VIOLENCE AND HARASSMENT IN THE WORLD OF WORK
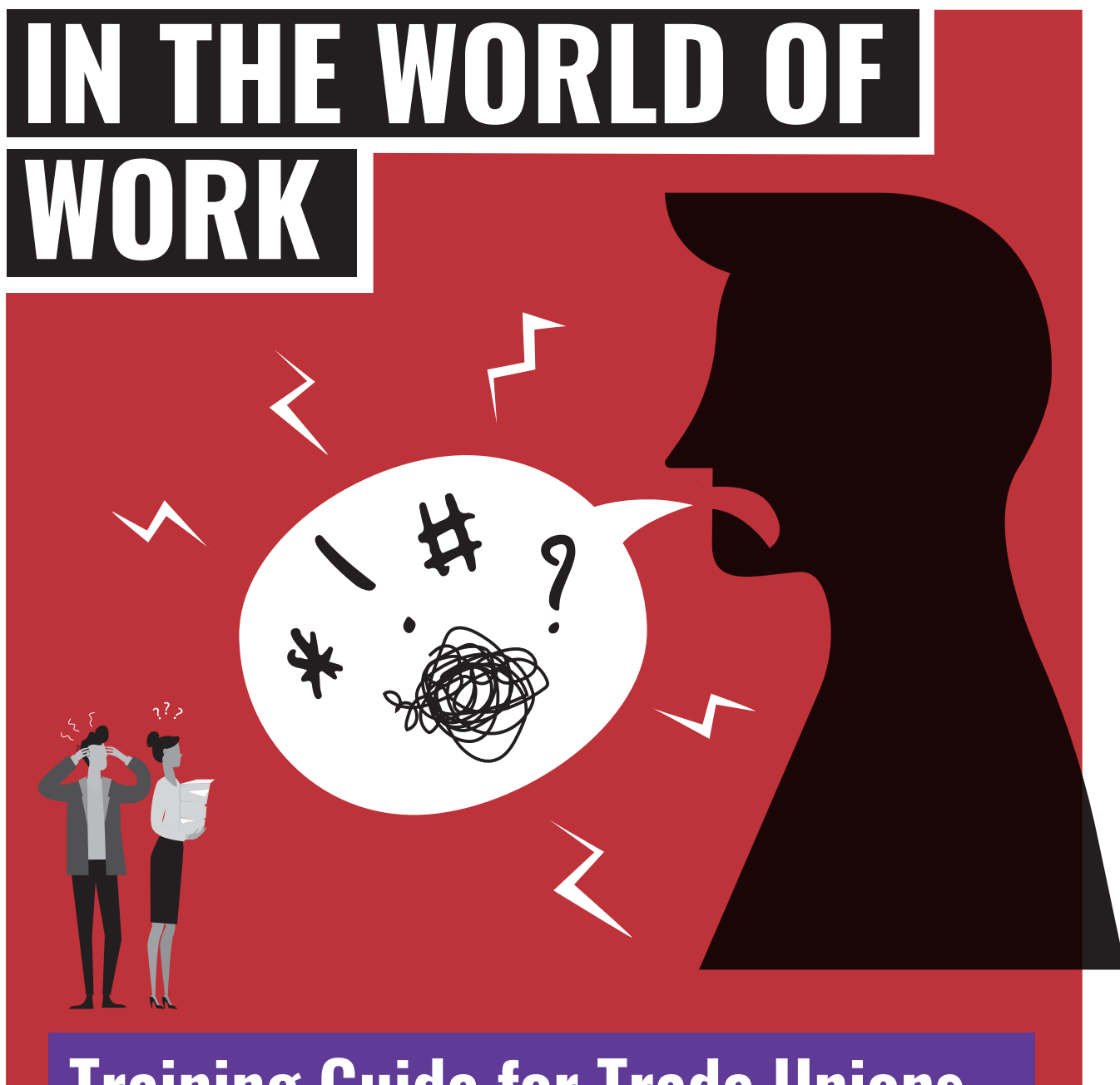
Training Guide for Trade Unions on ILO Convention 190

INDEX

FOREWORD

ILO Convention 190 and Recommendation 206 have been a milestone in the struggle for the eradication of violence and harassment in the world of work and an achievement of the trade union movement, especially women trade unionists. They promoted, fought and lobbied for the adoption of this Convention, carrying with them a clear message: **violence and harassment in the world of work cannot be tolerated.**

According to UN statistics, 736 million women worldwide have been subjected to physical and/or sexual intimate partner violence, non-partner violence, or both at least once in their life. And although 158 countries have passed laws on domestic violence, and 141 have laws on sexual harassment in employment, this does not mean they are compliant with international standards and recommendations or are implemented and enforced[1].

C190 can change lives because for the first time in history, a convention has enshrined the right of everyone to a world of work free from violence and harassment, including stalking, gender-based violence and domestic violence (which directly impacts the work environment of those affected).

Although trade unions are pushing for ratification in more and more countries, we should not wait to use it. Trade unions can implement C190 in collective bargaining agreements and global agreements to push for better protection for workers.

Trade unions are part of the solution, and we want this agreement to become the globally accepted tool in the fight against violence and harassment in the world of work.

This guide outlines techniques and activities for **unions to continue to be the promoters of change**. UNI's Equal Opportunities Department believes that democratizing information and training more workers is key to promoting union leaders who will in turn mobilize more people in this struggle. We need to train more people to help dismantle prejudice, stereotypes and power structures, to build egalitarian, inclusive, safer and more secure workplaces; in short, to create fairer and more egalitarian societies.

Verónica Fernández Méndez
Head of the Equal Opportunities Department UNI Global Union

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1 - *Facts and Figures: Ending Violence Against Women. UN Women. ONU Mujeres. https://www.unwomen.org/*

INTRODUCTION

Violence and harassment in the world of work are an abuse of power. Violence and harassment particularly affect people in the **most vulnerable** jobs, who have limited access to their rights in areas such as freedom of association, bargaining, decent work, non-discrimination and access to justice.

Women are disproportionately represented in these groups, and as a consequence of unequal power relations, low wages, precarious work, and other conditions of that increase their vulnerability, they are more exposed to violence.

The adoption of ILO Convention 190 and Recommendation 206 is of historic importance because they are because they are the first international instruments that enshrine the right of every person to a world of work free from violence and harassment, including sexual harassment, gender-based violence and domestic violence.

This guide is designed for a two-day workshop or training activity, but like all the materials published by the department, it is linked to other documents and campaigns that have been ongoing for over a decade. Our objective is that unions take this material and make it their own and use it in its entirety or in parts whether it is in programs, workshops, videos, campaigns or any other dissemination, promotion and training activity aimed at their members, trainers, leaders or representatives, according to the local and individual needs of each organization.

