



► Policy Brief

Date: July 2020

ILO Violence and Harassment Convention No. 190 and Recommendation No. 206

► Foreword

The year 2019 marked the Centenary of the International Labour Organization (ILO).

In June 2019, at the 108th International Labour Conference (ILC), the ILO tripartite constituents adopted the '*Centenary Declaration for the Future of Work*', committing to a world of work free from violence and harassment. The ILC also adopted Convention No. 190 (C 190) and its accompanying Recommendation No. 206 (R 206) on Violence and Harassment. These newly adopted International Labour Standards (ILS) aim to prevent and eliminate violence and harassment in the world of work.

This Policy Brief is primarily directed to workers and their organizations. Its main purpose is to promote the understanding of the new ILS and to raise awareness on the importance of promoting the ratification of Convention No. 190. Once Convention No. 190 is ratified both instruments will have to be effectively implemented in law and practice.

It is clearly stated that all ILO member States that ratify Convention No. 190 shall respect, promote and realize the right of everyone to a world of work free from violence and harassment, being this ILS the first one to expressly recognize this right in an international treaty.

Understanding the need to continue to working for social justice by developing a human-centered approach to the future of work, it is essential to put workers' rights and needs at the center of the fight against violence and harassment in the world of work.

The Convention defines violence and harassment as "a range of unacceptable behaviors and practices" that "aim at, result in, or are likely to result in physical, psychological, sexual or economic harm". It covers everyone who works, including interns or apprentices and persons who exercise the duties or authority of an employer, and applies to the public and private sectors, the formal and informal economy, as well as urban and rural areas.

This Convention provides the possibility of building a future of work based on dignity and respect for all, free from violence and harassment. It represents an enormous challenge for workers both in keeping the momentum and promoting the awareness raising, including ratification campaigns, and in using the existing language in these ILS in their daily efforts for the promotion and protection of workers' rights in the world of work.

The year 2020 has started with a public health emergency, the COVID-19 pandemic. We can already observe the impact of the outbreak on many aspects of our lives but in particular on the world of work. The respect of the rule of law and the effective implementation of ILS is essential during the fight against the pandemic, but even more important during the economic, social and environmental related recovery process that will come afterwards. These newly adopted ILS are even more relevant in this crisis situation to guide efforts to prevent and eliminate violence and harassment. In the early months of the global pandemic, reports from different parts of the world have reported the increase of violence and harassment with regards to several categories of workers, but in particular health and care workers in the frontline of the fight against the pandemic. With many countries adopting "lockdown" measures, many workers find themselves teleworking and thus the private household becomes the workplace. An increased number of reports show that the "lockdown" has exacerbated domestic violence, and especially for those who find themselves in more vulnerable situations regarding violence and harassment.

We hope you will find this brief useful for your work.

I would like to thank Ms. Jane Pillinger for her contribution in the preparation of this policy brief, and my ACTRAV colleagues Ursula Kulke and Victor Hugo Ricco who coordinated, assessed and finalized this brief.

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► 1. Introduction

► **Convention No. 190 on eliminating violence and harassment in the world of work** is the first global Treaty on violence and harassment, including gender-based violence, in the world of work. It sets out the principles and minimum standards for preventing and eliminating violence and harassment in the world of work. It is open for

ratification by all members States and will enter into force one year after two member States have ratified it. Then it will be binding on the member States that have ratified it.

► **Recommendation No. 206** supplements the Convention and gives additional guidance supporting the implementation of the Convention.

The global community has made it clear that violence and harassment in the world of work will not be tolerated and must end. On June 21, 2019, the ILO's International Labour Conference adopted the Centenary Declaration on the Future of Work, expressing a clear commitment to a world of work free from violence and harassment. On the same day, the Centenary Conference brought this commitment to life with the adoption of the Violence and Harassment Convention, 2019 (No. 190) and Recommendation, 2019 (No. 206).¹ This is an historic development. Convention No. 190 is the first international treaty that sets out the commitment of ILO Members to eliminate violence and harassment in the world of work, and to address this in the context of the significant realities and challenges of the future world of work.

of governments, and employers and workers and their respective organizations for the prevention and elimination of violence and harassment in the world of work. Social dialogue and partnership is core to the implementation and enforcement of the instruments, by bringing together governments, and workers' and employers' organizations to tackle the injustices of violence and harassment.

