that violence and harassment against women in the garment supply chain has a negative impact on their physical, reproductive health and mental health, as well as on productivity and competitiveness (Morris and Pillinger, 2016). Reports mention women being subjected to regular verbal, physical and sexual violence, as a perceived means of maximizing production line speed (Fair Wear Foundation, 2018).

Good practices focused on strategies and policies to prevent violence against women in the garment sector include (Better Work, 2015 and Morris and Pillinger, 2018):

- *Tackling supply chain factors*, such as production pressures, in order to eliminate heightened levels of harassment, because of demands to reach production targets;
- *Addressing long and unpredictable working hours* caused by unrealistic production deadlines;
- *Improving working conditions and the working environment* in the supply chain, for example, to increase retention of workers and the profitability of garment factories;
- *Implementing fair wages* to lessen workers' vulnerability and encourage retention and skill acquisition;
- *Training managers and supervisors* to raise awareness of the harmful effects of violence and harassment and how to prevent it;
- *Using social dialogue* at the factory level to improve the wellbeing of workers and implement safety and health measures.

Ending violence against women in the garment sector

Fair Wear Foundation Violence Prevention Programme in Garment Factories

Factories and clothing brands are beginning to work together more effectively to challenge a culture of violence against women and to take necessary remedial action across the garment supply chain. For example, Fair Wear Foundation (FWF), whose members are European clothing and outdoor wear brands, works closely with supply chain actors, governments, business associations, trade unions and NGOs to tackle factors that lead to gender-based violence in the garment supply chain (FWF, 2018; FWF, 2013 and FWF, 2015).

Starting in 2012, in India (Tirupur and Bangalore) and Bangladesh (Dhaka), the FWF Violence and Harassment Prevention Programme aimed at establishing effective systems to address and prevent violence and harassment against women. The FWF programme operated at three strategic levels:

- at factory level, training of management, supervisors and workers for the establishment and implementation of anti-harassment committees required by legislation in India and a Bangladeshi High Court;
- at community level, workers' helplines and support from local workers' organizations and NGOs; and
- at international level, to gain leverage of FWF member brands with their supplier factories.

FWF found that working to end sexual harassment was a useful starting point for employers and unions to develop social dialogue, particularly in factories with no history of management-worker negotiations.

"Working conditions for women have changed dramatically after the intervention of Anti-Harassment programme in our factory... After the Anti-Harassment awareness training, I am able to analyse sexual harassment of many kinds...For the sake of the industry, we should work together to prevent sexual harassment in all workplaces, so that more women join at work", Ms Morsheda, President of an Anti-Harassment Committee in India (UN Women, 2015b).

Better Work: Tackling sexual harassment in garment factories[40]

The ILO-IFC Better Work Programme's experience indicates that reducing concerns about sexual harassment increases productivity, profitability and overall business performance (Brown et al, 2014 and Lin and Brown, 2014). The Programme's research has identified certain factory practices that are correlated with the likelihood of sexual harassment. The research suggests that sexual harassment can be reduced by aligning supervisor and worker pay incentives, investing in the labour-management skills of supervisors and creating greater factory-wide awareness of the problem of sexual harassment (ILO and IFC Better Work, 2013).

The Better Work Programme demonstrates that management practices and workplace policies and training can feed into a better working environment, therefore decreasing women workers' concerns of sexual harassment.

40 For further information about Better Work's activities in improving conditions in the garment sector, see: https://betterwork.org

Women agricultural workers

In the agricultural sector, there are reports of a high prevalence of violence and harassment against women, including women migrant workers (Henry and Adams, 2018). Women agricultural workers often work in the informal economy and are affected by laws that restrict their right to own land, which decreases their economic independence and places them in a situation of vulnerability (Human Rights Watch, 2012). A number of initiatives in this sector show that, by addressing the root causes of violence against women - such as gender inequality and women's lack of power - real change is possible.

Good practices show the following measures can contribute to reducing risks of violence in the agriculture sector (International Fund for Agricultural Development, 2017):

- *Increasing women's participation in trade unions*, enabling them to claim their rights at work;
- *Strengthening women's leadership* and political participation;
- *Implementing Codes of Practice, workplace policies and collective agreements* that address the underlying causes of violence and harassment in the sector;
- *Implementing prevention programmes,* trusted complaints processes and mechanisms to enhance women's voice.

Ending violence against women in the agriculture sector

The Fair Food Program and Worker-driven Social Responsibility: Coalition of Immakalee Workers

The United States Fair Food Program is a multi-stakeholder initiative that shows how workers, businesses, retailers and consumers are all part of the solution to workplace sexual harassment. Established by the Coalition of Immakalee Workers (CIW), the programme is based on the principle of "Worker-driven Social Responsibility", where workers play a leading role in the monitoring and protection of their rights (Human Rights Watch, 2012). A related Code of Conduct includes prohibitions against sexual harassment, the right to report abuses, fair wages and safe working conditions. Compliance is checked through regular, independent monitoring by the Fair Food Standards Council. Under the Code, responses to sexual harassment can include immediate corrective action and curtailment of purchases from participating buyers. The participatory health and safety committees required under the Code create a space for workers to address sexual harassment as an important health and safety issue in a collaborative process with their employers. As well as adopting the Fair Food Code of Conduct, participating growers agree to participate in a worker education programme - including issues of sexual harassment - on company premises and company time.

Hivos Women @ Work campaign and ending sexual harassment in horticulture[41]

In Kenya, the NGO Hivos piloted a method to end sexual harassment in flower and vegetable farms. All key actors are engaged in a constructive dialogue on how to achieve safeguards against sexual harassment. In a collaborative effort, each party has agreed on its specific obligations, thereby creating a broad policy ownership, as well as a sustainable system of checks and balances. Trade unions monitor companies' compliance as one of the conditions in their collective bargaining. Certification organizations align their standards and compliance indicators. Workers participate in workplace grievance redress mechanisms to support the implementation of the policy. Civil society organizations pass on their knowledge and document the experience, and governments enable the development and enforcement of responsive laws and policies.

The Women @ Work programme also directly targets Dutch companies to ensure they adhere to international labour standards, the ILO Decent Work agenda and the OECD guidelines.

UN Women – Unilever global partnership to improve women's safety in the tea industry (Unilever, 2017a)

In 2013 Unilever announced a number of measures to create dignified and violence free workplaces. This led to the development of a global partnership with UN Women to improve women's safety in the tea industry in 2016. The human rights-based 'Intervention Programme to inform the development of a Global Framework on Women's Safety' is being implemented across Unilever's supply chain in the tea industry. It aims to ensure that women are socially, economically and politically empowered. Unilever has a commitment to implement policies and processes in its companies and across its supply chain that women trust, with an emphasis on addressing prevailing social and cultural norms and behavioural factors that can increase women's risk of violence and harassment.

6.3.2 Domestic workers

Evidence indicates that domestic workers face significant risks of violence and harassment, isolation and lack of recourse to protection (ITUC, Undated). The combination of factors such as the privacy of their place of work, the lack of effective protection and the presence of discriminatory social norms against them exposes domestic workers to violence at work (ILO, 2018a, p.192). Studies reveal that domestic workers are vulnerable to violence and harassment at work including verbal abuse, insults, threats, sexual harassment, accusations of theft, insufficient provision of food, inhumane accommodation and excessively long work hours with no rest (ILO, 2018a).

The International Domestic Workers Federation (IDWF) has played a key role in identifying abuse, exploitation and highlighting the plight of many domestic workers. The IDWF has particularly focused on organising migrant and refugee domestic workers in the context of the care economy, safe migration and ending sexual harassment. The experience of IDWF demonstrates the importance of organizing domestic workers as an important way of preventing and responding to violence and harassment against them.[36]

An IDWF survey revealed high levels of physical, psychological and sexual violence of domestic workers, related to the largely invisible and unregulated nature of their work, lack of protection of labour laws, and poor access to services (International Domestic

36 For further information about the HIVOS (online) Women @ Work campaign see: https://hivosannualreport.org/womens-empowerment/safeguards-against-sexual-harassment-on-african-horticulture-farms/#. Hivos (online) A Model Sexual Harassment Policy for the Flower Sector in Eastern Africa: https://www.hivos.org/sites/default/files/stop_sexual_harassment_project_0.pdf

Workers Federation, 2018). In Asia and the Pacific alone, around five million workers do not enjoy social benefits and labour protection (International Domestic Workers Federation, 2018, p.1).

The adoption of the ILO Domestic Workers Convention (No. 189) and Recommendation (No. 201), 2011, was a major landmark resulting in extending organizing and bargaining rights for a largely female-dominated sector in many countries. Convention No. 189 requires Members to "take measures to ensure that domestic workers enjoy effective protection against all forms of abuse, harassment and violence" (ILO, 2011c, Article 5). Following the adoption of Convention No. 189, the domestic workers' and trade union organizations engaged in the "12 by 12" campaign, which identified the need to prevent violence, abuse and exploitation of migrant domestic workers, leading to some key reforms in some Gulf states to improve protection of domestic workers (ITUC, 2016; ITUC, 2014a).

Organizing and representing domestic workers

Domestic workers in Uruguay

Uruguay was the first country to ratify Convention No. 189 and is among the countries with the most advanced legislation in terms of protecting domestic workers. With the support of the Gender Department of the Inter-Union Assembly of Workers – Workers' National Convention (PIT-CNT) trade union centre, domestic workers created the first national union representing domestic workers (Goldsmith, 2013). Collective bargaining on employment conditions in domestic work was established in 2006, when the law regulating the domestic work sector was adopted. The first collective bargaining agreement was signed in 2008 and encompasses the creation of a dignified working environment free from moral or sexual harassment, the respect for the right to intimacy, and the protection of psychophysical integrity in suitable hygienic conditions. A more recent collective bargaining agreement was adopted in 2013 after being negotiated in a tripartite commission, with representatives from the Ministry of Labour and Social Security, the Trade Union of Domestic Workers (SUTD), and the employers' association "The Uruguay Housewives, Consumers and Users League" (LACCU). This agreement, which is applicable for the period 2013-2015 and covers more than 120,000 domestic workers, establishes a Tripartite Commission on Occupational Health (Ministry of Labour and Social Security, SUTD and LACCU, 2013).

International Domestic Workers Federation action to end gender-based violence

Action carried out by domestic workers encompasses advocacy campaigns and negotiating collective bargaining agreements to include gender-based violence. Other activities include training of members, provision of legal services, counselling, assistance in filing complaints and taking cases to court and giving practical assistance and support, for example in finding a shelter or financial assistance. Often this work takes place in partnership with NGOs, private businesses and lawyers' collectives. In some cases, the organization is directly involved in rescuing a domestic worker through direct actions or negotiations with the employer or related persons (IDWF, 2018).

6.3.3 Women in the hospitality and tourism sector

Women working in the hospitality sector - such as in hotels, restaurants, bars, casinos and tourism – often face risks of violence and harassment. As with other workers in predominantly non-standard forms of employment, where risk factors for violence and harassment are present, many do not make complaints for fear of losing their jobs. Factors such as wage-based tipping, alcohol consumption and the notion that the "customer is always right" contribute to a heightened risk of sexual harassment by third parties (Nordic Hotel, Restaurant, Catering and Tourism Union, 2015). In addition, long working hours, often during the night, make travel to and from work dangerous.

Women in the hospitality sector

Chicago, US hospitality sector campaign: "Hands Off, Pants On"[42]

In response to widespread reports of sexual harassment and sexual assault in the hospitality sector, the union UNITE HERE in Chicago started a campaign called "Hands off, pants on". The campaign included advocacy to stop sexual harassment perpetrated against women who serve the drinks at casinos and clean hotel rooms. The campaign successfully led to the City of Chicago passing legislation in 2017 requiring hotel employers to provide housekeeping staff with panic buttons. In addition, the legislation includes protection of hotel workers from retaliation when they report sexual violence by guests and requires hotels to implement anti-sexual harassment policies.

International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF) global week of action to end exploitation and violence against hotel housekeepers

Every year the IUF holds a global week of action to end exploitation and violence against hotel housekeepers. The global week of action helps to raise awareness about the need for workplace policies and decent work. It started in December 2014 when hotel housekeepers in more than 25 countries around the world highlighted their situation and demanded a safe and secure working environment from the global hotel industry. As part of the global campaign, in the Philippines, the IUF-affiliated National Union of Workers in Hotel Restaurant and Allied Industries won a government administrative order in 2016 for the inspection of hotels for non-compliance with national labour and health and safety regulations (IUF, 2016). IUF affiliates in French-speaking countries in West Africa joined the 2nd Global Week of Action in June 2016, with a number of workshops organized to highlight stressful and dangerous working conditions for both hotel housekeepers and valets.

Swedish Hotel and Restaurant Workers Union (HRF) (ILO, 2017e)

The HRF represents workers in the hotel and restaurant sector, in which women are often on short-term, temporary contacts. As survey evidence shows the great extent of sexual harassment in the sector, the union has campaigned for secure jobs, as they found a strong connection between high staff turnover, poor working conditions, and being at risk of violence and harassment. Many women workers do not report violations of their rights and violence as they are afraid of losing their jobs. The union has trained local and regional safety representatives, giving them more tools to recognize and deal with sexual harassment in their workplaces, and have pressed for health and safety policies, and clear rules and guidelines to deal with the problem. When the HRF began working on sexual harassment issues, they initially encountered resistance from some employers, but, over time, employers realized the potential benefits of addressing the problem, including improvements to companies' reputation. Moreover, social dialogue with the national employers' organization, Visita (Swedish Association of Hospitality Employers), has led to health and safety training on workplace problems, including sexual harassment and the agreement of policies. Additionally, under the Anti-Discrimination Act, employers and trade unions are jointly responsible for preventing discrimination in the labour market.

42 For further information see: https://www.handsoffpantson.org/

Women Workers' Safety in the Beer Industry in Cambodia (CARE International, 2013)

In order to change dangerous social norms underpinning violence against women beer promoters in Cambodia, CARE International has worked with beer brands and local brewers, government departments, women's groups, and those managing the informal outlets selling the beer. Their goal was to examine what effects workplace pressures were having on beer promoters working in the capital city, Phnom Penh. This involved a partnership with Heineken through the "Selling Beer Safely" project. Six major brewers (Cambodian Brewery, Cambrew, Asia Pacific Breweries, Heineken, Guinness and Carlsberg) subsequently joined together to establish the Beer Selling Industry in Cambodia in partnership with the Ministry of Labour, in which they prioritised providing fixed salaries for beer promoters and addressing rights and safety issues. This led to a Code of Conduct being agreed for BSIC's beer company members that includes: supervision structures and grievance procedures; policies and a zero-tolerance approach towards harassment; and annual and independent monitoring of compliance and impact.

CARE also helped establish the Solidarity Association of Beer Promoters in Cambodia, which brings together beer promoters for training and behaviour change, including ending gender-based violence. The project, Promoting Safety of Women Workers in the Beer Industry" (PSWWBI), brings together ministerial authorities, civil society, the beer industry and women beer promoters with the goal of creating a safer and more respectful working environment for beer promoters in Cambodia, and one that is free from all forms of gender-based violence. The evaluation of the model suggests that it could be extended to other industries where women workers are at risk of sexual harassment, including garment factories, tourism and hospitality or other segments of the entertainment industry.

6.3.4 Women transport workers

Research indicates that violence and harassment against women working in the transport industry is widespread and has been carried out by colleagues, managers, customers and passengers, vehicle owners, and, in some countries, by local authorities and the police (ETF, 2017). Social norms play a role in reinforcing societal attitudes about women not "belonging" in the transport sector– this acts as a powerful barrier in keeping women silent about their experiences of violence. Violence against transport workers has been identified as one of the most important factors affecting the attraction and retention of women in transport jobs (ILO, 2013). In response to the alarming increase in violence against women from third-parties in the transport sector, transport companies, in consultation with workers and their representatives, have implemented a range of safety measures.

43 These safety measures are drawn from sources including: UN Women's (online) resource on Safe Public Transport: http://www.endvawnow.org/en/articles/252-safe-public-transit-for-women-and-girls-.html; International Transport Federation (ITF) (undated) Action Guide on Violence Against Women. London, ITF.

Good practices on providing safety measures in transport include the following:[43]

- Avoiding situations where women work in isolation, particularly at night.
- Having alarm systems and adequate security available to assist isolated workers.
- Implementing security measures, such as protective screens on one-person pay buses and customer service counters.
- Ensuring safe access to toilets and other facilities for women.
- Safety audits to identify where workers may be at risk from unsafe transport routes or locations.
- Safety planning, incident response training and awareness-raising amongst workers about how to respond and protect themselves in potentially threatening or dangerous situations.
- Systems for reporting third-party violence and learning from, responding to and implementing measures to prevent its reoccurrence.
- Holding discussions with women workers and listening to them about the safety measures that would benefit them.

Women transport workers' safety at work

Women bus drivers challenge sexual violence and harassment in Maharashtra State, India[44]

Women bus conductors in India face a number of risk factors linked to violence and harassment, including insecurity, lack of access to toilets on duty, and contractual requirements to spend the night alone in the bus when it breaks down. The Maharashtra State Road Transport Union is addressing the high risks of sexual harassment and sexual assault faced by women bus conductors in Maharashtra State. The union found that, by discussing both the risks faced by women workers and by women passengers, it was possible to gain wider community support. This led to the formation of an alliance of transport unions, passenger associations and NGOs, and a joint union/community campaign to create safe working conditions and to address violence against bus conductors and passengers in Maharashtra State. Violence and harassment against women bus conductors and passengers has led the union to organize women and improve their representation in decision-making roles. An increasing number of women are employed in transport in India.

Meetings with the Maharashtra State Road Transport Corporation have led to around 200 out of 300 workplaces having changing rooms and introducing toilet facilities for women, which have helped to improve women's safety. A joint union/employer strategy has been agreed to reduce gender occupational segregation.

"We saw the tremendous changes, especially in Maharashtra. The female bus conductors have found the strength to challenge traditional, patriarchal structures and practices. And hundreds of strong, female leaders have stepped forward. Male union leaders have now realised that the campaigns against gender-based violence have been positive; they have strengthened the trade union in their struggle against privatisation and low pay." (Jodi Evans, Women's Officer, International Transport Federation (ITF)).