Therefore, although the guide focuses on ILO Convention 190, it provides resources and links to other campaigns that can serve as tools for trainers to delve deeper into specific issues or conduct broader programs.

> *Trade unions fought tirelessly to win this Convention. Now that it has entered into force, we must ensure that more countries ratify it and that it is properly implemented. There is still a long way to go and trade unions need to gain the necessary knowledge that will enable them to put ILO Convention 190 and Recommendation 206 into practice so that all working people live in a world free from violence and harassment.*
>
> **Christy Hoffman**
> UNI Global Union General Secretary

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OBJECTIVES
OF THE GUIDE

> Train and educate members on what is understood by violence and harassment in the workplace and what their rights are.

> Explain the scope and importance of C190 and the accompanying recommendation R206, particularly for women workers.

> Encourage unions to use these instruments and integrate them into the union bargaining agenda and collective bargaining agreements.

> Encourage unions to support the work of Global Union Federations in negotiating global framework agreements, to include language based on these instruments (C190 / R206).

> Build stronger unions, with better equipped members who know about their rights and are able to mobilize more people into union action and organizing.

THIS GUIDE
CONTAINS

>> The definition of basic concepts and principles included and used in both the Convention and the Recommendation.

>> Resource sheets to use for /workshops/conferences/activities

>> Activity sheets for on-site or online activities

>> Additional resources to increase the tools available when planning a meeting, campaign or training

unit 1 THE ROLE **OF THE ILO**

La Organización Internacional del Trabajo **-OIT- es la única agencia tripartita de la ONU.** Esto quiere decir que reúne a gobiernos, empleadores, trabajadores y trabajadoras (a quienes representan los sindicatos) a fin de establecer las normas del trabajo, formular políticas internacionales y elaborar programas promoviendo el trabajo decente para todas las personas.

Trade unions and employers are equally represented with 25% of the votes each. Governments have 50% of the remaining votes. This means that unions play a very important role in achieving new international standards.

The International LaborLabour Conference, (ILC), meets once a year to adopt new international labour standards, such as conventions.

WHAT IS AN **ILO CONVENTION?**

It is a legal instrument agreed upon by governments, employers and workers. When ratified (when incorporated into national legislation) in a country, it is legally binding (obligatory). A convention defines and sets international standards on freedom of association, the right to work, the right to collective bargaining, and, in the case of C190, on violence and harassment in the world of work.

Therefore, those governments that ratify C190 must implement the necessary laws, policies and measures to prevent and address violence and harassment in the world of work.

The International LaborLabour Conference, (ILC), meets once a year to adopt new international labour standards, such as conventions.

International labour standards are backed by a monitoring system that is unique at the international level and helps ensure that countries apply the conventions they ratify[2].

However, this does not exclude using Convention 190 and Recommendation 206 in our collective agreements and negotiations in order to improve or change policies, and strengthen our work with employers to ensure that health and safety policies include violence and harassment, and more specifically gender-based violence.

> *Our experience so far is that the ratification and implementation process requiresrequire grassroots participation and activism, as well as feminist commitment and leadership to ensure that the Convention does not become just another sterile international standard, but that it changes the world of work for the benefit of women workers.*
>
> **Patricia Nyman -** President of UNI Women

2 - https://www.ilo.org/global/about-the-ilo/how-the-ilo-works/lang--en/index.htm

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WHY IS C190
SO IMPORTANT?

❯Because it protects **all workers** regardless of their contractual status; interns, apprentices, trainees, workers whose employment has ended, volunteers and job seekers.

❯**Because it has a strong focus on gender-based violence. Women are disproportionately affected by violence and harassment in the world of work.**

❯Because it covers **all sectors**: public and private, rural and urban, formal and informal economy.

❯**Because its scope is the world of work, which encompasses more than just the physical workplace.**

❯**And because, for the first time, it achieves a clear, comprehensive and integrated definition, scope and approach, to prevent and address workplace violence and harassment worldwide; by designating clear responsibilities for public and private employers, workers, their respective organizations and governments; and formulates joint strategies for collaboration.**

Resource Sheet 1

▶▶ WE PRESENT THE TOPIC:

● **THE WORK OF THE ILO**

Video. *https://www.youtube.com/watch?v=UzrXr5lmLG0*
Duration 5:30 min
English version https://www.youtube.com/watch?v=dq0AxeDxpEI&t=7s

● **CONVENTION 190**
NI Video
https://www.youtube.com/watch?v=aTQIYXbiBnw

These videos can serve as the opening of a training activity on C190, introducing the target audience to the fundamental concepts that will be developed later.

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unit 2

FUNDAMENTAL DEFINITIONS FOR
CHANGING THE WORLD OF WORK

As mentioned above, the importance of Convention 190 lies in the inclusion of clear and complete definitions of what constitutes violence and harassment in the world of work; thus helping to eliminate possible legal loopholes in countries, companies or organizations that have or are issuing policies in this regard.

2.1 What is meant by violence?
violence and harassment?

Convention 190 refers to violence and harassment as a single encompassing concept that covers "a set of" unacceptable behaviours and practices or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

Usually, violence and harassment have been identified as physical or verbal aggressions, but nevertheless these come in many different forms, for example:

> **Physical violence**

> **Psychological violence** (verbal and emotional abuse), including: harassment, intimidation, threats, verbal abuse and hostile behaviour)

> **Online violence**, including threats, insults, abusive comments, cyberbullying, cyberstalking, trolling, hate speech, abusive comments and sending of obscene images.

> **Sexual harassment**

> **Bullying y mobbing**

> **Economic violence**, including the limitation or control of income, as well as the perception of a lower salary for performing the same task.

> **Institutional violence**, which includes abusive working conditions and arrangements, leading to physical, psychological, sexual or economic harm.

> **Domestic violence**, exercised in marriage, de facto unions and partnerships; or when dating, and including current or ended relationships.

> **Violence based on gender**, gender identity and sexual orientation.

> **Symbolic violence**, which takes the form of stereotypes, messages, icons or signs that transmit and reproduce inequality and discrimination against women and girls.

## 2.2 What gender-based violence or harassment?

One of the main achievements of the trade union movement was to make sure that the convention included a gender perspective on violence, defining it and also including sexual harassment as one of its types.

According to the wording of the Convention, the term **"gender-based violence and harassment" means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.**

Women and diversities, (e.g. people belonging to the LGBTI+ community), are the most affected by violence and harassment in the world of work and outside.