Organizing informal women transport workers in and around major transport hubs in Uganda (ILO, 2017e)

The Amalgamated Transport & General Workers Union in Uganda has been organizing low-paid and often informal workers in the transport sector to combat violence and inequality at work. The majority of women work in the lowest-paid occupations, such as food vendors, clerks, parking attendants, and cleaners, and can face situations of vulnerability. Many are women workers in the informal economy, who work in and around major transport hubs. The single most important issue identified by the women was violence, harassment and intimidation by men. The project supported by the International Transport Workers' Federation (ITF) has included seminars with union leaders, cross-border exchange visits, organizing activities and local participatory research and mapping to build the visibility of informal women workers in transport. The project has led to improved representation of women informal transport workers in the union and the establishment of an Informal Sector Women's Committee.

44 See: http://www.itdp.in/wp-content/uploads/2017/12/171215_Women-and-Transport-in-Indian-Cities_Final.pdf

Campaign for safe work and violence free workplaces for women transport workers in Bulgaria (ILO, 2017e)

The Federation of Transport Trade Unions of Bulgaria (FTTUB) has implemented a campaign to end violence against women workers in transport. This started with a survey of women workers, "Someone to share with", based on self-administered, anonymous questionnaires left in designated places in the workplace. The survey provided an evidence base to inform FTTUB's subsequent campaigning, advocacy and negotiation of collective agreements on violence in the workplace. FTTUB has linked work against gender inequalities and gender segregation in the workforce, including their participation in the ITF campaign "Strong unions need women" with their work on violence prevention. This recognizes that unequal gender roles and relations are closely connected to violence against women.

Following the campaign, transport companies began introducing safety measures for women bus and tram drivers, including protective screens. Four landmark municipal agreements were negotiated, leading to improved safety measures, awareness raising amongst the public, employers and workers, and improved safety measures and facilities for women.

6.3.5 Women health and education workers

Women represent a large proportion of front-line health workers and social care workers. In the health sector, rates of verbal aggression, physical violence and sexual harassment from patients and visitors has reportedly grown in recent years, particularly in the public sector (Public Services International, 2018; WHO, 2002). Health care workers report some of the highest levels of violence in comparison to other industries and sectors (ILO, 2018a, p.171). For example, in Canada, it is estimated that 38 per cent of long-term care workers experience physical violence daily, which is exacerbated by lack of appropriately-trained staff and poor working conditions (Canadian Union of Public Employees, 2013). In a 2016 Eurofound study in the EU, the health care sector raked as the most exposed to violence and harassment (Cited in ILO, 2018a, p.171). Furthermore, reduced budgets, inadequate staffing levels and lack of training can contribute to harassment and abuse of health care workers.[40]

40 According to the ILO, "violence against nurses and midwives, including verbal and physical abuse, has been reported in a number of contexts, both associated with staff shortages and with 'demands' from private sector health-care users". ILO (2018a) Care work and care jobs for the future of decent work (Geneva), page 180.

In the education sector, sexual harassment and gender-based violence in universities and colleges often goes unreported (Johnson *et al*, 2018a). Sexual harassment fuels an organizational culture, resulting in "...significant and costly loss of talent in academic science, engineering and medicine, which has consequences for advancing the nation's economic and social well-being and its overall public health" (Johnson *et al*, 2018b). In these environments, several characteristics contribute to high levels of sexual harassment, including: workplaces where men hold positions of power and authority; an organizational tolerance for sexual harassment, such as failing to take complaints seriously or holding perpetrators accountable; relationships that are hierarchical and create dependencies between academic and junior staff or researchers; and isolating environments such as field sites and labs.

Sexual harassment is particularly prevalent in national education systems with low levels of accountability, high levels of poverty and gender inequality, and in institutions that are poorly resourced, where academics are poorly paid and there is a reliance on temporary contracts. Reporting is low, as many women fear victimization. The widespread use of confidentiality clauses and non-disclosure agreements has helped to enable alleged perpetrators to protect their careers, creating a culture of silence where women, and

in some cases men, are afraid to make complaints (United Kingdom Parliament, 2018). In the United Kingdom, normalization of violence and harassment against women has made the situation of women workers more vulnerable (Universities and Colleges Union, 2015). In the school sector, gender-based violence is also a growing problem (UN Women and UNESCO, 2016).

Preventing violence and harassment against women health workers

Preventing violence against women health care workers in Democratic Republic of the Congo (Public Services International, 2018)

In the Democratic Republic of the Congo, health care workers are affected by violence, including rape. The collapse of the health care system and long waiting times have added pressures on nurses and increased the risk factors for third-party violence. Significant efforts have been made by the health care union, Solidarité Syndicale Infirmiers du Congo (SOLSICO), to tackle these high levels of violence at work. The union has drawn up a comprehensive plan to enhance its ability to influence government policy on health and safety issues, especially the issue of workplace violence in the sector. SOLSICO is building a network of civil society to support the union s demands for a strong health care sector where health workers can provide a quality public service in good working conditions.

Workplace prevention measures negotiated for nurses in Canada (Public Services International, 2018)

The Manitoba Nurses Union in Canada has negotiated additional new workplace prevention measures,[46] in an effort to stem physical and verbal violence against nurses. The union reports that 56 per cent of the union's members have been physically assaulted, and more than 9,000 have been verbally abused (Manitoba Nurses Union, Undated). A recent change in the law in Manitoba provides that employers are required to draw up a workplace prevention policy and a strategy with procedures to prevent and address cases of violence, provide immediate assistance in cases of violence, and implement a system for reviewing and identifying incidents of violence. The measures cover any third-party - known or not known to a health worker - who perpetrates violence and harassment and can include perpetrators of domestic violence in the workplace, patients, customers or former employees.

Negotiations in the Philippines to stem the rising tide of violence and harassment (Public Services International, 2018)

In the Philippines, violence and harassment, particularly against women in the health sector, has led to decreased morale, absenteeism, high staff turnover and loss of productivity amongst workers. In response, the health care union, the Alliance for Filipino Workers (AFW), negotiated agreements with hospital employers on a range of measures - including training and awareness-raising and new guidelines to tackle third-party violence. The AFW cites the impact of poor work organization and a poor working environment in the public sector as factors leading to co-worker conflict and harassment at work. AFW has given a specific focus to violence and harassment as an occupational safety and health issue. The union was supported by Public Services International (PSI), in order to build awareness of violence at work as a psychosocial hazard, based on international Framework Guidelines for Addressing Workplace Violence in the Health Sector, co-authored by ILO, the International Council of Nurses (ICN), WHO and PSI (ILO et al, 2002). In 2017, the AFW formed the Registered Nurses Task Force which has carried out "listening tours" to provide a space for nurses, union members and non-members alike, to air their grievances and exchange information about violence at work.

46 Available at: https://manitobanurses.ca/reducing-workplace-violence

Tackling workplace violence in hospitals in Argentina (Public Services International, 2017)

Health care workers in Argentina face growing levels of workplace violence. In one hospital, the health care union, Asociación Sindical de Profesionales de Salud de la Provincia de Buenos Aires (CICOP), carried out violence prevention initiatives to reduce levels of absenteeism at work, and the union has identified further problems related to the lack of job security of many health care workers. CICOP has also negotiated collective agreements on behalf of its members, resulting in the establishment of joint workplace committees on health and security and a Commission on Violence in the Ministry of Health in Buenos Aires. Since 2011, CICOP members have participated in joint health and safety committees in each workplace.

The Lady Health Worker Programme in Pakistan (Public Services International, 2018)

In Pakistan, women health workers (known as "lady health workers") face violence and harassment in their work, from male supervisors, families of patients and men in the communities in which they work. Moreover, they face violence at home, because of the work they do. The All Pakistani Lady Health Workers & Employees Association has helped many women to share "how they survived violence at the hands of their husbands, brothers, brothers-in-law, fathers and fathers-in-law" (PSI, 2018, p. 7). Male relatives of women health care workers subject them to domestic violence because they feel their interaction with the public brings disgrace to the families. The union provides them a space to talk about cases of economic violence, such as when their husbands took their pay cheques from them and drew their salaries from the bank. The union provides women health care workers with support from fellow workers, helping them break the barriers of silence and isolation that results from domestic violence.

Preventing violence and harassment against education workers

Prevention of school-related gender-based violence and harassment: the role of social partners in Europe

In the education sector, the European Trade Union Committee for Education (ETUCE) and the European Federation of Education Employers (EFEE) have supported education unions and employers to become more proactive in their national social dialogue structures when reducing and preventing third-party violence and harassment, particularly gender-based violence (ETUCE and EFEE, 2012). It has led to treating third-party violence and harassment (from pupils, parents and other third-parties) as a priority in collective agreements in the education sector, and to assisting teachers' unions and education employers to set up strategies on health and safety for schools. The project has led to increased knowledge of how to tackle the problem amongst unions and employers. Examples of actions taken by national unions include a United Kingdom National Association of Schoolmasters Union of Women Teachers campaign to tackle prejudice-related bullying, including a campaign booklet "Preventing and Tackling Prejudice-Related Bullying."

6.3.6 Women in prominent opinion-forming positions, politics and public life

Women in prominent public positions, such as journalists, human rights defenders and women in politics or public life are frequently victims of violence and harassment (European Parliament, 2018). This is particularly the case when women publicly promote gender equality and denounce violence against women. Increasingly, harassment takes place online and through social media.

Women in politics and public life

Acts of violence and harassment against women in politics, including during elections, are frequently directed at women as individuals, sending a strong message to deter women generally from participating in politics and public life. Sexual harassment is widespread in political life where men politicians, in some cases, use their position of power to sexually harass women, particularly young women at the beginning of their careers, and a culture of silence exists, often because of political loyalties (European Parliament, 2018). In politics, a culture of men in power has fueled alarming levels of sexual harassment against women, which has been reported in many countries across the world.

Women parliamentarians are frequently targets of sexual harassment by men in politics and members of the public, affecting women's potential participation in politics (Inter-Parliamentary Union, 2016). A study of 39 countries in Africa, Europe, Asia-Pacific, the Americas and Arab countries carried out in 2016 reveals an alarming prevalence of violence and harassment against women parliamentarians (Inter-Parliamentary Union, 2016). More than 80 per cent of women parliamentarians interviewed reported psychological violence (ranging from 65.5 per cent who reported humiliating sexual or sexist remarks to 44.4 per cent who reported threats of death, rape or abduction). More than half of respondents had been subjected to humiliating sexist remarks several times by male colleagues during their parliamentary term. Over 60 per cent of women parliamentarians responding to the survey believed that they were targets of these acts because of the positions they had taken in defending women's rights and human rights. Aggravating factors included being young, being in the opposition and belonging to a minority group.

Ending violence against women in politics and public life

#NotTheCost, Stopping Violence against Women in Politics[48]

An international campaign led by the National Democratic Institute, Washington DC, "#NotTheCost, Stopping Violence against Women in Politics", was launched in 2016. The campaign identified three characteristics of violence against women in politics:

- It targets women because of their gender.
- In its very form, it can be gendered, as exemplified by sexist threats and sexual violence.
- Its impact is to discourage women – in particular from being or becoming active in politics.

The call to action includes recommendations for governments, international and regional institutions, elected and appointed leaders, political parties and civil society, amongst others. The campaign includes suggestions to:

- Name acts of "violence against women in politics" at the global, national and local levels and the effect it has in preventing women's political participation.
- Raise awareness of the global nature of these debates to emphasize that violence against women in politics takes place across the world, with the intention to restrict and control women's political participation.
- Develop indicators and collect data on the prevalence, form and impact of violence against women in politics.
- Support networking among female politicians and civil society organizations interested in tackling this issue, taking care that the women participating are protected from any backlash or breach of confidentiality.
- Provide training for women on responding to and mitigating acts of violence against women in politics, and on how to decrease vulnerability and respond effectively to both in-person and on-line attacks.
- Provide training for men to raise awareness about the roles they can play in stopping or responding to violence.
- Providing training and awareness-raising to the media and technology sectors and offering a platform to raise awareness and gain justice for victims and survivors.

Legislation to outlaw harassment against women in politics: Bolivia

In some countries, legislation has specifically prohibited harassment against women in politics. In Bolivia, legislation was introduced in 2012, following the murder of two high-profile women politicians. The law lists examples of violence against politically-active women, states that political violence and harassment may be committed by one or more people, directly or through third parties, against female candidates and public officials, as well as members of their families. Parties responsible for implementing the law include the Ministry of Justice, the electoral authorities and governmental leaders (UN Women, 2012).

Women in journalism

Women journalists are also frequently victims of sexual harassment, particularly harassment on-line and through social media. Surveys report sexual harassment, psychological abuse, cyberbullying and other gender-based violence.

- Nearly two-thirds of women media workers surveyed have experienced intimidation, threats or abuse in relation to their work. Twenty-five per cent of the verbal, written and/or physical threats and intimidation the respondents encountered took place on-line (International Women's Media Foundation and International News Safety Institute, 2014).

- Half of the women journalists surveyed across 50 countries have been victims of gender-based violence in their work. Cyberbullying affected 44 per cent of the women. Nearly half of the perpetrators were readers, listeners or other unknown members of the public. Of those who complained, more than three-quarters did not believe adequate measures had been taken in all cases against the perpetrators. Only 12 per cent were satisfied with the outcome (International Federation of Journalists, 2017).

To address the safety and security of journalists, the United Nations Chief Executives Board endorsed a first-ever UN Plan of Action on the Safety of Journalists and the Issue of Impunity in 2012. The Plan of Action aims to create a safe environment for journalists and media workers and to establish a coordinated inter-agency mechanism to handle issues related to the safety of journalists and give guidance on drawing up legislation (UN, 2012, CI-12/CONF.202/6 and IAWRT, 2017). In addition, the media can play a powerful role in challenging violence against women.

Guidelines for reporting on violence against women have been drawn up by the International Federation of Journalists, with the aim to present sensitive reporting of incidents of violence against women, including violence and harassment in the world of work (International Federation of Journalists, Undated).

7. A TRANSFORMATIVE APPROACH TO ENDING VIOLENCE AND HARASSMENT AGAINST WOMEN IN THE WORLD OF WORK

This chapter highlights a number of opportunities in which world of work actors can play a transformative role in ending violence and harassment against women in the world of work. It presents nine important dimensions around which world of work actors are developing promising practices and which contribute to a transformative approach. In particular, because there are underlying gender, cultural and social norms that support violence and harassment against women in the world of work, action needs to be taken to transform these norms.

Any of these nine dimensions is a practical starting point for organizations that want to develop workplace initiatives, campaigns and programmes to end violence and harassment against women workers:

1. Tackling gender inequalities, discrimination and social norms that underpin violence and harassment;
2. Transformative prevention activities in the workplace;
3. Effective human resource policies, procedures and practices;
4. Effective complaints procedures;
5. Remedies and support for victims;
6. Perpetrator accountability;
7. Raising awareness: training, information, campaigns, tools and guidance;
8. Gender-responsive public services;
9. Safe public spaces.

7.1 TACKLING GENDER INEQUALITIES, DISCRIMINATION AND SOCIAL NORMS THAT UNDERPIN VIOLENCE AND HARASSMENT

7.1.1 Changing social norms and power relations in the workplace

The world of work has a key role to play in changing power relations, social norms, beliefs, attitudes and behaviours that lead to and sustain gender inequality and violence and harassment against women, and is an important entry point for the prevention of violence and harassment against women in society more broadly. This is reflected in the inter-agency prevention framework led by UN Women, bringing together the latest evidence base for a coordinated approach to the prevention of violence against women, including at work (UN Women, 2015a).

The UN Secretary-General's High-Level Panel on Women's Economic Empowerment lists adverse social norms as one of four major systemic constraints that contribute to persistent gaps in women's economic opportunities (United Nations Secretary General, 2016). The other three constraints are discriminatory laws and lack of legal protection, the failure to recognize, reduce and redistribute unpaid household work and care, and a lack of access to finance, information and communication technologies, property and other assets.

A transformative approach aims to provide opportunities for women and men to actively challenge these norms through attitudinal and behaviour change, and to seek solutions to underlying gender and power inequalities, enabling women to work and live without fear of discrimination or violence and harassment.

7.1.2 The workplace as an important entry point to change social norms

Changing social norms that underpin violence and harassment against women is one dimension of a transformative approach, and it requires multiple interventions at the individual and community levels and in educational and work settings (Fulu, Kerr-Wilson and Lang).

The working environment and an organization's climate are increasingly at the forefront of efforts to prevent and address sexual harassment (Johnson *et al*, 2018a). The world of work can be an important entry point to change such norms, roles and relations**.** For example, modelling decent work and a culture of equality and respect in the workplace has the potential to spill-over into the wider community and in family relationships. Connected to this, is the need to transform the gendered division of labour, for example, by dismantling unequal gender workforce participation present in some sectors and increasing the socially-attributed value of those where more women are employed, such as care work.

Social norms change in the workplace

UN Women and industry leaders "Unstereotyping"

UN Women, in partnership with industry leaders, including Unilever, WPP, IPG, Facebook, Google, Mars, Microsoft and J&J have established the global "Unstereotype Alliance" that aims to banish stereotypical portrayals of gender in advertising and all brand-led content, to help shape perceptions that reflect realistic, non-biased gender understandings.[47]

47 For further information see: http://www.unstereotypealliance.org/en

HERrespect: Promoting Positive Gender Relations through Workplace Interventions[48]

The HERrespect Programme promotes positive gender relations through workplace interventions and social norms change in the garment sector in Bangladesh. It is led by Business for Social Responsibility (BSR) in partnership with Change Associates, WE CAN Bangladesh and the ILO-IFC Better Work Programme. HERrespect is developing a new approach to how workplaces can be transformed to recognize gender equality as a business priority. The programme carries out gender-transformative training to raise awareness about gender and violence, reflect on social norms, and build skills to prevent and address cases of sexual harassment and domestic violence.

Unilever "Be gender aware. Be gender active. Be the new norm"

Unilever's programme aims to eradicate harmful norms that are perpetuated through outdated business practices, by promoting positive portrayals of women across the supply chain in order to challenge stereotypes (Unilever, 2017b). This is part of Unilever's commitment to gender equality and to creating dignified workplaces for all women, with a goal to empower 5 million women by 2020 in its operations and across the supply chain, on the basis that "[t]he benefits for society are clear, and they will help us grow our business". The program is based on three core priorities:

- "BE GENDER AWARE: Listen to and learn from women and men about the barriers women experience along the value chain, identifying the social cost and business cost of inaction and the social benefits and business benefits of action for everyone.
- BE GENDER ACTIVE: Establish policies and practices that respect women's rights and empower professional and personal development, starting in the workplace; work alongside business partners to ensure those rights and opportunities are available for women all along the value chain.
- BE THE NEW NORM: Wake up to the dangerous effects of unconscious bias and actively challenge harmful norms and stereotypes wherever they occur. Start by identifying the most powerful levers for change available as a business, given industry sector, employee demographics, customer base, and other factors. Then look more systematically for opportunities along the value chain."

7.1.3 Intersectionality

To be effective, any approach aimed at ending violence and harassment against women in the world of work needs to aim at ending discrimination. To this end, it needs to recognize that many women experience discrimination based on multiple grounds. As UN Women observes, "[t]hose women and girls who are furthest behind often experience multiple inequalities and intersecting forms of discrimination, including based on their sex, age, class, ability, race, ethnicity, sexual orientation, gender identity and migration status" (UN Women, 2017a, p.6).

Intersectionality describes how the various grounds of discrimination interact, creating a system of oppression that is shaped by "...social and cultural norms as well as the dynamics of each social, economic and political system" (United Nations, 2006, p.41). A women's racial or ethnic origin, caste, class, migration or refugee status, age, religion, sexual orientation, marital status, disability or HIV status will influence the types of violence and harassment they experience, and the ways in which they experience it (United Nations, 2006, p.46).

48 For further information see: https://herproject.org/ and https://www.whatworks.co.za/global-programme-projects/herrespect-bangladesh

Intersectional discrimination exposes some groups of women to a greater risk of violence (European Institute for Gender Equality, 2017). Migrant women, for example, may be placed in situations of vulnerability to discrimination and violence due to their migration status and economic position, and because of risk factors present in the sector, occupation or place in which they work (AFL-CIO, Solidary Centre and Futures Without Violence, 2017). Workplaces where the predominant workforce is of one gender or one ethnicity may also be more hostile to workers of a different gender or coming from under-represented ethnic groups.

- A national survey in Australia found that women workers, workers with disabilities, LGBTI+ workers and younger workers experienced the highest levels of sexual harassment. The survey data on workplace sexual harassment in the last five years suggests that: almost two in five women (39 per cent) and just over one in four men (26 per cent) experienced workplace sexual harassment; people aged 18 to 29 were more likely than those in other age groups to have experienced workplace sexual harassment in the past five years (45 per cent); people who identify as "gay, lesbian, bisexual, pansexual, queer, asexual, aromantic, undecided, not sure, questioning or other" were more likely than people who identify as straight or heterosexual to have experienced workplace sexual harassment (52 per cent and 31 per cent respectively); Aboriginal and Torres Strait Islander people were more likely to have experienced workplace sexual harassment than people who are not Aboriginal or Torres Strait Islander (53 per cent and 32 per cent respectively); people with disability were also more likely than those without disability to have been sexually harassed in the workplace (44 per cent and 32 per cent respectively) (Australian Human Rights Commission, 2018, pp. 7-9).

- Inuit women in Canada working in mines in remote and isolated locations reportedly experience high levels of workplace violence based on sex or race (Pauktuutit, Canada's Inuit Women's Association, 2014).

- Low-paid migrant farm workers and janitors in the United States often work in conditions of vulnerability and frequently risk being subject to sexual harassment and sexual assault by their supervisors. Many do not report violence and harassment, because they fear they will lose their jobs or they will be deported (Yeung, 2018).

- Younger workers are more likely to work in casual and non-standard forms of employment, and those in which there is a greater risk of violence. Young women workers participating in the International Trade Union Confederation (ITUC) "Decisions for Life" project identified violence and harassment as one of the core issues affecting their daily lives (ITUC, 2011).

Intersectionality in the workplace and violence prevention

Protocol against sexual and gender-based harassment and against harassment based on sexual orientation, gender identity and/or gender expression, Confederación Sindical de Comisiones Obreras (CCOO, 2016)

The Protocol presents actions against workplace abuses that affect women and LGBTI people and covers sexual harassment based on sexual orientation and/or identity and gender expression. A range of bargaining measures are proposed, including procedures and protocols addressing LGBTIphobia, raising awareness and providing support to LGBTI workers. The Protocol contains model clauses that can be used in a collective bargaining agreement.

7.1.4 Changing power, sharing power: women in leadership positions and non-traditional jobs

Prevention of violence and harassment needs to include a focus on women's access to a gender-equal labour market, which includes gender-balanced senior and leadership positions and the ending of occupational segregation. Workplace gender champions - both women and men – and gender-balanced leadership in organizations are needed to transform workplaces, sending a strong message that women are equally valued.

Having more women in managerial and supervisory positions and promoting equal workforce participation are important ways to promote a working environment based on equality and respect, and this helps in preventing violence and harassment (UN Women, 2016a and ILO, 2016a). However, getting more women into formal leadership positions at work is not sufficient. This also requires making substantial changes to deeply-entrenched systems of unequal gender power dynamics, roles and relations, underpinned by patriarchal values and historical inequalities between men and women in society and at work.

Changing these power relations is part of an effective response to preventing violence and harassment against women. The working environment and an organization's climate are increasingly at the forefront of efforts to prevent and address sexual harassment. In these environments there are several characteristics that contribute to high levels of sexual harassment, including workplaces where men hold positions of power and authority; an organizational tolerance for sexual harassment such as failing to take complaints seriously or holding perpetrators accountable; and relationships that are hierarchical and create dependencies (Johnson *et al*, 2018a).

It is important to ensure a gender-diverse labour force within a respectful working environment that values women and that requires leadership for transparent and gender-responsive recruitment, retention and promotion, as well as for reward and performance evaluation systems.

> "Gender-based violence perpetuates occupational segregation. Pervasive sexual harassment and other forms of violence in the workplace serve to reinforce or maintain existing hierarchies and gender power relations. For example, women may be reluctant to take up a job in a male-dominated occupation or apply for a promotion because of a real or perceived threat of harassment or violence, thereby perpetuating segregation."
>
> (UN Women, 2016, p. 94)

7.1.5 Women's voice and agency

To effectively address violence and harassment in the world of work there is a need for women to have voice and agency. Many women in vulnerable situations do not speak out about violence and harassment at work for a range of reasons. For example, garment workers in Bangladesh have reported regularly receiving threats when they attempt to speak out about abuses (International Labor Rights Forum, 2015). According to a survey in the Indian garment sector, 82 per cent of workers surveyed did not tell anyone about sexual harassment they had experienced, 89 per cent did not formally report it to management or police, and 75 per cent indicated the absence of functioning internal complaints committees in their factories (Sisters for Change and MUNNADE, 2016). Empowering victims to share their experiences and safety concerns is key to understanding the pervasiveness of violence and harassment and to develop appropriate responses. Participatory approaches that promote victims' empowerment, such as interviews or focus group discussions outside the workplace, and creative methods, such as artwork and body mapping, encourage them to confidentially share their experiences.[44]

44 See Morris and Pillinger (2016) op cit. for the range of creative and innovative ways to increase women's voice. See also Fair Wear Foundation (FWF) (2016) FWF Artwork Focus Group Project Report. Amsterdam, FWF.

Enhancing women's voice through participatory research

US Solidary Center participatory research on gender-based violence[52]

The Solidarity Center is engaged in processes to enable women to define and reflect on the issue of gender-based violence at work and how it impacts their lives as women and as workers. It also aims to place the voice of women workers at the forefront of workplace, national and international campaigns to combat gender-based violence at work locally and globally. The Center carries out work with women in trade unions in Cambodia, Indonesia, Thailand, Malaysia, Burma and Vietnam.

For instance, the Solidary Centre's activities in Cambodia and Indonesia are aimed at analyzing the scope and nature of gender-based violence in garment sector factories and increasing the understanding of the issue among the programme's participants. The Center is also carrying out similar participatory research and awareness-raising work in Morroco, Tunisia, South Africa, Mexico and Peru. Participatory research has helped to empower women workers and to build their advocacy roles in campaigning to end violence and harassment at work.

ITUC project "Decision for Life" (ITUC, 2011)

"Decision for Life" highlights violence and harassment as a major issue of concern affecting the daily lives of young women workers in Angola, Azerbaijan, Belarus, Brazil, India, Indonesia, Kazakhstan, Mozambique, South Africa, Ukraine, Zambia and Zimbabwe. Considering violence at work as a structural problem, which is rooted in wider social, economic, organizational and cultural factors, it seeks to empower young women to advocate for their rights. Successful outcomes from the campaign include a significant increase in young women's union involvement and the negotiation of collective agreements and workplace policies that address their concerns. For example, one union representative from the South African Commercial, Catering and Allied Workers Union (SACCAWU) negotiated a workplace policy on sexual harassment with her employer and opened up discussions with young women workers to break the silence on the issue.

7.2 TRANSFORMATIVE PREVENTION ACTIVITIES IN THE WORKPLACE

The second dimension of a transformative approach is to have a strategic workplace plan for preventing violence and harassment with a strong focus on gender-based violence and harassment. It should include measures to integrate gender equality into occupational safety and health programmes or prevention policies and strategies.

7.2.1 Occupational safety and health

Ending violence and harassment in the world of work is closely linked to the promotion of occupational safety and health. In this sense, the WHO Healthy Workplace Framework considers both the physical and the psychosocial work environment, and the European Agency for Safety and Health at Work (EU-SOHA) notes women victims of violence and harassment may suffer physical or psychological health problems, which affect their work performance and may result in their taking time off work (EU and OSHA, 2011).[46] Also, inadequate workplace policies may increase workers' exposure to a specific form of violence and harassment and affect their occupational safety and

45 Information provided by Robin Runge, Senior Gender Specialist, Solidarity Center, Washington DC.

46 See also: EU-OSHA (2016) Sexual harassment and violence in the workplace – explained in infographics. Available at: https://osha.europa.eu/en/highlights/sexual-harassment-and-violence-workplace-explained-infographics.

health. For example, night shifts in isolated areas may subject workers to situations of vulnerability when travelling to and from work, and restricted access to toilet breaks may lead to physical and psychological health problems, as well as being denigrating in and of itself.

OSH programmes and risk assessments are important entry points to integrate issues of violence and harassment and gender equality into prevention programmes. For example, the FWF's violence prevention programme led to improved access to fire safety exits after women garment workers complained about being groped or sexually harassed by men who were using the same exit during fire drills (Morris and Pillinger, 2018).

Adverse working conditions are increasingly being defined as occupational risks to be tackled through OSH and management policies. In Belgium, for example, sexual harassment and violence are principally dealt with as psychosocial risks under the Act of 4 August 1996 on well-being of workers in the performance of their work. Under the Act, it is considered that stress, violence, harassment and sexual harassment at work are situations that can lead to psychosocial risks at work, and that such risks may result from elements of work organization, job content, working conditions, living conditions at work and interpersonal relationships at work.[47]

Promising practices show the important role that OSH measures can play in preventing violence and harassment against women at work:

- *Adopting a gender-responsive approach to OSH programmes and risk-assessment* that acknowledges gender power inequalities, identifies specific causes of violence and harassment against women at work, and tackles further risks faced by workers in situations of vulnerability, particularly regarding intersectional discrimination.
- Establishing joint workplace occupational safety and health committees, ensuring a gender perspective to their mandate and agenda that allows for addressing situations that make women unsafe, and a proactive role in education and prevention.
- Developing gender-responsive workplace guidelines, manuals or checklists on violence and harassment against women. These may address prevention, management and intervention, carrying out of risk assessments, as well as reintegration of women victims of violence and harassment.
- Providing training for OSH committee members that addresses the forms of violence and harassment particularly experienced by women and includes practical tools on how to communicate and consult with women.
- Adopting a comprehensive approach to the identification of factors leading to violence and harassment against women, which may include work organization and content, working conditions, and interpersonal relationships at work, amongst other areas.

47 Act of 4 August 1996 on well-being of workers in the performance of their work (as amended by the act of 28 February 2014 supplementing the act of 4 August 1996 on the prevention of psychosocial risks at work, including violence, harassment and sexual harassment at work (Belgian Official Gazette 28 April 2014).

Violence and harassment against women integrated into occupational safety and health

Gender and risk factors at work

The United States Equal Employment Opportunity Commission (EEOC) provides a Chart of Risk Factors for Harassment and Responsive Strategies (Equal Employment Opportunity Commission, 2016).[53] Amongst the risk factors are the following:

- homogenous workforce;
- young workforces;
- workplaces with "high value"[54] employees;
- significant power disparities;
- workplaces that rely on customer service or client satisfaction, such as tip-waged work;
- isolated workplaces;
- workplaces where alcohol consumption is tolerated or encouraged.

For each risk, the Chart provides indicators to identify each of the risk factors, information on why they may lead to harassment and specific practical strategies to reduce such risks of harassment.

Ontario Occupational Safety and Health Act and its regulations

The Ontario Occupational Safety and Health Act and its regulations on harassment and violence include a comprehensive approach setting out the responsibility of employers, in cooperation with workers, to prevent workplace violence and harassment, third-party violence and domestic violence at work. The law aims to change workplace culture so that violence and harassment of any kind is not tolerated. It also focuses on the following:

- The importance of prevention;
- Early resolution and ensuring that employees have the right to choose the avenue for resolution;
- Predictable timeframes for each step of the resolution process.
- Acknowledging that there is a continuum of violent and harassing behaviours, ranging from teasing and unwanted advances to assault;
- Ensuring the privacy and confidentiality of all employees is safeguarded during and following a workplace investigation;

Guidance has also been drawn up by the Ministry of Labour, including a Code of Practice, sample polices, information for employers and workers, and other guidance materials on implementing the law.[55]

53 See Chart of Risk Factors for Harassment and Responsive Strategies: https://www.eeoc.gov/eeoc/task_force/harassment/risk-factors.cfm

54 According to the EEOC (2016), "high value" employees are those that are, or are perceived to be, of high economic value to the employer.

55 See Ministry of Labour website 'Workplace Violence and Workplace Harassment' with guidance on occupational safety and health: https://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php

South African OSH representatives trained to detect violence against women (ILO, 2017e)

An innovative programme to train OSH representatives in violence prevention in farms and factories, where many women work, has been implemented by trade unions. The project was supported by the Food and Allied Workers' Union (FAWU) and the National Union of Food Beverage Wine Spirits and Allied Workers (NUFBWSAW), run in cooperation with representatives of the South African Department of Labour and representatives of several employers' organizations. This is an example of how violence at work can be addressed by specially-trained OSH representatives. The project has contributed to the training of regional safety and health representatives who have been given access to the farms. Union representatives raise awareness with members on gender-based violence and sexual harassment, which is prevalent on many farms. However, workers' difficult working conditions and lack of job security make it difficult for victims to come forward.

Protecting the rights of home-based workers in Bangladesh: the Occupational Safety, Health and Environment Foundation (OSHE)

The OSHE Foundation is a specialized labour foundation that promotes the safety of home-workers in the textile sector. In September 2016, OSHE established the programme "Decent Work for Home-based Workers at Textile & Garments (T&G) Supply Chain", who face discrimination and violence disproportionately, with the aim to improve their occupational safety and health. Through cooperatives and self-help groups, and the formation of a national Violence Against Women Committee, it has been possible to improve awareness and reduce gender-based violence and inequality. The project has also worked on economic violence, such as withholding of pay, and has ensured that women receive their pay directly, rather than it being delivered to their husbands.

OSHE has supported 3,150 home-based workers through 10 cooperatives and 150 self-help groups. A further 12,600 home-based workers have indirectly benefited from these actions across the country. Through the violence against women Committees, women home-based workers have received training, and they now participate in local level social dialogue. In some areas, women experiencing domestic violence have been assisted.[56]

Sexual harassment as an OSH issue in the building and construction sector in the Philippines[57]

In the Philippines, the National Union of Building and Construction Workers (NUBCW) has addressed sexual harassment and HIV and AIDS as a part of OSH awareness and training under the Non-traditional Skills Training Project (2004-2010). The introduction of the landmark Anti-Sexual Harassment Act of 1995 gave recognition to sexual harassment in the workplace. Unions point out that, because of lobbying and awareness-raising of Philippine trade unions, sexual harassment has become an OSH issue in the workplace, increasingly recognized by employers.

Risk management: Trades Union Congress Gender Sensitivity Checklist

The United Kingdom Trades Union Congress (TUC) has drawn up a Gender Sensitivity Checklist for OSH representatives (Trades Union Congress, 2017). It includes the following questions related to risk management:

- "Do risk assessments take account of sex and gender differences?"

56 Information provided in an interview with Saki Rezwana, Chair of OSHE, Bangladesh.

57 Case study prepared by Building and Woodworkers' International (BWI) for Actrav Project cited in ILO (2017e).

- "Have all people involved in risk assessment and risk management been trained to be aware of sex and gender differences affecting men's and women's health and safety at work?"
- "Are any special reproductive health concerns of women and men such as work-related issues relating to fertility, menstruation (including providing female sanitary hygiene disposal facilities), menopause, breast cancer or hysterectomy adequately and sensitively addressed?"
- "Are risks of violence assessed, including concerns about working alone on site or away, or late into the evening, and access to safe parking or transport home?"
- "Are harassment (including sexual harassment) and bullying treated as health and safety issues?"

7.2.2 Drawing up a workplace prevention strategy

Violence and harassment against women is a complex issue closely-connected to power and gender inequalities. Carrying out a one-off training or introducing a policy will be insufficient. For this reason, it is important that prevention strategies are multifaceted and respond to the experiences, and address the needs, of all workers.

Research shows that one of the most important predictors of sexual harassment is the organizational culture (Johnson *et al*, 2018a). A focus on policies and procedures to address compliance with the law and avoid litigation largely fails to reduce sexual harassment, whereas significant changes in organizational culture can help to promote a workplace climate and a culture of civility and respect. Suggested changes include creating diverse, inclusive, and respectful working environments; improving transparency and accountability relating to policies, fair investigative and disciplinary procedures; changing organizational culture, so that it is not based on hierarchical and dependent relationships between staff; and promoting a strong and diverse leadership (Johnson *et al*, 2018a).

A workplace prevention strategy is an important part of a transformative approach to ending violence and harassment against women. The strategy should include a full range of OSH measures, including risk assessments, and focus on changing the climate and culture of a workplace. It should aim to ensure that sexual harassment is prevented at an early stage, and that there is a gender-lens used, for example, in allocating work tasks and responsibilities. Training and awareness raising is an important part of prevention and changing workplace culture.