Therefore, to understand the definition provided by C190, we must first analyse it in detail, since it contains notions that may be unfamiliar or confusing to the people being trained.
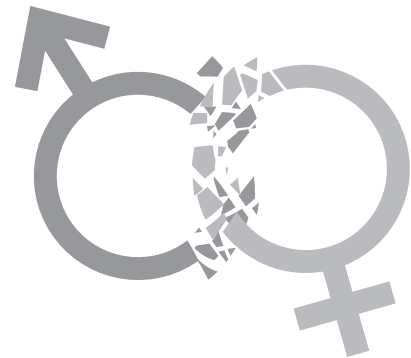
What is Gender?

> These are notions that each person learns during his or her life about what it means to be a woman and/or what means to be a man.

> They vary in each society and respond to deeply-rooted cultural structures and define power relations.

> They assign to each one a certain role and a certain type of attitude towards life, which is presented to us as "natural". For example, boys are defined from childhood as strong, independent, undemonstrative and active. Thus, in adulthood they become responsible for providing the money, for being successful outside the family, etc. Women, on the other hand, are defined by their sensitivity, their natural gift for motherhood and their capacity for containment. Their social role is relegated to the private sphere, to the family, to childcare, etc.

> Roles associated with the masculine are more socially valued than those associated with the feminine (weakness, sensitivity, fear). All relationships between people are traversed by these representations and this unequal valuation between the feminine and the masculine is sustained and reproduced in all spheres of life, for example, in the world of work.

> It is these assessments that most of the time underlie discrimination, exclusion and violence and harassment against those who do not "conform" to society's constructed definitions of gender.

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Understanding that our definitions of the world are not "normal" or "natural" but a web of **socially constructed conceptions** is the first step towards change. Revisiting the established ways of defining roles and relationships in our organizations is fundamental for the inclusion of a gender perspective[3] to our work and understanding the occurrence of violence. The work has to start with each person discovering and recognizing themselves as agents of change and modifying their own stereotypical behaviours. To look at oneself and to look with openness.

GENDER IDENTITY
AND SEXUAL ORIENTATION

The concept of **sex** refers to the biological characteristics of an individual, which can be described as female, male or intersex. Intersex people are born with physical, hormonal or genetic characteristics that are neither fully female nor fully male, or they have a combination of both. Being intersex does not predetermine any particular gender identity[4].

Gender identity is the sense of identity, appearance, mannerisms, or other characteristics related to an individual's gender. People may identify as male, female, male and female at the same time, or neither male nor female.

Sexual orientation refers to the capacity of each person to feel a deep emotional, affective and sexual attraction to other persons of different sex/gender or of the same sex/gender or more than one sex/gender, and to enter into intimate and sexual relationships with them.[5] It should be noted that people adopt certain social conventions because society itself has called them "acceptable", but this does not mean that those who do not adopt these conventions should change, (e.g. their sexual orientation and/or gender identity).

What must change are the negative social attitudes that stigmatize and discriminate against those who do not conform to these stereotypes or gender roles.

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"I have decided not to show my gender identity to most of my peers or union leaders because of their prejudice and active lack of support."

U.S. Respondent Media and Entertainment Sector [6]

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3 - NO TO DISCRIMINATION UNI LGBTI+ Guide
https://es.breakingthecircle.org/descargas/es/discriminacion/uniguideto%20lgbti_es.pdf
4 - UN Women Non-sexist Language Guide http://onu.org.gt/wp-content/uploads/2017/10/Guia-lenguaje-no-sexista_onumujeres.pdf
5- Report on rights and perceptions of LGBTI+ workers. Uni global union
https://es.breakingthecircle.org/descargas/es/lgbti-report/LGBTI_Workers_Rights_and_Perceptions_Report_es.pdf
6 - Although the terms 'bullying' and 'moral harassment' are often used interchangeably, in the specialized literature bullying refers mainly to individual harassment, while moral harassment refers to a group of workers who band together to harass or abuse a worker. Safe and healthy work environments, free from violence and harassment. ILO 2020

Unit summary

In all human societies there are different forms of exercising power. Power relations always involve inequality, which can be between two people, between communities and even between countries. Some expressions of these power relations lead to considering certain groups as "inferior" for reasons such as ethnicity, gender or sexual identity.

Whoever has the capacity to exercise power over others has more resources than those who, in this equation, will be in the subordinate position.

Gender-based violence and abuse manifest and perpetuate historically unequal power relations between women and men. The valuing of the masculine over the feminine has a differential impact on people's development according to gender as it places women at a disadvantage; places them in a subordinate position with respect to their male peers; hinders their access to political, social, cultural and economic rights; and prevents them from leading a full life.

Although violence against women and girls is more widespread, denaturalizing gender roles helps us to think about the social inequalities faced by men, boys and adolescents who are also placed in subordinate positions because they do not conform to gender roles and stereotypes.

Breaking the cycle means eliminating those inequalities that allow violence to emerge. And by eliminating violence, it means dismantling the unequal power relations that it sustains.

INEQUALITY   VIOLENCE

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▶▶ ACTIVITY SHEET

■● The causes of violence and gender-based violence:

ACTIVITY 1

» **OBJECTIVE:** To reflect on our own beliefs and those cultural models in which we live and which can ascribe people to certain roles.
Analyse own ideas and how they can be revised and modified when we reflect on them.

» **DURATION OF ACTIVITY:** 1 hour

» **MATERIALS**
"Break the circle! against gender violence" video
https://www.youtube.com/watch?v=VV9PZ4asJFQ&t=2s

- A place where you can project the video
- Post-its or paper cards in two colours
- A place where you can hang/post the cards/post its
- Pens/pencils

» **PROCEDURE**
Before projecting the video to the public, distribute 5 cards/post its of one colour and 5 of another colour to each member of the group. In one colour cards, participants should write down characteristics commonly attributed to men, including behaviours and roles. On the other colour cards, they should do the same for women. Once this is done, the moderator will paste the cards in two-columns, one for men and one for women, and make it visible to the whole group.*

*(in case the activity is carried out online, each member will write down the characteristics in two columns on a piece of paper and the moderator will write down the characteristics in two columns and then will share it with the group).

After the video has been shown, the group will go back to discussing the lists that were made earlier.

» **GUIDING QUESTIONS**
What does the group think of these listings? Would they change anything? What things? Why? Are there characteristics that only appear on one side and not on the other? Could they be characteristic of both columns? Are they attributed to each one because of their sex or are they gender stereotypes imposed by society? The characteristics and roles assigned to each sex, Are they equal in relation to power, or are there characteristics, roles, or behaviours with more power, or that generate more resources? How do these power differentials contribute to gender inequality and violence?