Promising practices on practical prevention plans and strategies[53] that can be effectively implemented in the workplace include:

- *Consulting women workers,* with priority given to actions that implement a positive workplace culture and a working environment that result from listening to women workers' experiences, ideas and suggestions;
- *Providing sufficient resources* to enable managers to play an active role in raising awareness and to act on warning signs of violence and harassment against women;
- *Carrying out a confidential and anonymous annual climate survey,*[54] to help identify key issues in the working environment, including how safe workers feel in the workplace, whether they feel confident enough to file a complaint and whether they feel they would be believed;

53 These suggestions are drawn from a range of practical guidance documents and research referred to in this Handbook.

54 Depending on the size of an organization climate surveys can be carried out using anonymous questionnaires, focus groups and exit interviews. For further guidance on carrying out a climate survey see: Workplaces Respond: Workplace Climate Surveys: https://www.workplacesrespond.org/page/harassment-climatesurveys/#Inclusive

- *Providing regular training for all workers, supervisors and managers,* covering how to prevent violence and harassment against women and how to address wider gender inequalities and social norms;
- *Building and fostering a climate of trust, dignity and respect among workers,* by taking active steps to reduce potential work conflicts, incivility, disrespectful behaviour, and certain organization of work processes, which may, if left unchecked, lead to violence and harassment against women;
- *Implementing practical measures* including resources for components, such as alarms, ID keys, passcodes and cameras. A number of initiatives can be cost-free, such as carrying out safety walks through a workplace that can enable women to identify parts of the building, work processes or aspects of work organization that pose risks to their safety;
- *Seek solutions to resolve problems or disputes amongst workers before they escalate,* taking into account that tools such as mediation assume equal power at the table, whereas cases of violence and harassment against women are an expression of unequal power. Use team approaches to rebuild damaged relationships in the workplace based on mutual trust, for example, through restorative justice programmes (UK Restorative Justice Council, 2011);
- *Including provisions related to domestic violence at work:* Ensure that women workers who are affected by domestic violence at work (such as when they are followed by violent partners to work) are assisted with practical safety planning, and that relevant managers and security staff are provided with a photograph of the abuser to prevent entry.

7.3 EFFECTIVE HUMAN RESOURCES POLICIES, PROCEDURES AND PRACTICES

A third dimension of the transformative framework for ending violence and harassment against women in the world of work is the development of effective human resource policies, procedures and practices. The following cover policies, procedures and practices related to the physical workplace, to the broader world of work and to domestic violence.

7.3.1 Policies and collective agreements on violence and harassment

Workplace policies and collective agreements are important ways to set out and monitor commitments to tackle violence and harassment against women at work. Setting out commitments, monitoring mechanisms and complaints procedures sends a strong message that violence and harassment will not be tolerated and enables world of work actors to spell out the behaviours that are unacceptable and their disciplinary consequences. This can help reinforce the importance of gender equality and behaviour change.

Workplace policies can adopt a number of approaches. Some policies may directly address the issue, paying particular attention to certain forms of violence and harassment or certain groups that are more exposed, including women. Others may address violence and harassment in the context of broader workplace policies.

- **A gender equality/sex discrimination approach** can address violence and harassment against women through policies on gender equality and non-discrimination, with a particular focus on sexual harassment and/or gender-based violence.
- **A broader equality/non-discrimination approach** may include gender as one of multiple grounds of discrimination when tackling discrimination-related harassment.
- **A dignity and wellbeing at work approach** focused on health, safety and wellbeing at work covering all workers can include gender-based violence and harassment.

An example of integrated guidance to end violence against women at work

Our Watch Australia Workplace Equality and Respect Standards – changing norms and practices to end violence against women at work[62]

Changing norms and practices is one of the three priorities of the Workplace Equality and Respect (WER) Standards developed by Our Watch Australia, covering all forms of violence at work and domestic violence. The Standards aim to ensure that all staff are held accountable for promoting a culture of gender equality and in ensuring women's career progression and leadership roles. A further key issue is to challenge gender stereotypes across the organization and build support for change, as well as implementing effective systems to respond promptly to complaints of violence and sexual harassment. The WER Standards have the objective to "guide the way power, resources and decision-making is shared between women and men at work."

A key role is given to having a long-term approach to changing organizational culture and to implementing a process of continual improvement. The Workplace Equality and Respect Standards address three areas where change can be implemented - **leadership, strategy, and norms and practices** – and consist of:

"Standard 1: We are committed to preventing violence against women and have structures, strategies and policies that explicitly promote gender equality.

Standard 2: We embed gender equality in our recruitment, remuneration and promotion processes and men and women utilise flexible work options, without penalty.

Standard 3: All staff feel safe and confident to express themselves, and gender stereotypes, roles and norms are actively challenged in the workplace. Staff can raise concerns about gender inequality and potential discrimination without adverse consequences.

Standard 4: We have the structures, practices and culture to ensure an appropriate response to staff and external stakeholders who experience violence, bullying and sexual harassment.

Standard 5: We demonstrate our commitment to gender equality and the prevention of violence against women in all our work and interactions with stakeholders."

The Standards represent a package of tools and resources based on evidence and good practice. Recognizing that no workplaces are the same, the standards do not provide a prescriptive programme, but rather provide flexible and adaptable guidance to prevent violence against women.

Regardless of a policy's focus, it is important that it: has a gender-lens; clearly sets out the procedures for making and handling complaints; includes a role for worker representatives; and provides for training and awareness-raising about the policy, including its implementation. It is important to move beyond mere compliance with the law (with the aim just to avoid litigation) to ensuring that policies and procedures foster real changes in organizational culture. It is also important to enhance transparency and accountability, in order to encourage reporting and implementing fair systems for complaints handling.

55 The Workplace Equality and Respect (WER) Standards and suite of tools and resources can be found at https://www.ourwatch.org.au/Workplace-Equality-and-Respect-Hub/Home.

Promising practices in collective agreements and policies and procedures include the following elements:

- *Prohibiting violence and harassment with a clear and comprehensive definition,* including physical, verbal, non-verbal and sexual forms of violence and harassment against women that is understood by everyone;
- *Ensuring strong endorsement and ongoing commitment by leaders and senior managers,* by launching the policy and issuing a zero-tolerance statement regarding violence and harassment against women; regularly referring to the policy and holding staff meetings about the policy; and modelling respectful and non-discriminatory behaviour and values;
- *Establishing a working environment free from violence and harassment,* promoting a culture of respect that values women and men equally; regularly consulting staff about their safety concerns and implementing practical measures, such as removing pornographic or sexually-explicit materials and creating well-lit work areas;
- *Establishing a workplace committee composed of employers' and workers' representatives,* tasked with monitoring the implementation of the policy; overseeing training programmes and complaints processes/investigations;
- *Establishing transparent and non-discriminatory recruitment and promotion procedures,* by establishing gender-balanced selection committees; ensuring appropriate interview questions; eliminating opportunities for *quid pro quo* sexual harassment during the recruitment process;
- *Setting out clear and accessible complaints procedures,*[56] by ensuring confidentiality of complaints, including by third parties; ensuring a victim's informed consent to move forward with any process, and taking their views into consideration when an employer takes a decision to engage a formal reporting process; setting out, and ensuring understanding of, informal and formal procedures; and implementing specific timeframes to ensure timely and diligent resolution;
- *Allowing for confidential and anonymous reporting systems, including for whistleblowers and witnesses,* for example, through online reporting;
- *Ensuring transparency on how reports of sexual harassment are handled and reported,* while taking account of the need for confidentiality;
- *Avoiding nondisclosure agreements, as well as contract clauses on forced arbitration*, in order to empower the victim and ensure accountability of perpetrators;
- *Providing protection, support and remedial measures for the victim,* including counselling and line-manager support; providing, where appropriate, compensation for material and non-material damages and reinstatement.

For a detailed list and explanation of core elements of effective sexual harassment policy and procedure policy developed by Professor Catherine MacKinnon, see pages 8-9: http://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2018/towards-an-end-to-sexual-harassment-en.pdf?la=en&vs=4236

56 More detailed information about effective complaints procedures can be found in Section 4 below

Workplace Policies and Codes of Conduct on Sexual Harassment at Work

The Vietnam Code of Conduct on Sexual Harassment in the Workplace (Vietnam Chamber of Commerce and Industry, Vietnam General Confederation of Labour, and Ministry of Labour, Invalids and Social Affairs, 2015)

The Code of Conduct on Sexual Harassment in the Workplace was drawn up in 2015 by the Ministry of Labour, the Vietnam Chamber of Commerce and Industry (VCCI) and the Vietnam General Confederation of Labour, with the support of the ILO. Currently implemented in 20 enterprises, the Code recommends the "development, implementation and monitoring of a workplace policy on sexual harassment to promote safe and healthy workplaces, where all workers, irrespective of sex or status, are treated with fairness, dignity and respect" ((Vietnam Chamber of Commerce and Industry, Vietnam General Confederation of Labour, and Ministry of Labour, Invalids and Social Affairs, 2015, p.3). It applies to all companies in the public and private sector and covers all locations "where work-related business may be conducted" (Vietnam Chamber of Commerce and Industry, Vietnam General Confederation of Labour, and Ministry of Labour, Invalids and Social Affairs, 2015, p.4), including work-related social activities, conferences, training sessions, business travel and business meals, as well as work-related telephone conversations and communications through electronic media. The Code also provides an evidence-based sample workplace policy.

Code of Conduct and Guidelines to Prevent and Address Sexual Harassment in Workplaces, Employers Federation of Ceylon, 2013 (Employers Federation of Ceylon and ILO, 2013)

This Code of Conduct by an employers' organization aims to help achieve safe and respectful workplaces. The document gives advice to organizations and companies about what they can do to prevent sexual harassment and the actions they can take in the workplace, including redress through informal and formal procedures.

CARE International – Enhancing Women's Voice to Stop Sexual Harassment (STOP) project[62]

The STOP project develops a sexual harassment prevention workplace package, including a model workplace policy and training materials, to address sexual harassment in the garment sector in Cambodia, Myanmar, Laos and Vietnam. CARE's research in Cambodia suggests that sexual harassment results in lost productivity and profit amounting to USD$89 million per year.

The template Workplace Sexual Harassment Policy for Garment Factories in Cambodia can be used in a variety of workplace settings and aims to:

- Create a working environment where all employees are treated with dignity, courtesy and respect;
- Promote appropriate standards of conduct;
- Implement training and awareness-raising strategies to ensure employees know their rights and responsibilities;
- Provide confidential procedures for complaints, with guarantees of protection for those who report sexual harassment;
- Encourage reporting of sexual harassment.

The Training Toolkit "Sexual Harassment Stops Here" contains diverse interactive training materials, such as videos and games, with the key message of "listen, support, report".

62 For further information about the STOP project and related measures and tools: www.care.org/stop

7.3.2 Policies and collective agreements on third-party violence and harassment

Some workplace policies and collective agreements have a strong focus on third-party violence and harassment. Collective bargaining has been a particularly important tool in setting out the framework for such policies and in raising awareness about the issue, for example, in the health, retail, hospitality and transport sectors.

According to European social dialogue partners, third-party violence and harassment may involve physical, psychological, verbal and/or sexual forms of violence and harassment and constitutes one-off incidents or more systematic patterns of behavior (EPSU et al, 2010 and EPSU-UNI, 2009).[58]

Policies on violence and harassment against women by third parties

A sectoral approach to third-party violence and harassment[65]

In 2010, European social dialogue partners in services sectors developed the multi-sectoral guidelines to tackle third-party violence and harassment at work, which identified key elements of good practices, including: "a partnership approach; clear definitions; prevention through risk assessment; awareness raising, training; clear reporting and follow-up; and appropriate evaluation" (EPSU et al , 2010, p.2). The guidelines promote a "'holistic' approach, covering all aspects from awareness raising over prevention and training to methods of reporting, support for victims and evaluation and ongoing improvement" (EPSU et al, 2010, pp. 3-4).

Good practice approaches include social dialogue and a partnership approach between employers and workers; clear definitions of what constitutes third-party violence; prevention through robust risk assessment; awareness- raising and training; clear reporting and monitoring of incidents; and appropriate evaluation.

Promising practices in policies and guidance on third-party violence and harassment address the following issues:

- *Disseminating the prohibition of third-party violence and harassment*, which can include posting of signs on prohibited behavior in areas accessed by third parties, such as buses, railway stations, hospital or waiting rooms, bars and restaurants;
- *Assessing and reviewing prevention measures,* such as carrying out regular and specific risk assessments, reviewing past incidents to inform new prevention measures and implement organizational change;
- *Reducing isolation at work* as a way of diffusing potential violence and harassment from third-parties;
- *Training managers and workers,* including on techniques to avoid or manage conflicts;
- *Providing support for affected workers and witnesses,* including access to support inside and outside the workplace, including legal, medical and financial support;
- *Establishing and respecting monitoring and investigation procedures,* carrying out regular risk assessment and data collection on previous incidents and informing victims of progress made during investigations;
- *Providing clear formal and informal reporting procedures,* written and verbal reports to line managers/supervisors and systems for confidential and anonymous reporting, and providing protection from possible reprisals.

58 See also: https://www.epsu.org/article/multi-sectoral-guidelines-tackle-third-party-violence-and-harassment-related-work

7.3.3 Policies and collective agreements on domestic violence

Women workers sometimes experience domestic violence at their workplace, for example, when an abusive partner follows them to work or when that partner shares the same workplace. This has a direct impact on the physical and psychological wellbeing of the victim, as well as on that of the other workers and employers within their surroundings. Moreover, domestic violence committed in the home can negatively impact on the victim's working life and working environment, affecting productivity, attendance at work and the victim's ability to access or remain in work.

In such cases, workplace policies and collective agreements on domestic violence, while not extending their protection to private households, can provide essential support to the victims. For example, they can allow flexible working hours or the use of pseudonyms on name plates to avoid stalking, or they can provide leave for victims to seek medical aid, attend judicial proceedings or move their children to safe places. Other practical assistance can include applying protection orders that cover the victim's place of work or maintaining a precautionary distance between victim and perpetrator. In some cases, the victim's absences or late arrivals to work will be considered justifiable, by law, if they are due to physical or psychological reasons derived from domestic violence.[59]

Promising practices of collective agreements and workplace policies addressing domestic violence include:

- *Establishing specific safety and security measures in the workplace* to deal with domestic violence, such as safety planning to prevent assault, harassment or stalking at the workplace and measures to deal with harassing phone calls and e-mails.
- *Training workplace representatives, safety and health representatives, line managers and colleagues* on identifying the warning signs of domestic violence and on facilitating referrals to specialist support agencies.
- *Intervening as early as possible*, before violence escalates and the victims feel the only option to resolve the situation is quitting work.
- *Providing flexible (paid or unpaid) leave or flexible working hours* to enable victims to seek protection, attend court appointments, or seek safe housing for children.
- *Providing protection from dismissal* during a certain period of time, to ensure victims can maintain their source of income, while leaving a violent situation.
- *Designating trusted, trained contact persons in the workplace*, to enable victims to confidentially disclose their situation and to seek help.
- *Provide psychological and practical support for victims,* including access to counselling and to discuss options confidentially and non-judgmentally with a trusted person in the workplace. Other practical support can include information about, and signposting to, specialist services.
- *Providing financial support*, such as advance payment of salaries or financial support in moving house.
- *Disciplinary procedures in dealing with perpetrators,* setting out relevant sanctions, such as dismissal.

59 In Spain, this is the case under the 2004 Act on the protection to women victims of domestic violence, which encompasses a wide range of specific workplace measures, including paid leave and flexible working hours.

Workplace policies and collective agreements on domestic violence

Commonwealth Bank, Australia[65]

The Commonwealth Bank is one of Australia's largest employers with 41,000 employees. In 2015, in recognition that victims, bystanders and perpetrators could be amongst its staff, the bank drew up a comprehensive strategy to respond to domestic and family violence. The goals of the strategy are to provide a safe place to work, support customers in crisis, promote financial independence and champion gender equality. Policy measures include provision of domestic violence leave of 10 days, domestic violence support toolkits for employees and managers, and a Domestic Violence First Response Guide to assist leaders and managers to support employees who are experiencing domestic violence.

Over 600 employees, in partnership with the University of New South Wales Gendered Violence Research Network, have been trained to increase their awareness about how to support employees and customers, and an e-learning module about domestic violence has been drawn up for all staff. In 2017, a pilot Domestic and Family Violence Emergency Assistance Package, was launched in partnership with specialist support organizations, providing customers and employees with expert counselling and financial support to ensure their immediate safety and assist those looking to leave an abusive situation. Already over 1,000 customers have accessed the package.

National Australia Bank (NAB) (NAB Enterprise Agreement, 2014)

NAB adopted in 2014 an Enterprise Agreement that provides a scheme of paid domestic violence leave and access to counselling under the domestic leave policy to employees. In the agreement, no maximum duration is given for domestic violence leave, which will be determined by the individual's situation through consultation (NAB Enterprise Agreement, 2014, clause 50.4). Implementation of the policy is the first of its kind for a major Australian Bank, and through this initiative NAB hopes to encourage employees who experience domestic violence to come forward and seek support. NAB found a strong business case for allowing victims to take the time they need to recover, given the negative impact domestic violence can have on employees' ability to attend and perform at work (UN Women Australia, 2017).

Canadian workplace policies on domestic violence - The Sinai Health System Policy[66]

In Canada, the Ontario Occupational Health & Safety Act (Section 32.0.4) sets out employers' responsibilities to take precautions to protect a worker and provide a safe workplace for victims of domestic violence. It requires that employers draw up a policy on workplace domestic violence and inform employees of the policy, which has to be reviewed each year.

In 2011, the Toronto-based Sinai Health System adopted a policy to raise awareness and increase capacity in providing a safe work environment for workers who are victims of domestic violence. It sets out a range of measures to ensure privacy and confidentiality of victims of domestic violence, responding in non-discriminatory ways, and encouraging employees who suspect or witness acts of domestic violence to come forward. Guidance is also given on how to respond to employees who commit domestic violence, relating to disciplinary action and referrals to programmes in the community for perpetrators. Procedures are put in place on how the organization can respond to and support victims, and key staff and managers are trained on how to recognize and respond to domestic violence at work.

65 For further information about this case study and other innovative examples of how companies and unions have implemented workplace policies see UN Women Australia report: https://unwomen.org.au/wp-content/uploads/2017/12/Taking_the_First_Step_UNWNCA_Report.pdf

66 For further information see the Mount Sinai Hospital 'Guide to Domestic Violence Policy': http://www.mountsinai.on.ca/about_us/policies/MSH%20Guide%20to%20Domestic%20Violence%20Policy.pdf/view

Guidance is given on safety measures that can be implemented, including safety planning in the workplace, for example, to ensure that security personnel can identify a perpetrator, implementing a safe walk program by escorting an employee to and from their car or other transport, assigning special parking spots, screening telephone calls, enforcing restraining orders, and relocating an employee's workspace to a more secure area. Guidance also covers how to enable an employee to seek safety and protection, for example, to attend court hearings, arrange for new housing, attend counselling etc., and for flexible work hours and short-term leave of absence.