Finally, a group summary of what was discussed will be made, and the causes of gender violence in our societies will be written down for the whole group.

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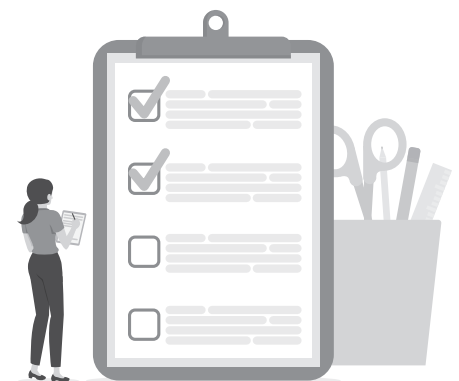
Resource Sheet 2

● **How masculinities are defined in our societies and how men can promote change to eliminate gender inequality and violence:**

  Video "Are you Man enough?" https://www.youtube.com/watch?v=GBFwvwcQcD4

- -

● **The most subtle violence: symbolic violence.**

  Video: https://youtu.be/V8ydfYNSFBM

  The video clearly shows how gender stereotypes are reproduced in the media and remain the same as they were 50 years ago, reproducing inequality and generating violence against women and girls.

  Guide on symbolic and media violence against women and girls
  https://es.breakingthecircle.org/descargas/es/man/PROGRAMA_UNI_violencia_es.pdf

- -

● **LGBTI+ community is one of the groups most affected by gender-based violence**

  NO TO DISCRIMINATION - UNI LGBTI+ Guide
  https://es.breakingthecircle.org/descargas/es/discriminacion/uniguideto%20lgbti_es.pdf

  Report on the rights and perceptions of LGBTI+ workers
  https://es.breakingthecircle.org/descargas/es/lgbti-report/LGBTI_Workers_Rights_and_Perceptions_Report_en.pdf

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| unit 3 | VIOLENCE AT **THE WORKPLACE** |

As we have seen, **violence and abuse arise from unequal power relations** in which those who have more power use it against those who have less.

In the world of work, there is a system of hierarchical relationships created by the different roles that people have within the organization. These roles assign more power to some than to others. This is not to say that hierarchy within a company is inherently a generator of violence. But this inequality, which is also crossed by other inequalities, such as inequalities based on gender, ethnicity or sexual orientation, can lead to violence and abuse towards those with less power.

Intimidation and bullying[7] are the most common forms of workplace violence, and although it can occur between colleagues of the same rank, it generally arises between workers with different hierarchies.

On the other hand, there are jobs in which workers lack basic rights or are more unprotected due to their employment situation, such as informal, temporary or contract employees, domestic workers, volunteers, interns, etc.

Women are the most represented in this type of precarious jobs, and therefore more vulnerable to violence and harassment.

> Worldwide, women earn less than men. In most countries, women on average earn only 60 to 75 per cent of men's wages.[8]

> Women are more likely to work as low wage workers and in unpaid care work; they are more likely to be engaged in low-productivity activities and to work in the informal sector and are less likely to move to the formal sector than men.

> Women have a disproportionate responsibility for the unpaid care work they provide to others. Women spend between 1 and 3 hours more than men on housework; between 2 and 10 times more time per day on caregiving (for children, the elderly and the sick), and between 1 and 4 hours less per day on market activities.

When people experience discrimination or inequality for more than one reason (e.g. discrimination based on gender and ethnicity at the same time) it creates a type of intersectional discrimination that trade unions must take into account when promoting policies of inclusion and equality. People affected by this double discrimination find themselves in a place of greater inequality that increases the risk of violence and harassment.

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7 - *World Bank Gender Data Portal. http://datatopics.worldbank.org/gender/key%20gender%20employment%20indicators*
8 - *Human Development Report, 2012, p. 80.*

WHO PERPETRATES VIOLENCE
IN THE WORKPLACE

Those inflicting violence can be either part of the organization or external to it. The key is to find out what are the mechanisms that allow others to inflict violence stemming from unequal power relationships.

> **POSSIBLE AGGRESSORS:**
   employers, managers, supervisors, peers, colleagues, etc.

   More common in jobs involving customer service, (retail, tourism, hospitality, healthcare, etc).

   customers, patients, business contacts, suppliers and the general public.

Work distribution and organization; working environments; and work policies and measures, even those that have been created to prevent and protect; can help determine if a workplace has been permeated by violence.

The lack of clear complaint and grievance mechanisms and barriers to joining a union can create conditions for violence and harassment to thrive.

The ways in which violence is exercised

The range of abusive practices in the workplace is enormous.

They may include:
- precarious work arrangements
- not giving working people time off from work
- working in isolation
- withholding information
- assigning tasks that do not coincide with
  the type of work being performed by the person
- demanding impossible goals and deadlines
- excessive surveillance or monitoring
- forcing people to work inappropriate hours
  unnecessarily, (which can make commuting to/from
  work more dangerous, especially for women)
- forcing unnecessary travel
- not letting them use the bathroom
- withholding documentation such as passports
  (common case for migrants and domestic workers)

- physical violence (any form of aggression affecting the physical integrity of a person),
- psychological violence (humiliation, harassment, insults, indifference or neglect)
- digital violence
- sexual harassment, (any sexual act, attempt to commit a sexual act, unwanted sexual comments or advances, or actions to market or otherwise use a person's sexuality through coercion by another person, regardless of that person's relationship to the victim, [...] (WHO, 2002, p. 161).
- domestic violence (see Unit 4)

If we think of this list from a gender perspective, that is, if we add to a situation of unequal power in an organization, the unequal structure between men and women that comes from the social sphere, we will understand why women are the most vulnerable to violence and harassment[10].

Evidence shows that those women who enter occupations that are not traditionally "feminine" or obtain high positions often face violence and harassment.

When women report these incidents, they are often silenced, ignored or not believed; the seriousness of the attacks may be minimized; or they are told that what they have suffered is nothing more than "a joke" or "a compliment", especially in cases of sexual harassment.

This is why many women are afraid to report cases of violence and harassment at work, (and outside the workplace as well, since this reality of minimizing or disbelieving women's stories is common in society).

In general, people who suffer violence and harassment at work are afraid to denounce their aggressors for fear of losing their jobs, of being ridiculed in front of others, or increasing their suffering.

10- And as we explained earlier, people belonging to the LGBTI+ community

Who is most at risk?

Violence and harassment in the world of work can appear in any sector, industry or field, but, just as the gender perspective is useful for thinking about where women are more vulnerable, taking into account the types of work, types of occupation and the precariousness of certain jobs, helps us to think about where violence can appear more easily.

Jobs that include customer/patient/client services are potentially unsafe, if there is no prevention policy. Violence and threats from customers are common in the retail, banking, and security sectors amongst others.

On the other hand, jobs that take place in the **domestic sphere** or in which people are alone are also riskier. This is the case of care jobs, as well as domestic service jobs, which are also highly feminized.

Jobs that take place **online**, for example, in the media, are at greater risk of cyberbullying, or digital violence and harassment.

Precarious working conditions, insecure working hours, and jobs dominated mostly by men are all variables that make workplaces riskier.

Finally, **intersectional[11] forms of discrimination**, such as those based on class, race, age, migration status or disability status, can put people at even greater risk of violence and harassment, and experience difficulties in accessing the support they need.

11- 1It refers to the situation in which various factors of discrimination interact simultaneously, producing a specific form of discrimination. An example of this is the discrimination suffered by a Roma woman, which results from the combination of gender and ethnic group, and which originates a peculiar, unique result, different from the discrimination suffered by both non-Roma women and Roma men." Multiple discriminations: a perspective from international human rights law: the case of migrant women. ECLAC 2016

The consequences of violence and harassment

"...violence and harassment in the world of work affects a person's psychological, physical and sexual health, dignity, and family and social environment..." (C190)

Those who suffer violence may present various physical and mental health problems as a result of these situations.

❯ Mental health consequences

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

❯ Physical health consequences

Sleep disturbances, headaches and migraines, increased risk of heart disease, digestive disorders, decreased physical strength and musculoskeletal discomfort, all of which are related to anxiety and stress

❯ Sexual and reproductive health consequences

Immediate physical injury, or even loss of life due to physical assault, rape or suicide

And since everyone is part of a social fabric, violence and harassment also have consequences in their work and social environment.

❯ Work/Social

-Absenteeism, diminished performance, loss of interest, etc.
-Social isolation
-Fear of customers or public in general.
-Negative impact on income and career development.
Co-workers may also suffer from stress and fear.

Absenteeism or poor performance of the affected person may result in colleagues having to deal with an increased workload.

❯ Costs to employers.

-High staff turnover, absenteeism, increased sick leave, and long-term disability costs
-Increased risk of errors and accidents
-Low morale, performance, loss of productivity and motivation.
-Legal costs including investigations, liability and resolution of cases
-Reputational costs with customers experiencing lower quality of service

❯ Costs to the State

-Long-term rehabilitation costs for survivors
-Unemployment and social assistance and rehabilitation benefits
-Court and criminal costs
-Health care and counselling
-Loss of GDP from workers missing gainful employment

> *Our members are often victims of public abuse. We want employers to commit to ending abuse and violence. We are looking at measures that will incorporate this issue as a problem to be fought in the industry on a long-term and ongoing basis.*
>
> **Julia Fox**
> *National Deputy Secretary, SDA Australia*

Unit summary

For violence to be perpetuated, two components are necessary: there must be an inequality of resources and this inequality must be used as a tool to harm or threaten another.

In the workplace there is already a hierarchical system that assigns different roles to people and more or less power.

As certain inequalities and power relations converge, people are more vulnerable to violence and harassment.

Violence has many forms and those who inflict it are varied and multiple, but they always replicate this structure of inequality in resources and power, which enables them to exercise violence and harassment.

This is why it is necessary to adopt.

> **"** *laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work.*
>
> **Article 6 of Agreement 190**

Working in environments free of violence and harassment, besides being a human right that everyone should enjoy, would also contribute to an increase in productivity for companies and an improvement for society; transforming them into more prosper, fairer and egalitarian ones.

▶▶ ACTIVITY SHEET 2

■● Violence in the workplace, causes and consequences.

» **OBJECTIVE:** To discuss and reflect on those elements that are necessary for the existence of workplace violence, and to detect the forms in which it occurs in organizations.

» **PROCEDURE**
Show the video: Violence is at work
https://youtu.be/VmswHjRioeg

Divide participants into small groups. Give them a copy of the following questions to discuss and then share and discuss the answers.

» **GUIDING QUESTIONS**

1. What are the types of violence and harassment faced by workers in your sector, occupation, or workplace (e.g., physical abuse, psychological violence, sexual harassment)?

2. Who are the perpetrators of violence, why?

3. Who are the people affected? Who in our sector is most vulnerable or faces the greatest risk?

4. What are the power inequalities that lead to this violence and harassment?

5. What work arrangements, systems and structures increase the likelihood of violence?

6. What is the impact on the victim?

7. What is the impact on our workplace, our union and our community?

8. What actions could be taken so that these situations are not perpetuated?

▶▶ ACTIVITY SHEET 3

■● Sexual harassment: How much do you know?

» **OBJECTIVE:** To raise awareness of one of the most prevalent cases of violence against women in the workplace: sexual harassment. To reflect on how much we know about this topic and address questions and doubts.

» **MATERIALS**
-Copies of the questionnaire and answers sheet.
-Pens/pencils

» **PROCEDURE**
Show the following video
https://www.youtube.com/embed/HuOzoIlf3Rw

Then, distribute the following questionnaire among the participants.

Once everyone has answered individually, the trainer will give the correct answers to the whole group. (There is no need for people to share their answers, the idea is for each participant to reflect on their knowledge).

Once this is done, everyone will discuss whether they were aware of what constitutes sexual harassment and what does not. Any doubts the group may have will be answered.

■● Sexual harassment in the workplace, how much do you know?

Your answers are private and confidential. They do not need to be shared with anyone.

1. The seriousness of sexual harassment has been exaggerated. Most so-called harassment cases are actually a form of flattery among fellow workers.
True / False

2. If a person is only making a joke about sex or sexual connotations and is not seeking to offend or upset the other person, it cannot be considered sexual harassment.
True / False

3. If someone does not complain about offensive behaviour, it is probably because the behaviour is welcome and does not constitute harassment.
True / False

4. Sexual harassment in the workplace can occur:
• At work
• At work-related social events
• Between people who share the same workplace
• Among colleagues outside of work
• At conferences, training courses or meetings
• All of the above

5. Who can commit sexual harassment in the workplace?
(Check the correct answers)
• Managers or persons with a different hierarchical position
• Coworkers at any level
• Customers
• Members of the same sex

6. Sexual harassment only affects women
True / False

7. The best way to stop sexual harassment is to ignore it and it will go away.
True / False

8. If a person has accepted sexual advances from someone in the past, he or she cannot report the same person for sexual harassment in the future.
True / False

9. If a woman wears revealing clothing, she cannot complain about being sexually harassed.
True / False

10. Vulgar looks or gestures do not constitute sexual harassment. You have to physically touch or say something to the other person.
True / False

11. Threats by a manager to retaliate against a subordinate if he/she rejects sexual advances may constitute sexual harassment even if the threats are never carried out.
True / False

12. Sexual harassment can occur through e-mail or social networks.
True / False

13. A romantic relationship between a manager and subordinate is sexual harassment.
True / False

14. A person who touches another person in a sexual manner only once cannot be guilty of sexual harassment.
True / False

15. If a co-worker hangs sexually explicit posters in your work area, it is within your rights.
True / False

ANSWERS.
QUIZ.