Hc Energía Group agreement and equality plan in Spain (UN Women and United Nations Global Compact, 2015, p.38)[67]

Hc Energía Group is a Spanish energy group which has implemented a collective agreement and equality plan to promote gender equality, work-life balance and the health and safety of women workers, including recruitment of women victims of gender-based violence into its workforce. The company has implemented a prevention and intervention protocol to report moral, physical or sexual harassment or gender inequalities. Protection is given to victims of gender-based violence through provision of flexibility in working hours, leave, transfers and access to loans, as well as psychological, medical and legal advice and a bonus for accommodation rental expenses in case victims need to move out of their homes.

Agbar agreement with the Catalan Parliament in Spain (UN Women and United Nations Global Compact, 2015, p.12)

Agbar, a Spanish based holding company in the public sector, signed an agreement with the Catalan Parliament to hire women victims of gender-based violence. During the pilot phase, each of the nine companies who signed the agreement committed to hire and provide support and training to at least three women who had experienced gender-based violence. Agbar hired three women after signing the contract and, currently, two of them are still on the permanent staff - there is a sensitive approach to allocating work tasks and in helping women to balance work and home life.

Endesa group's diversity policies, including domestic violence, Spain (UN Women and United Nations Global Compact, 2015, p.32)

The Spanish multi-national electricity company Endesa has a Corporate Diversity Management Policy which aims to make diversity a key business strategy. To foster this policy, Endesa, together with BBVA and Telefonica, created the Diversity Observatory, and along with the Diversity Global Scorecard enables the company to check the fulfillment of equal opportunities principles.

In Spain, Endesa's Plan for Equal Opportunities between women and men includes special measures aimed at assisting victims of gender-based violence; it allows victims of domestic violence who normally work a split timetable (morning and afternoon with a 2 or 3 hour break for lunch) to temporarily modify their timetable to work continuously with a half hour lunch break (Endesa, 2014). Endesa also provides support measures such as psychological support, medical care and legal aid to deal with processes regarding protection orders, child custody, food payments, organising loans or social care. Financial assistance is given to victims for a maximum period of 6 months, including when a victim has to leave the family home and the company will pay 50 per cent of the rental of a new home and up to 50 per cent of expenses related to changing the school of young children, covering registration fees, books and uniforms.

67 See also: Convenio Colectivo de Grupo HC Energía, available at: https://www.csi-asturies.org/web_antigua/legislacion/convenio_colectivo_hc.pdf

Carrefour Hypermarkets tackling violence against women (Carrefour, 2017)

In 2017, Carrefour published the guide "Tackling violence against women in the workplace", in collaboration with UN Women's National Committee for France, for human resources managers and employees in Carrefour's 231 hypermarkets and more than 1,000 Market supermarkets. Carrefour also expressed the intention to direct victims of violence to appropriate bodies in the charity and public sectors for support and advice. Since 2012, Carrefour has offered an active listening and psychological support service, "Psya", which is free, anonymous and accessible 24 hours a day, seven days a week.

Carrefour has also undertaken awareness-raising and prevention campaigns in Spain, Italy, Romania and Argentina, and 200 store managers and directors have received training to identify violence and provide the victims with support.

PSA Peugeot Citroën, company agreement on domestic violence[68]

A 2009 company agreement with PSA Peugeot Citroën, the second-largest car manufacturer in Europe, was one of the first in France to address the issue of domestic violence in the form of a protocol. Following an agreement, in each PSA site undertakes different actions to meet this objective, including awareness raising initiatives such as distribution of flyers on self-diagnosis (Cleff Le Divellec, 2017, p.15). The PSA Vesoul arranged with the Information Centre on Women's Rights and Families (CIDFF) the provision of training for 150 managers (Cleff Le Divellec, 2017).

European trade union project "Safe at Home, Safe at Work: Trade unions' strategies to prevent, manage and eliminate workplace harassment and violence against women" (ETUC, 2017b; ILO, 2017e)

ETUC's "Safe at Home, Safe at Work" report documented eleven detailed country case studies showing how unions are implementing workplace policies on domestic violence and collected over 40 examples of such collective agreements and policies on domestic violence. The report presents ten things that unions can do to address gender-based harassment and violence:

"1. Prioritise sectoral and company-based social dialogue between unions and employers, jointly agreeing workplace policies, procedures and awareness raising actions amongst managers and workers.

2. Ensure that women are in senior negotiating positions, as this has been shown to be critical to getting issues of gender-based violence and harassment onto bargaining agendas, particularly in male-dominated sectors.

3. Produce guidance and model workplace policies, and train workplace representatives to negotiate agreements and policies to tackle violence and sexual harassment at work, third party violence, and the prevention of domestic violence at work.

4. Ensure that safety and health and wellbeing at work initiatives include a strong gender-based focus on the causes of and solutions to harassment and violence against women at work, and that they take into account gender inequalities and discrimination.

5. Give information and support to workers experiencing gender-based violence and harassment and domestic violence.

68 These and other examples can be found at ETUC (2017) Safe at Home, Safe at Work, France, national case study report (Brussels, ETUC).

6. Work in partnership with NGOs and specialist violence against women organisations, for example in carrying out campaigns and union surveys to raise awareness about the extent and nature of gender-based violence at work.

7. Encourage women and men in leadership, negotiating and decision-making positions to raise public awareness and act as champions for a zero-tolerance approach to violence against women.

8. Highlight the economic and social case for tackling violence at work, including the business arguments such as improving workplace relations, enhancing wellbeing at work, retaining workers, reducing absence from work, and increasing motivation and productivity.

9. Lobby for the inclusion of effective measures to address gender-based violence at work and domestic violence at work in governments' national action plans on violence against women, as well as in the implementation of the Istanbul Convention and the proposed ILO instrument on violence against women and men in the world of work.

10. Implement measures to include and address gender-based violence and harassment in European sectoral social dialogue agreements and joint statements."[69]

CEASE Project – European company network on preventing domestic violence[70]

CEASE is a European network of companies committed to ending gender-based violence. Established in 2018, and currently formed by 15 companies, it aims to support companies in implementing domestic violence policies and programmes and to facilitate knowledge-sharing amongst them. CEASE developed an interactive European Impact Map that lists the services that provide support to victims.[71]

Several members of the network have already pioneered innovative work. The Kerring Foundation has trained 1,200 workers to date in France, Italy, UK and the US and has partnered with women's organizations in France, Italy, UK, China, Lebanon and the US to provide support to workers experiencing domestic violence.

Vodafone New Zealand Company Policy on Family Violence at work[72]

Vodafone NZ's company policy on family violence at work was introduced following a "business giving network" that it chaired. The policy provides ten days leave for victims of domestic violence which can be extended if necessary, and support and access to counselling is provided by NGOs partners. The company helps perpetrators seek support and allows unpaid leave to attend counselling. An employee-led Manaaki Support network provides confidential guidance, practical supports and information are provided to keep employees safe at work, such as changing phone, email address or payroll details. The policy was drawn up with help from two NGOs working with victims of domestic violence. Vodafone NZ has collaborated with the New Zealand Human Rights Commission to create support material for other businesses who want to implement a policy, which in turn contributed to the introduction of legislation in 2018 to provide the right to ten days leave.

69 See the brochure: https://www.etuc.org/sites/default/files/document/files/en_-_brochure_-_safe_at_home_1.pdf

70 Information provided in an interview by Nadège LHaraig and Auriane Goullard at the CEASE project. For further information see: https://cease-project.eu/

71 The interactive map can be found at: https://cease-project.eu/impact-map/

72 For further information see: https://news.vodafone.co.nz/article/vodafone-announces-family-violence-policy-support-team and https://www.hrc.co.nz/news/employers-offered-family-violence-model-policy/

Combating violence against women in Peru (ComVoMujer)[73]

Companies in Peru have participated in the project "Combating violence against women in Latin America" (known as ComVoMujer in Spanish). ComVoMujer has provided companies in the private sector with guidance on a range of options that they can tailor, including capacity-building, awareness-raising for workers or clients and project development within the community. The focus of the project was on the impact of domestic violence on companies and to promote company awareness and innovative responses. ComVoMujer published a handbook to support company training on violence against women, including a module addressed to men. A network of trainers was created to disseminate the training.

The project has worked with 100 companies and has collaborated with a further 400 companies to raise awareness about domestic violence and its impact on companies. It has involved a multi-sectoral partnership between the Ministry of Women and Vulnerable Populations, civil society and companies in Peru. The MIMP launched the certification "Safe enterprise without violence and discrimination against women" to encourage businesses to implement preventive measures.

One example led by water companies in Peru was the initiative "Turn off the tap against violence against women", with information about domestic violence for customers and employees of water companies. A total of 37 companies signed up to the project, reaching more than 3 million households. A further example, from Laboratorios Bagó, a pharmaceutical company, raised awareness amongst young women through one of their products designed to alleviate menstrual pain. The company wanted to raise awareness after one of its employees was murdered by her partner. A video has been created in which companies share their experiences when participating in the ComVoMujer program, which was a motivating factor for other companies.

Northern Ireland, Belfast Domestic & Sexual Violence and Abuse Partnership

A good practice inter-agency model from Northern Ireland recognizes the value of an integrated approach of collaboration between agencies to prevent domestic violence. The inter-agency Belfast Domestic & Sexual Violence and Abuse Partnership has brought stakeholders together and has produced information, resources and a model workplace policy on domestic violence and abuse (Belfast Domestic & Sexual Violence and Abuse Partnership, 2016). The partners come from social services, the police, probation, women's aid, voluntary and community organizations, men's projects and trade unions, amongst others. The model policy includes guidance for all agencies, including how trade unions, line managers and colleagues can play a role in supporting staff experiencing domestic violence and abuse.

7.3.4 Monitoring of violence and harassment: Sex disaggregated data

Monitoring of violence and harassment is important in identifying the causes of violence and harassment against women, and where investments can be made in areas such as training, awareness-raising and prevention. Provision of sex disaggregated data is crucial for monitoring gender-specific trends at work and problems that contribute to violence and harassment against women.

It is important that data on violence and harassment against women in the world of work is disaggregated by, for example, gender, gender identity, age and occupation of the victim and the perpetrator.

73 The project has involved companies in Peru, Bolivia, Paraguay and Ecuador For further information about the ComVoMeujer project (in Spanish) see: http://info.comvomujer.org.pe/catalogocomvo/productoscatalogos2016/4_Factsheet%20ComvoMujer%204-2016_PE%20_FINAL%20(2).pdf. For further information in English: https://www.giz.de/en/worldwide/12205.html

Anonymous reporting and complaints can help with understanding the range of situations and prevalence of violence and harassment, assessing factors that led to violence and harassment occurring, and identifying gender gaps. It can also be important when tracking formal and informal complaints and in showing how cases were responded to, including outcomes. In addition, the United Nations Chief Executives Board (CEB) Task Force produced a new United Nations Sexual Harassment Policy Reference Model (2018) which provides an explanatory note on the importance of monitoring:

"Monitoring is an essential part of policy implementation and should be undertaken on an ongoing basis with yearly analysis of findings. In this context, it can include: analysing data collected through formal and informal mechanisms; undertaking dedicated staff assessments or through questions on sexual harassment within existing staff surveys; conducting exit interviews (when staff leave the organization and with impacted individuals when cases are concluded); monitoring staff absenteeism; among other methods that can enable [entity name] to better understand workplace culture and the institutional responses to sexual harassment. Assessment should consider the overall impact and efficacy of the policy in addition to more granular analysis of the reporting procedures, support provided to targets/victims / affected individuals, disciplinary actions taken, preventive measures employed and procedural safeguards taken to ensure due process for targets/victims/affected individuals and alleged offenders" (UN, UN Model Policy on Sexual Harassment, 2018)

7.4 EFFECTIVE COMPLAINTS PROCEDURES

Many women do not report violence and harassment, because they doubt their complaint will be dealt with seriously, or they fear they will be stigmatized, lose their job, or face other forms of retaliation.[74] Some women feel embarrassed or humiliated, and, therefore, instead of seeking redress, they avoid the harasser, leave their job, or simply endure the situation. Furthermore, submitting a complaint may be very stressful and may result in re-traumatization, particularly where the burden of proof rests on the complainant.[75]

The presence of effective and gender-responsive complaints procedures reassures victims and witnesses that proper action will be taken and encourages reporting. In this sense, unions can play a significant role in helping to design and support internal complaints procedures. For instance, when union representatives show a serious and supportive attitude towards complainants and witnesses, this can build confidence amongst the workers. Furthermore, unions can co-operate with the employer to ensure a fair complaint and dispute resolution process for both victims and accused perpetrators.

Trust in the complaint system can also be fostered by offering multiple reporting options. This allows complainants to follow the procedure of their choice, depending on their needs and expectations (the degree of formality of the procedure, the involvement of other departments or actors in the organization, or the right to confidentiality).

69 In a recent national Australian survey on sexual harassment, 17 per cent of workers experiencing sexual harassment in the last five years had made a formal complaint and of these workers, almost one in five were labelled as a troublemaker (19%), were ostracised, victimised or ignored by colleagues (18%) or resigned from their job (17%). In one in five cases (19%) the formal report or complaint brought no consequences for the perpetrator. Australian Human Rights Commission (2018) op cit. p.9

70 See for example, EEOC (2016) op cit; Trades Union Congress (TUC) /Everyday Sexism (2016), op cit; Pillinger (2016 & 2017), op cit.

Promising practices in developing effective complaints systems include the following (EEOC, 2016):

- *Clearly setting out complaints procedures* in ways that are accessible to all workers.
- *Ensuring protection against retaliation* in formal and informal processes for complainants and others who participate in an investigation.
- *Providing transparency in the complaints process* that allows complainants to keep abreast of advances, timeframes involved and outcomes.
- *Informing workers about available support* by worker representatives and their organizations during the complaints process.
- *Shifting the burden of proof* to the alleged perpetrator.
- *Providing prompt and proportionate responses* where violence and harassment is found to have occurred.
- *Training those in managerial positions to handle complaints* and the level at which disputes should be dealt with, as well as appropriate disciplinary actions.

An important part of an effective complaints system is the implementation of gender-responsive investigations.

Promising practices in carrying out investigations include the following:

- *Ensuring investigations are gender-responsive*, taking into account gender norms, gender inequalities and the situations of vulnerability and risks faced by women with diverse identities at work.
- *Ensuring that investigations are not subject to statutes of limitations or, at minimum, allowing a sufficiently long period of time to file a complaint*, in order to ensure that cases of violence and harassment dating back over many years can be heard and investigated.
- *Establishing a transparent and appropriate process for internal and external independent investigations*.
- *Training for investigators* on gender-based violence related issues or hiring investigators with this expertise.
- *Carrying out the investigation in a transparent manner*, documenting all steps taken and communicating the outcomes and recommendations to all relevant parties.
- *Allocating sufficient resources* to enable prompt and thorough investigations.
- *Ensuring confidentiality* during investigations for all parties involved.

Some workplaces have established confidential complaints committees for the handling of violence and harassment cases. In some countries, such as India, Bangladesh, Pakistan and Nepal, these are required by law.

Promising practices involving the establishment of complaints committees and their functioning suggest the following (Morris and Pillinger, 2016):

- *Undertaking consultations* with workers and their organizations prior to setting up a Committee, drawing on expert advice about how to best deal with the sensitive issues of violence and harassment against women and ensuring that women have a voice in the design process.
- *Ensuring gender-balanced membership in the Committee* by including women managers, workers and trade union representatives.

- *Establishing effective procedures* for the Committee to receive, handle and report on complaints, as well as in carrying out awareness-raising and information activities.
- *Providing members with specific training* on investigating cases of sexual harassment.
- *Providing accessible and understandable information* about the Committee's work to employers and workers and their organizations in all relevant languages.

Confidential complaints committees

The role of Workplace Internal Complaints Committees in India (Morris and Pillinger, 2016)

Workplace Internal Complaints Committees (ICC) on sexual harassment are required by the Sexual Harassment of Women at Workplace Act, 2013 of India. The law requires that at least half the Committee members are women.

In many cases, the Committees have proved to be an important, early step towards giving workers a voice and suggesting solutions to organizational issues. There have been other effects as well, as the establishment of a committee can be a first step for trade unions to play a role in the workplace. However, experience has shown the importance of committees being open to scrutiny, if they are to function effectively.

Negotiations for workplace committees in the Philippines (ILO, 2017e)

Unions in the Philippines were instrumental in lobbying for the Anti-Sexual Harassment Law of 1995 and, in recent years, they have sought to implement the law, which requires the establishment of workplace Committees on Decorum and Investigation (CODI). The role of the CODIs is to receive complaints of sexual harassment, investigate in line with the prescribed procedures, submit a report of its findings with recommendations and to take a lead in raising awareness on sexual harassment and how it can be prevented.

In the electronics sector, two collective agreements were signed between unions and employers. The first was signed by Mitsumi Philippines, located in an export processing zone, and Mitsumi Philippines Workers Union (MPWU), leading to the establishment of a CODI, regular consultations with workers, and awareness-raising on sexual harassment across the company. The second collective agreement on sexual harassment was agreed to between the Katolec Philippines Corporation, in the electronic industry and the Katolec Philippines Labor Union (KAPLU) and led to the formation of a CODI in the company.

In addition, an anti-sexual harassment project run by the Associated Labor Unions (ALU) was initiated because of growing evidence of violence at work, relating particularly to sexual harassment, job discrimination, domestic violence and the abuse of women migrant workers. The project resulted in the implementation of six company policies, 89 implementing rules and regulations, and eight collective agreements with anti-sexual harassment provisions benefitting over 5,075 workers, 87 per cent of whom were women. In addition, more than 259 CODIs were established in the public and private sectors, benefitting 81,398 workers, 58,444 of whom were women. Finally, sexual harassment was included in the Department of Labor and Employment (DOLE) company inspection system, with an inventory on government monitoring mechanisms, company policies and practices, and programs in implementation.

76 Based on case studies prepared by UNI, IndustriALL and IUF, cited in ILO (2017e)

7.5 REMEDIES AND SUPPORT FOR VICTIMS

A number of effective remedies for women who experience violence and harassment in the world of work are emerging, including counselling, paid or unpaid leave or other measures to support their reintegration into work, as well as providing financial compensation. In a number of countries, such support is being provided at the workplace level. For example, in Belgium (Act on Wellbeing at Work, 2014) and the Netherlands (Working Conditions Act, 2007), legislation foresees the appointment of workplace "persons of confidence" who ensure confidential support to victims of violence, often providing an important prevention role.

Confidential support services for victims of violence and harassment

Unifor's Women's Advocate Program[77]

The Women's Advocate Program is a groundbreaking joint union-management workplace program designed to prevent and address domestic violence, and other forms of gender-based violence, in the workplace. The program has been successful in creating supportive and safer workplaces through information and awareness-raising. Trained workplace representatives (Women's Advocates) support victims to access leave from work, psychological support and safe housing.

By the summer of 2009, the union had negotiated the placement of Women's Advocates at 137 workplaces. The success of the program has led to a declaration against gender-based violence from the leadership of the union (Unifor, 2014).

Confidential workplace support services for women in Slovenia (ETUC, 2017f)

In Slovenia, the introduction of the 2009 Decree on Measures to Protect Workers' Dignity at Work in State Administration led to the appointment and training of confidential workplace counsellors. To date, the Slovenian Ministry of Labour, Family, Social Affairs and Equal Opportunities has trained over 600 workplace counsellors to this end, and the head of each public administration service is required to publicize the role of the counsellors. The counsellor provides advice to victims and helps mediate and resolve issues. Good practices have also been established in the Slovenian police and army, with good results, where there had previously been high numbers of complaints.

Building partnerships between workplace actors and civil society – for example, between NGOs, trade unions and specialist women's organizations – has been part of the solution in Slovenia. The health care trade union, the SOS Helpline and the Chamber of Nursing and Midwifery Services ran a joint project, "Advisory phone for people with experience of violence at the workplace". The project provides support and information to women who have been victims of violence and harassment at work (workplace violence and domestic violence) and to enable them to take action and make complaints.

International Transport Workers' Federation (ITF) – Global Women's Advocacy Program[78]

In collaboration with affiliated unions and the Swedish solidarity support organization "Union to Union", the ITF has developed the Global Women's Advocacy Program for the transport sector, based on the model developed by the trade union Unifor, in Canada. Training of trainers was delivered in Nepal, India, Peru and Brazil in 2017 and early 2018, based on a combination of global and national material developed in conjunction with specialists working on issues of gender-based violence.

The programme supports affiliates to call attention to, and end violence against, women transport workers and to support women survivors of domestic or workplace violence. The project is now focusing on supporting negotiations with employers, engaging new affiliates in developing women's advocacy, and exploring the links between gender-based occupational segregation and gender-based violence in the transport industry.

77 Unifor is Canada's largest private sector union, with more than 310,000 members, established in 2013, following a merger of the Canadian Auto Workers union (CAW) and the Communications, Energy and Paperworkers Union of Canada (CEP).

78 Information provided in an interview by Jodi Evans, ITF Equality Officer, and Union to Union (2018) op cit.

7.6 PERPETRATOR ACCOUNTABILITY

Emerging good practices suggest that workplace policies and procedures on violence and harassment that ensure accountability send a clear message that violence and harassment is not acceptable.

Depending on the provisions in the law, a variety of disciplinary procedures can be undertaken. This can lead to various sanctions, including verbal or written warnings, dismissal, mediation, coaching, counselling or ongoing supervision. Depending on the severity of the act, a warning or a direct apology may be what is appropriate. A victim-centred approach necessitates allowing the target to make informed decisions about the course of action, if any, to be pursued (e.g. informal resolution or formal resolution). Under certain circumstances (for example, where multiple reports are recorded against one individual or if the behaviour constitutes a criminal act), an employer's duty of care to their employees may require action to be taken without consent of the victim. Disciplinary action should be proportional to the behaviour in question and consistent with previous cases. Where this is lacking, a complaints procedure may be seen by workers as unsuitable, or it may create a sense of impunity, thereby affecting workers' trust and future reporting. This can be seen in cases where, for example, "high valued employees" are accused of violence and harassment (EEOC, 2016).

Some evidence indicates that programmes addressed to perpetrators not only serve in terms of accountability, but also may play a role in changing attitudes, thereby preventing future cases. Evidence from countries that have ratified the Council of Europe's Istanbul Convention shows some positive results from such programs in changing behaviour and reducing re-incidence, as well as the severity of violence and harassment. However, their effectiveness depends on the integration of such programs in "coordinated, inter-agency intervention that works to interrupt the pathways to violence at the different levels – societal, institutional, community and individual" (Hester and Lilley, 2014). Particularly where violence and harassment has been persistent and serious, close monitoring of perpetrators is needed (Hennessy, 2018). In a world of work context, guaranteeing victims' safety in the workplace should be considered a priority in such monitoring, and for the world of work to be part of a coordinated and institutional response to preventing domestic violence spilling-over to work.

Promising practices in communicating with employees who are perpetrators of domestic violence suggest that a constructive approach should be taken, including (City of Toronto, 2017):

- Making it clear that domestic violence is unacceptable.
- Clarifying that it might be necessary to speak to other agencies, if there are grounds to break confidentiality.
- Being aware that on some level the perpetrator may be unhappy about their behaviour.
- Informing the perpetrator that children are always negatively affected by living with domestic/intimate partner abuse, whether or not they witness it directly.
- Being aware, and informing the perpetrator, that domestic or intimate partner abuse is about a range of controlling behaviours, not just physical violence.
- Being aware of the likely costs to the perpetrator of continued violence and assist them to see these.

7.7 RAISING AWARENESS: TRAINING, INFORMATION, CAMPAIGNS, TOOLS AND GUIDANCE

Raising awareness about the unacceptability of violence and harassment against women workers contributes to changing perceptions and social norms. It also helps to create safer, healthier and more harmonious workplaces.

7.7.1 Training to prevent violence and harassment against women at work

Training on ending violence and harassment against women plays a number of roles: it improves understanding about gender inequalities; it helps initiate change at work; and it also relays information on what policies, procedures, recourse mechanisms and support are available to staff.

An increasing number of public and private employers provide training programmes for managers, supervisors and workers on preventing and responding to violence and harassment at work. However, traditional means of training, such as one-off online training or self-paced courses, have been shown to have a limited effect in changing organizational culture, particularly when they are carried out in isolation from other workplace measures (EEOC, 2016). Training methodologies and techniques that ensure ongoing engagement, especially those that are interactive, have the potential to help participants – particularly men workers – to understand important concepts that underpin violence and harassment (Kaufman, 2011 and Kaufman, 2009). This includes gender, masculinities, discrimination, inequality and bias (EEOC, 2016).

According to the US Equal Employment Opportunity Commission, sexual harassment training does not work when it is carried out as a part of a due diligence formality by human resources officials, and it needs to be focused on prevention (EEOC, 2016). Training also needs to highlight what are acceptable standards of behaviour and expectations in the workplace. In this context, training alone, and if not carried out from a gender and human rights-based perspective, is likely to be insufficient to reduce the incidence of sexual harassment; indeed, it may have the opposite effect, for example, by reinforcing views around victim blaming.

Training of workers, supervisors and managers should be part of a comprehensive approach to preventing violence and harassment. It should encompass a range of measures, policies and procedures that help to create a positive culture, with appropriate and respectful behaviour. The following are examples of different approaches to training on violence and harassment:

- *Training directed at managers, supervisors and workers, in order to promote a positive organizational culture*: Within this, it is important to cover situations that have the potential to escalate to violence and harassment.

- *Training to change attitudes, stereotypes and social norms*: This approach aims at empowering participants to understand gender inequalities and to model appropriate and dignified behaviour at work as a basis for changing social norms.

- *Training on unconscious and implicit bias:* This approach addresses the powerful effect biases have, for example, affecting decisions on recruitment and career advancement and harmful attitudes about women and men, resulting in negative behaviour.

- *Civility training*: This is a positive and preventative form of training that can help reduce bullying or conflict at work and promote respect and civility in the workplace generally. There is often a strong focus on skills-based training activities, including inter-personal skills, conflict resolution and supervisory techniques.

- *Bystander intervention training*: This can enable staff to develop skills to identify inappropriate behaviour at work and attitudes that contribute to a culture of gender inequality.

- *Peer-to-peer training:* This can be a way to widely disseminate information throughout the workplace. It places responsibility in the hands of workers' peers, which can be an empowering way to change culture and practices.

- *Trade union training*: This focuses on training for worker representatives to enable them to respond to members' concerns and experiences of violence and harassment at work, including the processes for supporting members in making complaints and signposting to specialist support services available for victims.

Promising practices on training include:

- *Taking into account workers' concerns about violence and harassment* and their needs when developing training; for example, by carrying out a pre-training survey.
- *Ensuring that management at all levels supports training*, which sends a strong message of its relevance.
- *Carrying out and reinforcing training on a regular basis for all workers*, and including it in induction sessions for all new staff.
- *Including interactive and participatory training methods*, for example, by making use of case studies, real-life scenarios, group work, videos and role-plays.
- *Ensuring that training challenges stereotypes* and encourages participants to address attitudes such as "victim blaming".
- *Providing participants with guidance to end violence and harassment at work*, taking into account what is achievable and relevant in their current roles and responsibilities.
- *Ensuring there is a regular follow-up after training*, with regular updates and information.
- *Evaluating the training and its effectiveness*, both in the short-term (as more workers feel empowered to report misconduct), and in the long-term (regarding a decrease of incidents).

Training on sexual harassment

Better Work training on sexual harassment for workers, managers and supervisors in Jordan (ILO and IFC Better Work, 2014)

The ILO-IFC Better Work Programme established in 2012 a task force to develop tools and materials to prevent and address sexual harassment. The sexual harassment prevention training provided managers, supervisors and workers with a better understanding of sexual harassment and its impact, as well as practical guidance on how to prevent and deal with sexual harassment. Supervisors were also trained on how to deal with allegations of sexual harassment. According to Better Work, after the implementation of the training in the Jerash Garment & Fashion Manufacturing Co. Ltd., the 80% of workers surveyed indicated having a better understanding of what constitutes sexual harassment and of its different implications.

Unconscious bias training for corporate leaders in Australia: The Gender Equality Project (cited in Powell, Sandy and Findling, 2015)

The Australian Gender Equality Project, run by the Centre for Ethical Leadership at the University of Melbourne's Business School is a participatory action research program. It works in partnership with senior leaders and corporate executives to raise awareness on gender inequalities. Unconscious bias training is carried out for participants to help them understand how individual and organizational inequalities play out in the workplace and how bias shapes patterns of thinking and behaviour, as well as actions and decision-making in the organization. Specific tools in this training include materials to identify bias and prevent engaging in biased decision-making.

ILO Vietnam training programme on the prevention of sexual harassment for employers and workers

Between 2013 and 2015, over 100 enterprises participated in a training programme to give employers and workers an understanding of what constitutes sexual harassment. The training highlighted the different forms of violence and harassment (physical, verbal and non-verbal conduct of a sexual nature) and the impact that it has on workers. It provided tools for protecting workers from sexual harassment and how to avoid inappropriate behaviour themselves. Mechanisms for addressing sexual harassment, including implementing effective complaints procedures and carrying out impartial investigations, were important aspects of the training. Along with the introduction of workplace policies and complaints procedures, the training has helped to significantly reduce the problem of sexual harassment in the workplace.[79]

Peer-to-Peer worker education programmes: examples from Florida and Bangladesh

In Florida, the Fair Food Program, run by the Coalition of Imokalee Workers, has developed educational materials created by farmworkers themselves, with which the Coalition provides worker-to-worker education on workers' rights at all farms that participate in the Fair Food Program (Human Rights Watch, 2012).[80]

In Bangladesh, the Fair Wear Foundation's (FWF) peer-to-peer training has proved an excellent way to reach workers in garment factories. Since 2015, FWF has run a peer-to-peer programme in Bangladesh, which enables training in large factories – employing around 3,000 workers. Trainers give each worker in the Programme a booklet and ask them to share what they have learned with ten other workers and to report back about this (Fair Wear Foundation, 2018).

E-learning course on preventing sexual harassment in Georgia[81]

An interactive e-learning course on the prevention of sexual harassment was launched in 2017 for public officials in Georgia. It was developed by UN Women, in partnership with the Civil Service Bureau, the Government Administration, the Gender Equality Council of the Parliament, the Public Defender's Office, trade unions and civil society partners. The course aims to raise awareness about the incidence, and the effects, of sexual harassment in the workplace, and looks at what employers, managers, workers and bystanders can do to prevent it. Through practical examples, it shows how all workers can contribute to a positive workplace and organizational culture free from sexual harassment. Advice is also given on responding to sexual harassment and making complaints.

The Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees has introduced the course as mandatory learning for all staff, and additional ministries will pilot the online training with staff, prior to it becoming mandatory for all civil servants.

79 Information provided in an email by Mai Thi Dieu Huyen, Vietnam Chamber of Commerce and Industry.

80 For further information about the CIW see: http://ciw-online.org/about/

81 For further information about the training programme see UN Women (online): https://eeas.europa.eu/delegations/georgia/24499/eu-supports-prevention-sexual-harassment-workplace-georgia_en and http://georgia.unwomen.org/en/news/stories/2017/04/high-level-commitments-to-the-prevention-of-sexual-harassment-in-the-workplace. The training programme is available online (in Georgian) at: http://www.ombudsman.ge/ge/

FIU-Equality Denmark - shop stewards training about domestic violence[82]

FIU-Equality, a trade union training organization on equality and diversity, offers regular shop stewards' training that aims to promote policies and activities to break taboos about domestic violence, to assist victims in seeking help at the workplace and for elected worker representatives and work colleagues to help victims of domestic violence. FIU-Equality has also produced training materials on preventing domestic violence at work, with guidance on implementing workplace policies.

Since 2005, an annual conference on domestic violence has been held to mark International Day for the Elimination of Violence Against Women (25 November), and an annual awards programme showcases innovative workplace policies and initiatives to prevent domestic violence at work from companies and shop stewards. Examples include representing a victim or in persuading an employer to introduce a workplace policy, negotiating with an employer to allow a victim to have temporary leave or flexible working hours, and negotiating a change of job within the company or a job placement in another town or region. Another example is a theatre play commissioned in 2009 from the theatre company "The Travelling Stage" in partnership with the White Ribbon campaign, using theatre to explore the difficulty men have in talking to a male colleague who is perpetrating domestic violence. Theatre was seen as a good way to deal with the taboo of domestic violence.

Training on domestic violence at work, Victorian Trades Hall Council, Australia[83]

The Victorian Trades Hall Council (VTHC) provides training for unions and those at the workplace to help implement enterprise agreements that give the right to domestic violence leave and other forms of workplace support. Lessons from the implementation of workplace policies and domestic violence leave is that there have been some instances where a lack of training on family violence in the workplace has caused further distress for a victim. Therefore, training has been prioritized to cover a range of topics that aim to build understanding of family violence, why it is a workplace issue and what can be done to end and manage it.

One successful part of the training is that it draws on real case studies of how domestic violence has been tackled in the workplace. The training is supported by a handbook that provides practical resources and information, including a copy of the VTHC model family violence leave clause and a template for a workplace family violence safety plan (The Victorian Trades Hall Council, Undated, currently being updated).

Training for farm workers in Morocco, United States Solidarity Center

In Morocco, a partnership between the United States Solidarity Center and the Democratic Labor Confederation (CDT) aims to improve worker rights, which is seen as the first step in addressing gender-based violence in the agricultural sector. According to the coordinator of the CDT's Women Department and part of its executive board, "...when women understand how gender-based violence at work is part of a larger structural system preventing them from attaining better wages and decent working conditions, they can go on to denounce these kind of practices and exercise their rights" (Solidarity Center, 2017).

The gender equality training has helped women to understand their rights and to improve their situation. It relies on creative methods, including role plays. One thousand agricultural workers on five large farms won a landmark agreement (contract) in 2015 that includes the first-ever maternity leave, as well as other improvements on equality, enabling women to have access to higher-paid, traditionally-male jobs. Having better rights at work has been shown to reduce the risk of violence and harassment at work and has helped women to feel safe and be more productive at work (Solidarity Center, 2017).

82 Information provided by Susanne Fast Larsen, United Federation of Danish Workers, 3F, and also cited in Pillinger (2017b).

83 Information provided in an interview by Pia Cerveri, Co-lead Women and Equality Team, Victorian Trades Hall Council.

7.2 The role of bystanders and bystander training

Expanding training and awareness-raising to bystanders supports prevention of violence and harassment at work.

Bystander approaches are mainly used as a form of violence prevention in university and college campuses and are increasingly recognized as contributing to an effective strategy to raise awareness and to change the culture (Labhardt *et al*, 2017, pp. 13-25). Bystander training has the potential to empower workers to intervene with peers to prevent violence and harassment from occurring. In this way, training builds workers' skills to be "active" bystanders, to recognize violence and harassment, and to understand when it is appropriate to intervene (EEOC, 2016, p. 57). This is particularly important because survey evidence shows that workplace sexual harassment incidents are regularly witnessed by colleagues and that, in the majority of cases, they do not intervene (Australian Human Rights Commission, 2018, p. 9).

Such training can help workers in challenging and changing informal practices and cultures, for example, in identifying ways to respond to violence and harassment in non-confrontational ways (Powell, Sandy and Findling, 2015). As the US Equal Employment Opportunity Commission found, "Bystander training could teach co-workers how to recognize potentially problematic behaviours; motivate and empower employees to step in and take action; teach employees skills to intervene appropriately; and give them resources to support their intervention" (EEOC, 2016, p. 58).

Bystanders, including bystander colleagues, who witness violence and harassment should be encouraged and supported to take the initiative, including, if appropriate, to approach the perpetrator sensitively. Being proactive may be the first step to break down isolation and help the victim to enforce her rights (for example, to make a complaint or leave an abusive partner).

Promising practices show that if a worker approaches a co-worker about a difficult experience, it is important to validate their experience and to talk to them sensitively, to help them to find a strategy to tackle the problem. For many victims, violence and harassment is a traumatic and distressing experience that can cause a loss of confidence. Many also feel shame and guilt. For this reason, it is important to show empathy when supporting and talking to victims.

Bystander intervention initiatives

"Take A Stand Against Domestic Violence" training programme, Victoria Health, Australia (Cited in Powell et al, 2015)[84]

"Take A Stand Against Domestic Violence" is a targeted workplace training program on domestic violence, designed around three elements: "to lead, to train and to promote". Based on an active bystander model, it tackles the identification of comments, practices or actions in the workplace relating to violence. The program can be tailored to the requirements of the organization. In addition, the program encourages organizational engagement with the White Ribbon Campaign, a global movement to end violence against women.

84 See also: Women's Health Victoria (2017) Take A Stand Against Domestic Violence. It's Everyone's Business (brochure) https://www.ourwatch.org.au/getmedia/5d67c6a4-bc42-425e-85a9-e5c2c1ca71c5/Promising-Practices-Workplace-Organisational-Approaches-PVAW.pdf.aspx

Bystander intervention: #WhoWillYouHelp - Ontario government[85]

The Ontario government has issued a video advertisement, #WhoWillYouHelp, urging bystanders to intervene when they witness sexual violence and harassment. In the advertisement, the viewer is the bystander. One vignette shows a woman working at her office computer, while a man gives her an unwelcome shoulder massage. The man looks into the camera and says, "Thanks for minding your own business", followed by the message "When you do nothing, you're helping him; but when you do something, you help her".