1. FALSE
Sexual harassment has nothing to do with flirtation or genuine social interest; on the contrary, it is offensive, and often frightening and insulting to the recipient.

2. FALSE
The key issue in determining whether or not sexual harassment is involved is the way in which the behaviour in question was perceived and experienced by the recipient, regardless of the actor's intentions.

3. FALSE
Most victims keep the incidents to themselves because they often find themselves in a vulnerable situation. In many cases, victims fear damaging their careers or even losing their jobs if they report harassment.

4. ALL OF THE ABOVE

5. ALL ARE TRUE

6. FALSE
Women are disproportionately affected by sexual harassment in the workplace, but it also affects men; particularly those who are deemed by society not to conform to prevailing male stereotypes.

7. FALSE
Sexual harassment is not about sex. It is about power. If the victim does not report the harasser, he or she will continue to engage in, and even accelerate, this type of behaviour.

8. FALSE
Sexual harassment is any sexual attention that is unwanted. Just because it is or was welcome at one time does not mean that it cannot later be offensive or intimidating to the same person.

9. FALSE
Sexual harassment is never the victim's fault. The only one responsible is the harasser. The clothing with which people choose to express their individuality cannot be used as an excuse to justify this type of behaviour.

10. FALSE
Sexual harassment is more than the physical action of touching someone. This behaviour can include gestures, comments, explicit looks or glances and intrusive questions about personal life.

11. TRUE
True. If the threats are significant and severe, they may constitute sexual harassment.

12. TRUE
If one worker is harassing another, or if a patient/client is harassing a worker, it doesn't matter if it takes place via social media, email, telephone or outside the workplace. This behaviour is still harassment and is a workplace issue that should be taken seriously.

13. FALSE
A romantic relationship distinguishes moments and situations within intimate relationships between people who have a sentimental bond.

14. TRUE
A single incident of unwanted contact may be offensive enough to be considered sexual harassment.

15. FALSE
Sexual harassment may include screensavers, photos, calendars or objects that are offensive to others.

Resources Tab

- A union guide to prevent and combat sexual harassment in the workplace.
  https://es.breakingthecircle.org/descargas/es/8m/booklet1-8-of-march-es.pdf

- Union Guide to Preventing and Combating Sexual Harassment in the Workplace.
  ACTIVITY AND RESOURCE BOOKLET
  https://es.breakingthecircle.org/descargas/es/8m/booklet2-8-of-march-es.pdf

unit 4 DOMESTIC VIOLENCE **AND THE WORLD OF WORK**

Historically, domestic violence had been addressed as a private problem. However, as a result of the work of trade unions and social organizations, it became evident that this problem also affected and continues to affect the world of work.

In this regard, the preamble to Convention 190 recognizes the negative secondary effects that domestic violence can have on the world of work in general; and in particular, in relation to employment, productivity, and health and safety.

Domestic violence can take many different forms: intimidation, coercion or isolation, emotional, physical, sexual, mental, financial and spiritual abuse. It can occur between people in an intimate relationship who do not live together, people in same-sex relationships, caregivers and the person in their care, and between relatives. Men can also be victims of domestic violence, although, because of the gender power structure we have already seen, it is women and girls who are most vulnerable.

Domestic violence can **affect the sufferer's job** in the following ways:

❯ Not being able to go to work or being late
❯ Being harassed or bullied at work by your aggressor
❯ The abuser prevents the victim from going to work or denies the victim's earnings.
❯ Being anxious or crying at work
❯ Difficulties in managing workload and meeting deadlines
❯ Covering up what is happening
❯ Hinder the performance of the sufferer's duties[12].

All of this can lead to the person losing his or her job, which increases his or her vulnerability, since the loss of economic independence prevents him or her from escaping violence.

On the other hand, domestic violence **affects everyone else in the workplace.**

❯ Aggressors may threaten or hurt their victims' co-workers.
❯ A person suffering from domestic violence may be absent, or avoid colleagues, creating a toxic work environment.
❯ The decrease in productivity may increase the pressure on other co-workers to meet production goals, or perform required tasks.

> **"** *Violence in all its forms also affects the world of work: a woman who experiences violence at home cannot avoid taking her problems to work. Therefore it is important to take action in the workplace.*
>
> **Ana Sánchez Navarro**
> *Federacion de Servicios a la Ciudadania de C.C.O.O. and Vice-President of UNI Europa Women*

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12 - *Information for workers experiencing domestic violence. UNI global Union.*
https://es.breakingthecircle.org/descargas/es/man/guidemembers_es.pdf

Recommendation 206, which accompanies and complements Convention 190, establishes in its article 18 a series of **measures that could be adopted** to respond to and mitigate the impact of domestic violence, such as:

> a. leave for victims of domestic violence;
> b. flexible work arrangements and protection for victims of domestic violence;
> c. temporary protection against dismissal of victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences;
> d. inclusion of domestic violence in workplace risk assessments;
> e. a referral system to public mitigation measures for domestic violence, where they exist; and
> f. awareness-raising about the effects of domestic violence.

Resources Tab

● Information for workers experiencing domestic violence. UNI global Union.
  https://es.breakingthecircle.org/descargas/es/man/guidemembers_es.pdf

● A guide for union representatives in supporting members who are victims of domestic violence. UNI global Union.
  https://es.breakingthecircle.org/descargas/es/man/guidedelegates_es.pdf

● Policies for affiliated unions against domestic violence. Uni global Union
  https://es.breakingthecircle.org/descargas/es/man/violencepolicies_es.pdf

▶▶ ACTIVITY SHEET

■● "It can change lives," is not just a slogan.

≫ **OBJECTIVE:** To identify the stages of an abusive relationship and the types of violence that can occur.

•Promote empathy towards victims of violence and abuse.
•Discuss the role of labour organizations and employer policies in helping a person move away from a violent relationship.