The video advertisement is part of the Ontario government's "It's Never Okay" action plan to stop sexual violence and harassment, which encourages a sense of collective responsibility and collective action, including by bystanders. A similar example is the (Toronto) Mount Sinai Hospital "Are You an ALLY?" campaign, which includes tools on how to support victims of discrimination or harassment, and how to help end it.

Green Dot in Anchorage, Alaska[86]

Green Dot is a violence prevention program established by an NGO in the state of Virginia, in the United States that helps bystanders to develop strategies and techniques to: (1) identify situations that can lead to acts of violence ; and (2) intervene safely and effectively. The program is based on mapping of relevant actions, indicating with red dots those acts amounting to violence and harassment and, with green dots, "any behaviour, choice, word, or attitude that promotes safety...and communicates utter intolerance for violence." The goal is to reach a predominance of green dots.

The City of Anchorage, in the State of Alaska has run the Green Dot program at the community level, including at bars and restaurants where examples were shared of violent or potentially-violent behaviours against staff. As a result of the Green Dot training, bar and restaurant owners in Anchorage began to change the culture, hosted trainings, developed policies and engaged in a host of creative ideas, such as Green Dot trivia contests, and competitions. Both staff and patrons acquired new skills to respond to potential harassment and violence.

"Make it Our Business" Domestic Violence Workplace Education Program, Canada

The "Make It Our Business" Domestic Violence Workplace Education Program allows organizations of all sizes to develop skills and knowledge and build confidence to address domestic violence. Using a participatory methodology, the program teaches supervisors and co-workers how to intervene and support someone experiencing domestic violence.

"1. RECOGNIZE: All workers should be able to recognize warning signs and risk factors of domestic violence

2. RESPOND: All workers should be aware of their legal responsibilities and know how to respond safely

3. REFER: All workers should be aware of available services and supports inside the organization and in the community

4. REPORT: All workers should be aware of formal and informal reporting procedures"[87]

85 See Ontario Government (online): https://www.ontario.ca/page/lets-stop-sexual-harassment-and-violence.

86 See Green Dot, Alaska: https://greendotalaska.com

87 A full description of each of these elements is available in the booklet: Recognize and respond to domestic violence in your workplace: http://makeitourbusiness.ca/sites/makeitourbusiness.ca/files/Recognize_and_Respond_0.pdf

Forum Theatre for Bystanders

Forum Theatre is a participatory theatre method used to discuss the sensitive issue of violence against women in the workplace. Promoted at several midwestern universities in the United States, the "Forum Theatre for Bystanders", is a community-based approach that increases bystander responsibility and reduces victim blaming (Mitchell and Freitag, 2011, pp. 990 – 1013).

United Steelworkers Bystanders Program in British Columbia, Canada

The United Steelworkers Union has introduced the programme "Be More Than a Bystander - Break the Silence on Violence Against Women". This is a groundbreaking initiative established between the Ending Violence Association of British Columbia and the British Columbia Lions Football Team. The programme, consisting of training and awareness-raising, aims to heighten awareness and understanding about the impact of men's violence against women. Since 2011, over 100,000 people have participated in training in British Columbia about how they can speak up and break the silence on violence against women. The United Steelworkers Union has participated in three-day intensive train-the-trainer courses, enabling the training to filter through the union. through locals and workplaces. The training aims to give an in-depth understanding of the bystander intervention model, including:

- Why these are men's issues;
- What role socialized masculinity plays towards violence in society;
- What is sexism and misogyny;
- The pressure to be tough and not empathetic;
- Media literacy and understanding the role of media in establishing and maintaining social norms;
- The power of men stepping in and speaking up;
- The role of bystander intervention as a men's leadership issue;
- Know what options there are to speak up/interrupt abuse and violence; with people they know and with strangers.

Training on talking to women who experienced violence and harassment, Georgia

The UN Women Online training programme for public servants in Georgia[88] contains the following guidelines on communicating with women victims of violence and harassment:

- Don't judge or blame the person, let them tell you about what has happened in their own time.
- Allow them to be in control. Ask how you can help and allow them to make their own decisions. Help them find useful information, but don't insist on them doing anything or speaking to anyone they don't want to.
- Avoid asking them about the details of what happened if they are not ready to talk about it. You could suggest that they write it down as this is one way to express what has happened.
- If the victim has experienced physical sexual harassment, it is important to be respectful of the fact that they may be uncomfortable with being touched.
- Be supportive. Acknowledge what they are going through, be prepared to give support in the future.
- If the person is in immediate danger or there is a risk of further violence and harassment, it will be important to propose a 'safety plan' with practical steps so that they protect themselves.

88 For further information about the training programme see UN Women (online): https://eeas.europa.eu/delegations/georgia/24499/eu-supports-prevention-sexual-harassment-workplace-georgia_enandhttp://georgia.unwomen.org/en/news/stories/2017/04/high-level-commitments-to-the-prevention-of-sexual-harassment-in-the-workplace. The training programme is available online (in Georgian) at: http://www.ombudsman.ge/ge/

7.7.3 Understanding power and unwelcome behaviour at work

When addressing violence and harassment in the world of work, it is important to understand the interplay of "consent" in relation to the abuse of power and unwelcome behaviours. It is particularly important to take into account gender power relations, as refusal to agree may not always be possible. It is, therefore, important to understand the "coercive context in which consent is given" and that submitting to sexual harassment should not be interpreted as an indication that it is wanted or desired (O'Connor, 2017, pp. 8-16). Sexual harassment is a form of sex discrimination. Understanding consent in the context of gender inequalities, a "yes" can actually be a result of coercion or the inability to say "no" because of the imbalance of power. "It can be the outcome of forced choices, precluded options, constrained alternatives, as well as adaptive preferences conditioned by inequalities" (MacKinnon, 2005, p. 246).

The concept of unwelcome sexual conduct removes the ambiguity that may present itself with consent-based definitions, where the intent of the perpetrator becomes irrelevant.

7.7.4 Engaging men to stand up to violence and harassment against women in the world of work

Gendered social norms encompass expressions of male superiority, bound up in male social bonding and stereotypes about male sexuality. Such norms have a unique effect in cases of violence and harassment against women, as they can foster a culture of "victim blaming". Furthermore, men can also be harmed by these unequal gender social norms (Flood, 2010), which often discriminate against certain forms of masculinity that are not considered acceptable. Real transformational change – and improvement in working conditions for both men and women - ultimately requires engaging men to change negative gender power relations.

For example, when sexual harassment prevents or discourages women from working in an all-male environment, men can model respectful behavior, thus helping to change the negative social norms that underpin sexual harassment. When men take on roles as social change agents in challenging violence and harassment against women, they can help to shift perceptions, beliefs and rigid social norms.[84] This should be discussed with men involved in formulating policies and strategies, in trade unions and employers' organizations, in academic and educational institutions, in health services and in community organizations. The promising practices below highlight men's active roles in challenging violence and harassment against women at work. Programming guidance on working with men and boys to end violence against women that includes working within institutions and employing various methodologies can be found on the UN Women Virtual Knowledge Centre.[85]

84 An example is Oxfam's 'We Can' Campaign in South Asia which urged participants – male and female - to reflect on their own attitudes and beliefs and to reject all forms of violence against women before encouraging participants to become 'Change Makers'. The aim is to move beyond behaviour change to wider social transformation. See: https://policy-practice.oxfam.org.uk/our-work/gender-justice/ending-violence-against-women/we-can

85 See: http://endvawnow.org/en/modules/view/9-men-boys.html

Engaging men as change agents in the workplace

FUTURES without violence: How men can support workers experiencing violence and harassment (Futures without violence, 2017)

FUTURES is a pioneering collaboration among anti-violence advocates, trade unions, service providers, worker associations and employers, to implement change through innovative solutions to address the vulnerability of low-wage workers experiencing violence at home and at work. The virtual campaign #HowIWillChange stresses the importance of believing women who make complaints. It encourages men to "call out" other men whose behaviour is harassing or discriminatory, and to promote and implement effective policies in the workplace. It provides further guidance about how to respond when a worker reports that she or he is experiencing sexual harassment. This includes responding compassionately, prioritizing safety planning, assuring confidentiality consistent with your workplace policy, to the fullest extent possible, and giving space for the victim to have a say over the workplace's response.

"The Hands Off Pants On" campaign videos

Men from the union representing hotel workers in Chicago, Illinois (United States) were mobilized to take a strong stand against sexual harassment and violence against women in hotels and casinos. 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.[91]

The White Ribbon Campaign: Men working to end violence against women

The White Ribbon Campaign[92] is a global campaign by men to end violence against women and girls. The white ribbon symbolizes a man's pledge to never commit, condone or remain silent about violence against women and girls. Men in companies and trade unions across the world have also carried out white ribbon campaigns. For example, an Australian campaign led by unions in the construction sector, "Real men don't abuse women", spreads the message that violence against women is unacceptable and encourages men to speak out. The Australian Mariners' Union has displayed white flags on sea-going vessels on the White Ribbon Day.

An innovative program is the White Ribbon Australia Workplace Accreditation Program. It focuses on workplaces across all sectors of the economy to engage them in driving cultural change to prevent violence against women. It also links workplaces through the appointment of what it calls "White Ribbon Ambassadors" and "Advocates" in key positions, the provision of e-Learning and on-line resources, and participation in the Annual White Ribbon Campaign (White Ribbon, Undated, b).

91 The videos of the men reading the testimonies can be seen on: https://www.handsoffpantson.org/

92 The Campaign – using the symbol of a wide ribbon – started in response to the horrific murder of 14 women on 6 December 1989, at the École Polytechnique in Montréal. The Campaign has become a global campaign and focuses on changing policy, raising public awareness and challenges men on their actions, ideas and beliefs. See: www.whiteribbon.com.

Changing men's awareness of violence against women in the transport sector in Rwanda and Uganda[93]

The Amalgamated Transport and General Workers Union (ATGWU) in Uganda, and other ITF affiliates from Burundi, the Democratic Republic of Congo, Kenya and Tanzania, are supporting projects for long distance drivers along the Northern Corridor in Central and Eastern Africa. The ATGWU runs a drop-in centre at four border crossings where truckers are often delayed by border controls for several days – a wait which often involves casual or transactional sex. In the centres, fulltime coordinators work with teams of trained HIV/AIDS peer educators and counsellors. They conduct sessions for both drivers and local community members, at which violence against women and sexual violence are challenged. Although specifically a project on HIV/AIDS, this is an example how violence against women can be introduced as a topic of discussion on the foot of another topic, providing an important entry point for the issue to be discussed in a non-confrontational way.

Men in trade unions take a pledge to end violence against women

Men have been encouraged to take a pledge to end violence against women, often through global union-led actions, and inspired by union actions in Australia and Canada. For example, in the opening of the International Transport Workers' Federation (ITF) Congress in 2014, the White Ribbon Campaign posters were exhibited and trade union leaders were photographed making a pledge – "This is my Oath" – to end violence against women. This action followed a resolution by the ITF Women's Committee in May 2013 asking general secretaries of all ITF affiliated unions to lead and implement the ITF campaign against all forms of violence against women and to support the UN International Day for the Elimination of Violence against Women on 25 November. Since then, other global union federations have carried out similar pledges.[94]

Tackling how men workers discuss violence against women through theatre

In Denmark, unions working together to raise awareness about the impact of domestic violence in the workplace have carried out a range of activities with men. This includes a play commissioned in 2009 by the theatre company "The Travelling Stage" in partnership with the White Ribbon campaign, which looked at the difficulty faced by men when they talk to a male colleague who is perpetrating domestic violence (ETUC, 2016).

93 See: https://www.itfglobal.org/en/region/itf-africa

94 See the 2017 Public Services International Congress: http://congress.world-psi.org/documents/psi-pledge-en/

7.7.5 Awareness-raising and campaigns

Many employers, trade unions, and NGOs include awareness-raising and information, and run campaigns to end violence and harassment against women in the world of work, as part of an integrated strategy to end violence and harassment against women. In isolation, awareness-raising is not always effective, but it can form an important part of combined strategies linked to prevention.

Awareness-raising and campaigns to end violence and harassment against women at work

The "Ya Basta" movement in California USA, to stop sexual harassment and sexual abuse against janitors (Yeung, 2018)[95]

A campaign by women night shift janitors in California to stand up to sexual harassment and assault has helped bring visibility to this hidden problem. In 2016, the union - Service Employees International Union-United Service Workers West - representing janitors in California, discovered that the majority of their members had either witnessed or experienced sexual harassment at work. Worker consultations showed that around half of the 5,000 workers who responded to the survey said they had been sexually harassed or sexually assaulted at work, and another quarter had witnessed it.

The union's campaign involved advocacy throughout the State, with signs that read, "Ya Basta", ("Enough is enough", in Spanish), and a hunger strike in front of the California legislature. The union and The Maintenance Cooperation Trust Fund supported women workers to take leadership roles through an anti-sexual violence program designed for janitors by the East Los Angeles Women's Center. Women were trained as "promotoras" (community-based trainers), to assist other women who had been sexually-harassed at work. The campaign led to the successful passage of the Property Services Workers Protection Act, which requires anti-sexual harassment training for all janitors. Employers that do not comply by 2019 will not be able to do business in California, and perpetrators will be held accountable.

A coalition of workers' rights and anti-sexual violence organizations have created the Ya Basta Coalition which is developing effective anti-sexual harassment training for low-income workers.

UNI Global Union "Break the Circle" campaign[96]

Aware that violence is deeply embedded in culture, UNI Global Union has placed emphasis on raising awareness about violent attitudes and actions and is finding ways to address them at an individual and societal level. The "Break the Circle!" Campaign has produced videos, documents, toolkits, a blog where affiliates share their campaign activities on violence, and a campaign website (http://en.breakingthecircle.org).

Each year, the campaign has focused on a new topic, ranging from combating inequality that generates violence, to the different faces of violence. Themes have included violence against women and girls, the economic costs of violence, the impact of violence in the media, and ending gender-based violence at work.

ITUC campaign "Stop Gender Based Violence at Work" (ITUC, 2017a)

In 2017, the ITUC launched a global campaign, "Stop Gender-Based Violence at Work", with the aim of gaining widespread support for an ILO Convention on violence and harassment against women and men in the world of work and bringing gender-based violence to the centre of the campaign. As a part of this work, ITUC has developed a high-profile social media campaign, a campaign toolkit and a regular newsletter.

95 See summary of the campaign: https://www.pbs.org/wgbh/frontline/article/a-group-of-janitors-started-a-movement-to-stop-sexual-abuse/

96 UNI Global Union is a global union federation representing more than 20 million workers across the world in commerce, services and professional and managerial occupations and related sectors.

Joint union task force on sexual harassment in Denmark is campaigning to end sexual harassment at work

A union task force against sexual harassment has been established between four Danish trade unions (3F, HK-Denmark, Serviceforbundet Teknisk Landsforbund and Fængselsforbundet) to raise awareness on sexual harassment. The objective of the task force is to develop common union strategies on raising awareness and addressing the issue. Strategies being discussed include how to increase sanctions, public awareness-raising on sexual harassment, common strategies on work environment guidelines, and the use of litigation, including the EU Court of Justice. A recent successful hearing organized by the Task Force in the Danish parliament led the Government to agree to drafting new legislation to end sexual harassment at work. The task force has a media strategy, linked to a Facebook campaign, "Over Stregen" ("crossing the line").[79]

Central Unitaria de Trabajadores, Chile "Gender Agenda" campaign

The Central Unitaria de Trabajadores de Chile (CUT Chile) ran a "Gender Agenda" campaign to tackle violence at work and at home. The campaign gives special urgency to the need for response mechanisms and effective sanctions against perpetrators. It has been successful in raising awareness of violence at work and has encouraged women to report cases of sexual harassment and violence.

CUT Chile documented consultations and workshops with women about violence at the workplace (CUT Chile, 2014). This called for improved legislation to criminalize and punish sexual harassment, including improved processes and procedures for making confidential complaints and carrying out independent investigations. "Guidelines for prevention of harassment directed at public sector workers from a gender perspective" has been developed with information about how violence affects women at work, the types of violence experienced by women and how to identify violence. The campaign has led to more women making complaints about sexual harassment and increased awareness that violence at work is unacceptable.

7.8 GENDER-RESPONSIVE PUBLIC SERVICES

Gender-responsive public services are quality public services that meet women's needs and are of major importance to the achievement of gender equality and to ending violence and harassment against women in the world of work. They require gender-responsive public budgeting to ensure that resources are available to meet women's needs in accessing quality employment and services related to violence against women (UN Women, 2015a). Access to services that support women's equal participation in employment has been a focus of a number of international campaigns, such as the Public Service International's global campaign for quality public services (Public Services International, Undated).

Universal, quality public services benefit women and help create safe cities (Martinez-Vazquez *et al*, 2012 and UN Women, 2015a). Decision-makers and public service providers have a key role to play in ensuring that policies, planning, resources, investments and practices are free from gender bias. Examples of emerging strategies include the participation of women in seeking solutions that enhance their access to economic and social participation, including their participation in decent work.

Gender-responsive public services can play a key role in ending violence and harassment against women in the work of work by:

- *Addressing women's social and economic exclusion* and by recognizing that an absence of gender-responsive public services can negatively impact on women's safety;

97 See Over Stregen (in Danish): https://www.facebook.com/search/top/?q=over%20stregen%20-%20seksuel%20chikane

- *Challenging social norms* that perpetuate inequality;
- *Having safe access to quality public services*, such as water and sanitation, electricity, transport and other public services, as well as health care, education and training, and good quality employment, will reduce the risk of violence in public spaces and when women travel to and from work;
- *Targeting resources to relevant health care and social services* for women who have experienced gender-based violence.

Investment in quality public services does not only alleviate the consequences of violence and harassment for victims, but it also promotes redistribution of resources and reduces inequalities in access to education, health services, childcare and decent work for women (Oxfam, 2018). Indeed, substantial reforms and a social investment strategy are needed to help achieve the Sustainable Development Goals (Donald and Moussié, 2016). This is particularly relevant to Goal 5 to "Achieve gender equality and empower all women and girls", where governments are committed to "Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the household and the family as nationally appropriate", as well as to Goal 8 to "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all" (UNGA, 2015, A/RES/70/1). Adequate resources and political will are also important in ensuring that gender-responsive public services contribute to improving safety of all women, particularly women living in poverty and working in situations of vulnerability.

Essential Services for Women and Girls

The United Nations Joint Global Programme on Essential Services for Women and Girls Subject to Violence provides "a coordinated set of essential and quality multi-sectoral services for all women and girls who have experienced gender-based violence" (UNFPA, UN Women, UNODC and WHO, 2015). It outlines service delivery guidelines for the core elements of essential services to be provided by the health and social services sectors, as well as law-enforcement and justice authorities, and identifies guidelines for coordination to ensure the delivery of high-quality services. Closely related to access to services and policies, gender-responsive budgeting is a further way by which the allocation of public resources and budgets for gender equality can be assessed, including the prevention of, and response to, violence against women. This, in turn, can reduce costs resulting from absence from work and physical and mental health impacts.

7.9 SAFE PUBLIC SPACES

7.9.1 Safe public spaces and markets

The impact of violence against women and girls in cities, including its economic costs, is significant.[93] Available data suggest that the vast majority of women have experienced some form of unwanted sexual attention or sexual harassment in public spaces (European Parliament, 2018; UN Women 2015a). Women and girls regularly experience sexual harassment and other forms of sexual violence in public spaces – on the streets, in and around public transport hubs, schools, workplaces, water distribution sites, public toilets and parks. Moreover, many women street traders and vendors in open markets face violence and harassment on a daily basis. Therefore, the provision of safe public spaces and safe transport are key elements to ensure women's wellbeing, including in the world of work.

93 For further information about safe cities programming see: UN Women's Virtual Knowledge Centre Why focus on safe cities and communities for women and girls? Available at: http://www.endvawnow.org/en/articles/238-why-focus-on-safe-cities-and-communities-for-women-and-girls.html?next=239.

Safe public spaces are closely connected to the provision of gender-responsive public services. For example, the growth of urbanization across the world, coupled with unprecedented levels of informal settlements and a significant increase in informal employment, means that "...cities provide sites for a range of gendered, intersectional, injustices, such as those in informal settlements and in the workplaces of informal workers" (Cities Alliance, 2017, p.6). Safe public spaces that enable women to move freely without fear of violence and harassment are essential, because they promote women's independence and participation in work and community life.

Gender differences need to be taken into account in the planning of cities and transport, as part of gender-responsive city planning and service provision.

"Sexual harassment in public spaces is widespread and often normalised, taking place in crowded places or under the influence of alcohol consumption, sometimes reinforced by cultural values which celebrate hyper-masculinity."

(European Parliament, 2018, p.9)

Women face increased risks of violence and harassment where there is poor infrastructure, limited sanitary facilities, a lack of street lighting or unsafe neighbourhoods. Also, a lack of policing impacts on women's mobility, particularly when they have to walk home at night in unsafe and unlit areas or rely on unsafe transport. Investments in public services, infrastructure and support services was identified as being crucial for garment workers in Cambodia, particularly as this is a group of workers who frequently face risks of violence – including rape and other forms of sexual assault - when they travel to and from work (Action Aid, 2015; UNDP 2009 and UN Women 2017b).

"My home is far away from my workplace. It is also dark and there is no authority who can protect us."

Kunthea, a 30-year-old woman garment worker in Cambodia (Action Aid, 2017, p.21).

Making cities and public spaces safe for women has been the objective of a UN Women Global Flagship Initiative "Safe Cities and Safe Public Spaces" developed in partnership with women's rights organizations, local governments and UN partners. There are currently over 35 initiatives in developed and developing countries across the world working to ensure that women and girls are economically, socially, and politically empowered in public spaces (including markets) which are free from sexual harassment and other forms of sexual violence (UN Women, 2015c and 2011a). In India, campaigns by the National Association of Street Vendors of India (NASVI) and the Self-Employed Women's Association (SEWA) contributed to the introduction of legislation, which recognizes the rights of street vendors and protects street vendors' rights through a registration process for vendors and statutory bargaining committees (Government of India, 2012).

Promising practices in creating safe public spaces suggest the following practical steps can be taken (Jagori, UN Women *et al*, 2011):

- *Define and understand specific local problems, including* physical factors (such as safety of streets, street lighting, toilets) and social factors (expectations about women in public spaces, beliefs about seriousness of sexual harassment, and social status of women in economic and political roles).
- *Improve access to existing policies and programs contributing to safety or lack of safety and take steps* to cover the availability of basic services.
- *Create partnerships with stakeholders* in order to find tailor-made solutions to particular problems in the community.

• *Plan and implement interventions*, such as urban planning and design of public spaces; provision and management of public infrastructure and services; public transport; policing; legislation, justice and support to victims; education; civic awareness and participation.[99]

• *Ensure monitoring and evaluation* for each intervention.

Safety audits are a further practical tool to evaluate safety of public spaces. They can help to pinpoint unsafe areas faced by mobile women workers, such as: women bus drivers or mobile health workers; women who work in markets or in street settings; or workers who travel late into the night.

Promising practices in carrying out safety audits can include the following steps (Jagori, UN Women et al, 2011):

• Recording the state of facilities such as: roads and pavements; signage and maps; vacant areas; street lighting and public toilets; proximity to security guards or police;

• Recording what leads to a lack of safety;

• Making recommendations for interventions for safer spaces and improved services;

• Presenting recommendations to relevant authorities and disseminating, communicating and advocating for change.

Safe cities and safe public spaces

Violence Prevention through Urban Upgrading Project, Khayelitsha Township, Cape Town, South Africa

In the Khayelitsha Township, a physical upgrading project has become a model for other violence prevention strategies in unsafe urban areas. It has particular relevance to women's access to and participation in work, including self-employment. In the township, extremely high levels of rape were reported. The physical upgrading of the township took into account the "triangle of violence", covering urban renewal strategies to reduce risks of violence, criminal justice measures to discourage potential violators, and public health and conflict resolution interventions to support victims of violence. These included the improvement and installation of lighting, closed-circuit television and public telephone systems, public transport and safe walkways, and community involvement in providing safety hubs in dangerous areas. A number of specific anti-rape strategies were introduced, including establishing rape crisis centres and counselling services, self-defence training and community awareness-raising. Police received training, and their presence was increased in dangerous locations. Finally, jobs and services were brought closer to residents. Between April 2008 and March 2009, there was a 20 per cent reduction in violent crime.

99 These areas for intervention were drawn up by UN-Habitat, Dept of Women and Children, Jagori & UN Women (2010) Safe City Free of Violence Against Women and Girls Initiative: A Strategic Framework for Delhi. Delhi, Jagori.

Safe markets for women vendors in Papua New Guinea (UN Women, 2014)

In Port Moresby, Papua New Guinea, a safe market programme led to new safety initiatives being introduced for women market traders and vendors. Women make up 80 per cent of market vendors in Port Moresby; a scoping[100] study revealed that over 90 per cent of women and girls have experienced some form of sexual violence when accessing public transportation, and 55 per cent of women market vendors had experienced sexual harassment and sexual violence in the markets where they worked (UN Women, 2014). Sexual harassment, sexual violence and extortion were common, and further risks occurred when women were displaced from the market premises and forced to sit by busy road sides to sell their vegetables. Women's safety and health were also affected by inadequate storage facilities, lack of running water and toilets. Women faced harassment from market security and police. Poor street lighting and unsafe public transport increase their vulnerability when travelling home.

The initiatives included strengthening the role of police at the markets, safer lighting, toilets and transport infrastructure, and a city-wide behaviour change programme. Associations have been established with 50 per cent or more representation of women in executive positions at varying times, which has helped to prioritise women's safety measures. Appropriate training and capacity building in law enforcement institutions and among community leaders has also contributed to empowering women. In one of Port Moresby's main markets, the Geheru market, the project developed strong participation of women vendors through vendors' associations, safety measures, and upgrading its infrastructure. A library and children's park were built for the many children who accompany their mothers to the market.

The Port Moresby Safe City Free from Violence against Women and Girls Programme is implemented by UN Women in partnership with the local authority, the police, women's organizations, vendors and customers.

Action Aid's Safe Cities for Women – implementing gender-responsive public services in Brazil (Action Aid International, 2017)

Action Aid's Safe Cities for Women campaign addresses violence against women in urban public spaces, by promoting gender-responsive public services and gender-responsive urban planning. Action Aid's evaluation of women's safety in urban spaces in Bangladesh, Brazil, the Democratic Republic of Congo, Jordan, Liberia, Nepal, Nigeria, Senegal, South Africa and Zimbabwe found that women do not fully enjoy safety despite commitments to ending gender-based violence by governments. A focus on safe public transport systems is necessary to enable "...women and girls to be able to exercise their right to freedom of movement and enjoy and use their cities' services without the threat of exclusion, sexual violence or harassment" (Action Aid International, 2017, p.5).

In Brazil, the development of gender-responsive public services, particularly transport and urban planning provided by local government, were prioritized, as they are crucial in ensuring women's safety in public places, including when travelling to and from work. ActionAid and its partners initially held seminars with the managers of the Women's Secretariats in seven local government areas, with the aim of building an alliance linking the local government areas to campaign for better gender-responsive public policies in cities. It has held meetings with representatives from different sectors – including public lighting, security, transport, urban planning and finance – to put gender-responsive urban planning on the agenda of all involved.

In the city of Garanhuns in Pernambuco, a public policy plan has been launched called "The City We Want is Safe for Women". With local public service providers, the aim is to strengthen special women's courts to deal with violence against women; increasing the number of police stations; police training on gender awareness; improvement in public transport (allowing women to choose where they want to get off buses after nightfall); investment in infrastructure, including increased and improved street lighting; and training on gender and violence against women in schools. There have been reduced rates of violence against women, for example, by improving street lighting on public transport.

100 Scoping studies are a method used to comprehensively map evidence across a range of study designs in a specific area, with the aim of informing future programmes and policy.

Women's City: An innovative approach to violence against women and girls services and response[101]

In El Salvador, "Women's City" empowers women through the provision of integrated services, including services for victims of violence, under one roof: Women's City Centers. Combining several services in the same location saves time and resources. It allows for greater quality and delivery of services, as these follow a chain of service provision coordinated throughout the institution. Women also participate in activities to gain economic independence, thus increasing their options for leaving situations of violence. The inter-institutional coordination among the service providers in the centers also increases opportunities for identifying and referring women affected by violence.

Principles of Safe Cities: City of Montreal[104]

The City of Montreal developed "Six Principles of Urban Planning for Safe Cities", which have been widely used to serve as a useful reference point in evaluating urban planning:

- Principle 1: Know where you are and where you are going. Signposting.
- Principle 2: See and be seen. Visibility.
- Principle 3: Hear and be heard. The presence of people.
- Principle 4: Be able to escape and get help. Formal surveillance and access to help.
- Principle 5: Live in a clean and friendly environment. Spatial design and maintenance.
- Principle 6: Act together. Community participation.

7.9.2 Women's access to safe transport

Providing safe transport is crucial for women's access to decent work; it is also vitally important to reduce violence and harassment against women, particularly as women are more likely to depend on public transport than men and face greater risks when they have to travel late at night (Action Aid International, 2016).

When public transport is unsafe, this compromises women's safety in getting to and from work. Two surveys carried out by the French National Federation of Transport Users show that sexual harassment in public transport is a massive and growing phenomenon. Of those women surveyed, 90 per cent had experienced sexual harassment while taking public transport. This harassment was found to have a big impact on women's daily and professional lives and their mobility, and was deemed to be a breach of equality between women and men. For example, 80 per cent of women stated that they changed how they traveled because of sexual harassment, 48 per cent changed the way they dressed, 34 per cent said they used other types of transport, and 9 per cent did not travel alone. [98]

> "On 16 December 2012, six men brutally beat and raped a 23 year-old trainee physiotherapist on a bus in Delhi, India in front of other passengers. She died 13 days later from her injuries."
>
> (International Transport Federation, Undated, p.3).

The culture of impunity for violence against women was challenged by the global outcry and widespread demonstrations of women and men throughout India.

96 See the Resource Guide: http://www.vawresourceguide.org/innovate"

97 For further information see: http://www.stopstreetharassment.org/wp-content/uploads/2011/04/5-13-add-building-safe-inclusive-cities-for-women.pdf

98 See: European Commission/OSB (2017) op cit.

In recent years, violence and harassment in public spaces such as transport has gained increasing attention. Women are major users of public transport and experience significant levels of violence and harassment, including sexual harassment, while travelling to and from work. The European Union Agency for Fundamental Rights (FRA) 2014 survey estimated that up to 55 per cent of women in the European Union had experienced sexual harassment since the age of 16 years and reported that many of these incidents took place in public spaces and while taking public transport (FRA, 2014). Women in certain sectors or jobs, often under pressure to stay longer at work to complete orders and to put in long working hours, face further risks if they have to travel late at night. For example, young women working in export processing zones have been reported to experience greater vulnerability to violence and sexual abuse in factories, company accommodation or travelling to work (Morris and Pillinger, 2016).

Workers in sectors such as road transport, municipal work, factory work and retail, which require working on a late shift or during the night, also report violence and harassment when travelling to and from work. Trade unions have pointed out the need for employers to provide safe transport facilities for workers on a night shift and to meet the needs of workers who are dependent on public transport to get home at night (ITF, 2018).

Promising practices on safe, gender-responsive public transport planning include the following elements (Action Aid International, 2017):

- Protocols to address sexual harassment and violence for public transport workers and those using public transport;
- Increase in women's representation and leadership in public transport jobs;
- Organized bus stops, bus stop shelters and information stands;
- Protection against severe weather conditions;
- Better lighting and visibility, including for parking and outdoor waiting areas;
- Use of visible materials to increase security, provision of route information, timetables and a phone number for emergencies;
- Training and awareness-raising on gender and women's rights for public transport staff;
- Increasing female staff in public transport, including in non-traditional roles such as bus or train drivers;
- Increased connectivity between neighbourhoods and routes, so that women from the poorest and most peripheral areas can access public transport.

Making transport and public spaces safe for women workers

"Freedom from Fear" Campaign in the retail sector in the UK

In the retail sector in the UK, the "Freedom from Fear" campaign by the Union of Shop, Distributive and Allied Workers (USDAW), has found practical ways to work with employers to increase the safety for women shop workers, particularly as many shops and supermarkets are open until very late in the evening or are open 24-hours a day (Union of Shop, Distributive and Allied Workers, Undated).

Positive examples of concrete changes that workers and employers have agreed to include:

- Giving women time to come off the checkouts once the store had closed, so they could move their cars to directly outside the store (staff car parking was often the furthest away from the store);
- Fitting a loud bell to the staff entrance, so that when women arrive for their shift early in the morning, they can be heard and let into the store straight away;
- Changing shifts or agreeing to finish a shift early to enable staff to catch the last bus home;
- Keeping car park lights on until staff have left the premises.

Campaigning in South Africa for public transport and challenging harassment, violence and sexual assault against women workers

In the retail sector in South Africa long opening hours means that women workers are expected to work late hours with no access to transport. According to unions this has contributed to numerous incidents of rape, including gang rape and murder of workers. Some companies provide transport when workers work late hours. However, the South African Commercial, Catering and Allied Workers Union has recently dealt with several cases of gang rape, murder and assault of members, which have occurred due to a lack of transport (ILO, 2017e).

Many national and local governments around the world, working closely with transport companies, have prioritized campaigns and safety measures to reduce violence and harassment against women.

Safe public transport campaigns by transport companies

"Let's Travel Safe" - the "Viajemos seguras" initiative in Mexico (Action Aid International, 2017)

In one study, more than 64 per cent of women living in Mexico stated they had experienced some form of physical harassment on public transport. The "Viajemos seguras" ("Let's travel safe") initiative combines a range of initiatives to make transport safe for women, in an area where 15.7 million people use public transport daily. It is pioneering because of its complexity, focusing on bus, subway systems and taxis. It provides offices for reporting violence, training for security service providers and drivers, and campaigns to highlight inappropriate male behaviour. The policy coordinates state agencies and a transport system at an accessible cost, connecting peripheral areas with other neighbourhoods through a complex network of public transport. It is a good illustration of public policy implemented to prevent violence against women in one of the world's largest metropolitan areas.

National Plan to Combat Sexual Harassment and Sexual Violence in France[104]

In July 2015, the French government drew up a "National Plan to Combat Sexual Harassment and Sexual Violence in Public Transport". The Plan sets out 12 measures to effectively combat sexual harassment and sexual violence against women in public transport, which are developed across three main axes: better prevention; more efficient responses; and better support for victims in non-sexist transport.

One innovative measure was the introduction of "participative walks", enabling women to pinpoint areas in train stations and subways that were unsafe or insecure, and to identify areas for improvements, such as lighting, human presence or video protection. In 2016, participative walks took place in 72 different train stations. An awareness campaign was launched in 2015 by the national rail operator, SNCF, and the Paris public transport company, RAPT. It was implemented through a poster campaign and on the internet, and aimed at informing the public that harassment and gender-based violence are punishable by law. Many of the initiatives in the plan, including training of staff and the introduction of safety measures and alert systems, have been rolled out to local areas.

104 Further information about the plan (in French): https://www.egalite-femmes-hommes.gouv.fr/dossiers/lutte-contre-les-violences/harcelement-transports/le-plan-national/

APPENDIX 1: ADDITIONAL LEARNING RESOURCES

- Our Watch Australia: Preventing Violence at Work - https://www.ourwatch.org.au/Preventing-Violence/Professionals/At-work
- European Commission Daphne Programme Resources on Workplaces and Institutions - https://ec.europa.eu/justice/grants/results/daphne-toolkit/projects/browse-category_en
- ILO Domestic Workers - https://www.ilo.org/global/topics/domestic-workers/lang--en/index.htm
- ITC-ILO Gender-based Violence in Global Supply Chains: Resource Kit - https://gbv.itcilo.org/
- UN Women, OHCHR, and the UN Special Rapporteur on violence against women, its causes and consequences, in collaboration with IPU and NDI Violence against women in politics: Expert Group Meeting report and recommendations - http://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2018/egm-report-violence-against-women-in-politics-en.pdf?la=en&vs=4036
- UN Women and UNDP Preventing Violence against Women in Elections: A Programming Guide - http://www.unwomen.org/en/digital-library/publications/2017/11/preventing-violence-against-women-in-elections
- UN Women Towards an End to Sexual Harassment: The Urgency and Nature of Change in the Era of #MeToo - http://www.unwomen.org/en/digital-library/publications/2018/11/towards-an-end-to-sexual-harassment
- UN Women Virtual Knowledge Centre to End Violence against Women and Girls – http://www.endvawnow.org

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