≫ **MATERIALS**
-Copies of the "Maria case"
-Blank sheets of paper and pens
-One red and one green poster board
-A thick marker

≫ **PROCEDURE**
Participants are divided into two groups
They are asked to read the case presented to them. The "red" group is asked to look for ways in which violence occurs and attitudes or roles that reinforce it.
The "green" group is asked to look for attitudes or actions that can help stop a domestic violence.
Then each group shares its conclusions, and they are written down on each poster board.
Afterwards, and if the group, as a whole, thinks it is necessary, additional elements can be added to the posters.
Finally, there will be a general document with the conclusions reached by the group.

≫ **TRAINER'S GUIDE**
Before delivering the case to the groups, the facilitator can reinforce some concepts about the causes and types of violence.

It is important to remember that this can be emotionally challenging, and participants may feel uncomfortable. Remember that they have the right to say nothing.

The following questions may help develop the discussion:

Who is responsible for Maria's situation, herself, her husband, or the other people in the story?
What forms of violence appear? Do they appear suddenly?
What is the impact of Maria's private life on her public life?
What were the different roles and responsibilities of the people involved in this story to end the violence?
Could they have played their roles differently?
What can unions do to prevent or stop domestic violence?

UNI global union

equal
opportunities
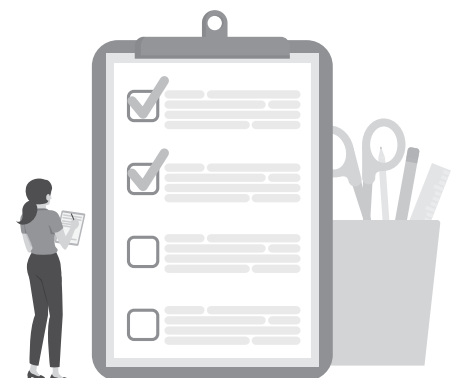
▶▶ The Maria case

Maria is 28 years old and works in an office for a tourism company.

She married Juan when she was 20 and he was 23.

Immediately after getting married, Juan tells Maria that he will be in charge of the family income because she does not know how to save and that from now on, he will give her the money she needs to buy food and household items.
Juan asks for receipts to prove that Maria really spends the money for family needs.

Maria becomes pregnant. Juan begins to tell Maria regularly that she is very lucky to have him, because no one else would want her for a wife since she doesn't know how to run a household. After the birth of his son, Juan begins to beat Maria, accusing her of loving the child more than him.

Maria does not know what to do. She talks to her mother about it and she tells her that these things are "part of marriage" and that a woman should stay by her husband's side.

As his son grows older, Juan also threatens him. Maria is concerned, but at the same time believes that it can be very harmful to separate a child from his parents.

Maria tells one of her co-workers, with whom she has the most affinity, that Juan beats her regularly and that she needs help. Her colleague tells her that she should leave her husband immediately.

Maria is increasingly absent from work without a proper excuse and her boss tells her that if she continues this way, he is going to have to fire her. Maria doesn't know where to turn or what to do. Without her job, life would become even more unbearable. One day, Maria sees a union leaflet, and contacts her union representative. She asks what she should do if someone in the company is suffering from domestic violence.

The union representative offers her information and telephone numbers for victims in her area. He also explains that the information he receives is confidential, so he does not have to give the person's name, but that it would be important to know it in order to notify supervisors or bosses since the violence may be affecting her work.

Maria ends up admitting that she and her son suffer violence at home. And that she is indeed about to be fired because of this situation.

The union representative has a personal meeting with her, and assures her that her privacy is protected, and that he will provide whatever assistance he can. He offers her information on actions to ensure her and her son's safety, (such as keeping a diary of assaults, safeguarding important documents, etc.), and urges her to call a helpline.

Maria does, and has a long talk with a woman who explains that she is one of many other women experiencing domestic violence. This woman, who is trained to help her, offers her different resources and ideas to make Maria and her son safer.

For the first time, Maria has an open conversation with her son about her shared fear of her violent husband and father.

After a few weeks of thinking and planning, Maria calls her sister and asks if she could move into her house. Her sister supports her, and is happy with her decision.

One afternoon, Maria packs up her daily belongings and moves with her son to her sister's house.

The union organizes a training workshop on harassment and violence for all employees.
Maria feels contained and her reality changes completely.

| unit 5 | ILO CONVENTION 190 AND RECOMMENDATION 206 **ON VIOLENCE AND HARASSMENT IN THE WORLD OF WORK** |

Why it is important for Convention 190 to also have a Recommendation

Conventions are important legal instruments because they are legally binding for the countries that ratify them.

The Convention on Violence and Harassment, (C190), is complemented by Recommendation 206, (R206).

Recommendations are non-binding guidelines that provide important guidance to governments on how the Convention could be implemented. They are also an important tool for campaigning and negotiation.

What C190 and R206 say

> **1. DEFINES VIOLENCE AND HARASSMENT IN THE WORLD OF WORK AS**

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

This definition is composed of two important elements: first, that the conduct encompasses a "set" of behaviours which can be carried out independently or in combination, and which can escalate in time.; and the second, that these behaviours or practices are "unacceptable" and to do so, should be intended to cause, or be likely to cause, physical, psychological, sexual or economic harm." The inclusion of "economic harm" along with physical, psychological and sexual harm ensures that all forms of violence and harassment are covered.

C190 adopts **a victim-centred approach**, focusing on the conduct, practices or threats and their impact on the victims. The absence of any reference to perpetrators reinforces the objective of the instruments, which is to eliminate all forms of violence and harassment in the world of work, regardless of their source.

equal opportunities

>> 2. INCLUDES "GENDER-BASED VIOLENCE AND HARASSMENT". WHICH ARE

> *directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.*

The inclusion of "sex and gender" is important because it takes into account both the biological characteristics of individuals, as well as the web of socially constructed conceptions of male and female roles, which may change over time. (See Unit 2 of this guide).

The reference to "persons" is important, because although it is made explicit that gender-based violence and harassment disproportionately affect women and girls - it is intended to provide **protection for all persons against such behaviour.**

Gender-responsiveness means intentionally employing gender considerations to affect the design, development, implementation and results of programmes and strategies, policies, laws and regulations, as well as collective agreements. This implies an approach that: reflects all girls' and women's realities; pays attention to their unique needs; ensures their participation in decision-making processes at all levels; values their perspectives; respects their experiences; and understands the developmental differences between girls and boys, women and men in all their diversity and throughout their life cycle. The ultimate aim is to empower girls and women, with a view to promoting gender equality in practice and achieving gender equity. **"Violence and harassment in the world of work: A guide to Convention No. 190 and Recommendation No. 206" ILO. 2020**

> **3. INCLUDES DOMESTIC VIOLENCE AS A PROBLEM IN THE WORLD OF WORK**

Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence.

>> 4. PROTECTS ALL WORKERS

C190 covers all workers:

Regardless of their contractual status, whether private or public, both in the formal and informal economy,and whether in urban or rural areas; persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer. " (art 2).

>> 5. BROADENS THE CONCEPT OF "WORKPLACE" TO TAKE INTO ACCOUNT THE NEW TYPES AND MODALITIES OF WORK THAT EXIST AND CONTINUE TO CHANGE

The agreement includes violence and harassment **occurring at work, linked with or arising out of work.**

It can take place:
A. in the workplace, including in public and private spaces when they are a place of work;
B. in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
C. during work-related trips, travel, training, events or social activities;
D. through work-related communications, including those enabled by information and communication technologies;
E. in employer-provided accommodation; and
F. when commuting to and from work

Art 3

The reference to "public and private spaces when they are a place of work" covers workers in the informal economy, such as street vendors; domestic workers, who work for a private household or for private households; or home-based workers, who work in their own homes.

The explicit mention of "work-related communications, including those enabled by information and communication technologies" covers all types of communication, including digital means, which is important in view of the increase in teleworking in recent years, and also as a way of providing more flexibility in dealing with work and personal life responsibilities.

>**6.** In order to ensure effective protection against all forms of violence and harassment in the world of work, C190 urges ratifying countries to adopt, "in consultation with the employers' and workers'," **an inclusive, integrated and gender-sensitive approach.**

Inclusive, because it ensures accessibility, in particular to persons or groups in situations of vulnerability. The promotion of an inclusive workplace culture is essential to **ensure equality of opportunity** and treatment; as well as to protect against discrimination, violence and harassment, by taking into account the different needs of people with disabilities, people belonging to ethnic minorities, migrant workers, etc.

This implies providing tools, guidance and education, training activities on violence and harassment, and prevention and protection measures in a form that is accessible to all persons.

Gender sensitivity highlights the need to address the root causes of gender-based violence and harassment, and to reduce its harmful effects.

Integrated refers to the need to address the phenomenon.

> *in labour and employment, occupational safety and health, equality and non-discrimination law, and in criminal law, where appropriate "*
>
> *(R 206, para. 2).*

> **7.** The provisions of the Convention are not only intended to be applied in the legislation of ratifying countries, but also **through collective agreements** or other measures, including those that extend or adapt existing **occupational safety and health provisions** to cover violence and harassment, and those that develop specific measures when necessary.

This means that we should not wait for countries to ratify the Convention. Trade unions must start using it now by:

> Participating in dialogue and policy setting with governments, representatives and politicians to prevent, address and remedy violence and harassment in the world of work;

> campaigns and collective bargaining providing training with a gender perspective to trade

> union representatives so they can actively participate in evaluating risks of violence and harassment in the world of work.

> raising awareness and providing information and education, in accessible formats, to all workers on violence and harassment in the world of work, including specific information on gender-based violence and harassment;

> including clauses and wording based on Convention 190 and Recommendation 206 in collective bargaining agreements

> using Convention 190 and Recommendation 206 to improve or change existing policies and legislation, which will help ensure their ratification

> working with employers to ensure that health and safety policies include violence and harassment, and more specifically gender-based violence

> supporting global trade union federations in the negotiations of global framework agreements to include texts based on Convention 190 and Recommendation 206

WHAT SHOULD A WORK POLICY INCLUDE IN ORDER TO ELIMINATE VIOLENCE AND HARASSMENT IN THE WORKPLACE?

o A statement that violence and harassment will not be tolerated.

o Preventions programs with clearly defined employer and employee responsibilities and objectives for the elimination of violence.

o Include gender-based violence and harassment as well as sexual harassment and domestic violence

o Include measures to eliminate, manage and prevent violence and harassment such as:

o Information on complaints and investigation procedures

o That all incidents of violence and harassment will be considered and acted upon.

o Protection of the privacy of those involved and provide confidentiality for whistle-blowers and witnesses, as well as protect them against victimization and retaliation.

Along the lines of the C190, policies should also include:

-A comprehensive definition of violence and harassment

-Cover all working people, with special focus on vulnerable groups and precarious workers.

-A wider understanding of the world of work, making sure that it is not limited to just the physical workplace

-Bodies for dispute resolution and enforcement of sanctions, remedies and victim/survivor support.

-The creation of joint committees to monitor the implementation of the policy

-Training and raising awareness of the policy amongst workers, supervisors and managers.

-Monitoring and evaluation to ensure that the policy is effective.

Remember that all policies must be inclusive, integrated and include a gender perspective.

▶▶ ACTIVITY SHEET

■● What do we know about C190 and why is it so important?

>> **OBJECTIVE:** To motivate participants to understand C190 and its importance.

ACTIVITY 1

>> **PROCEDURE**
Provide copies of C190 to all participants.

Read the articles together and answer any questions that may arise.

Think together about why C190 might be relevant to workers in your industry or workplace.

ACTIVITY 2

≫ OBJECTIVE

Assess participants' knowledge on the content of C190 after having taken the training course or workshop.

≫ PROCEDURE

Once activity 1 is completed, give participants a copy of the following questions.

Each participant will have to answer individually, and at the end, the answers will be shared so that the group can clarify doubts and complete those concepts that have not been understood.

≫ QUESTIONNAIRE

1. What is an ILO Convention?
2. Is violence and harassment only the physical abuse of one person over another? What other types of violence do you remember?
3. Are women and men equally affected by violence and harassment?
4. What is gender-based violence?
5. Why does a Convention on violence and harassment in the world of work address domestic violence?
6. Does sexual harassment during a working dinner fall under C190?
7. Is violence and harassment only committed by supervisors or employers towards employees?
8. What does C190 mean by "world of work"?
9. Does the Convention protect agency workers?
10. Why is it claimed that all workers are covered by C190?
11. Only states can address violence and harassment, right?
12. Are violence and harassment part of occupational health and safety?
13. Do unions have to wait for Convention 190 to be ratified before acting?
14. If the answer is "no", what can unions do to use the agreement?

Resources Tab

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

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

- **International federations' information brochure on the C190**
  https://en.breakingthecircle.org/descargas/en/convencion190/ILO190Flyer_en_web.pdf

- **Booklet of good practices in gender equity in trade union organizations.**
  Uni Global Union
  https://en.uni-iwd.org/descargas/GoodPracticesEN.pdf

Bibliography and resources

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https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---safework/documents/publi cation/wcms_751837.pdf

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opportunities