In light of the present COVID-19 crisis, the Convention and Recommendation are more relevant than ever, as the pandemic exposes and worsens existing inequalities and economic insecurities that increase the risk of harassment and violence in the world of work. The growing Covid-19 outbreak and the associated fear are not only fueling violence and harassment against healthcare workers on the frontline of the response to the contagious disease, but lockdown situations also exacerbate risks of violence, exploitation, abuse or harassment, mainly against women.²

Low-paid workers—mostly women—already faced heightened risk for assault and harassment in the workplace before the crisis. Now many women in low-paid jobs are essential workers on the front lines of the COVID-19 crisis and among those hit hardest by job loss. Many gig economy worker are also on the frontlines and without legal protections against violence and harassment because they are often classified as independent contractors.

Workers' organizations are key partners in implementing the measures laid down in the Convention and Recommendation. In particular, trade unions give visibility to the issue in the workplace, as well as at national and sectoral level, especially to identify ways to prevent and eliminate violence and harassment.

► The preamble to the Convention recognizes:

► "...the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment...that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, is unacceptable and incompatible with decent work."

Both instruments recognize the importance of a work culture based on mutual respect and human dignity as a basis for preventing and addressing violence and harassment in effective ways. They also recognize the different and complementary roles and functions

¹ Eliminating Violence and Harassment in the World of Work: ILO Convention No. 190, Recommendation No. 206, and the accompanying Resolution, ILO 2019.

² Please see: <https://www.unwomen.org/en/news/stories/2020/4/statement-ed-phumzile-violence-against-women-during-pandemic#notes> and <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

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They can find solutions to protect workers in the most vulnerable situations in the world of work, particularly when workers have poor access to labour rights and justice. Violence and harassment, including gender-based violence and harassment, are extremely sensitive issues to discuss and resolve in the workplace. Having effective trade union representation in the workplace is critical to build the trust of workers to report cases of violence and harassment, without fear of retaliation. When workers, particularly the ones in most vulnerable situations, are supported and represented by trade unions to speak out, this can help to break the silence surrounding the issue, and ensure that workplaces are safe for all workers to work to their full potential.

Through social dialogue, trade unions, along with employers, contribute to making real and positive changes in the workplace. The Convention and Recommendation offer a road map for workers and employers and their organizations to implement real change through effective workplace policies and negotiations, prevention programmes and workplace risk assessments, campaigns and awareness-raising, and in challenging institutional and structural forms of discrimination against workers. These actions will be considerably strengthened with the ratification of Convention No. 190 and by using the minimum standards in the Convention to frame social dialogue negotiations in tackling violence and harassment in the world of work.

1.1 Background

Convention No. 190 and Recommendation No. 206 are the outcome of many years of campaigning by workers, and particularly women workers, in trade unions and in organizations representing some of the workers in the most vulnerable situation. The process for agreeing on a Convention was kickstarted in 2009 with the publication of an ILO special report “Gender equality at the heart of decent work”, which called for new ILO standards to prevent and end gender-based violence at work. In 2015, the ILO Governing Body gave the mandate to commence a standard setting process for a new instrument on violence and harassment. This acknowledged that although some existing ILO standards refer to violence and harassment, there remained significant gaps. No single instrument specifically addressed violence and harassment in the world of work, and importantly covering all workers in the future world of work.

The process began with a tri-partite meeting of experts in 2016,³ and formal negotiations in two standard setting committees at the International Labour Conference in 2018 and 2019.⁴ The Workers’ Group played an active part in these negotiations, contributing to a significant milestone in tripartite social dialogue. In addition, extensive consultations and dialogue were held with the ILO’s constituents across the world - notably governments, employers and workers - in the framing and drafting of the Convention and Recommendation.

1.2 Brief overview of Convention No. 190 and Recommendation No. 206

Convention No. 190 is ground-breaking in that it recognizes that violence and harassment in the world of work can constitute a human rights violation or abuse, and that it is a threat to equal opportunities, is unacceptable and incompatible with decent work. It reflects the immense value of workers under the ILO’s tripartite system and the important role of multilateralism to eliminating violence and harassment in the world of work.

Convention No. 190 is addressed to ILO Members (i.e. governments) and calls on them to prevent and eliminate violence and harassment in the world of work in an inclusive, integrated and gender-responsive way. It sets out obligations to introduce laws and regulations, duties on employers and rights and responsibilities for trade unions, to: **prevent and eliminate violence and harassment; protect workers, especially workers in vulnerable work situations; provide remedies and support for workers affected by violence and harassment; and implement guidance, training and awareness raising.**

In summary, Convention No. 190 and Recommendation No. 206 set out progressive, inclusive and historic labour standards:

- All workers have the right to a world of work free from violence and harassment, including gender-based violence and harassment.

³ ILO, Report of the Meeting of Experts on Violence against Women and Men in the World of Work (Geneva, 3–6 October 2016), GB.329/INS/INF/3. https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_546088.pdf

⁴ See summary of proceedings of the Standard Setting Committee 2018 and outcomes of the Standard Setting Committee 2019.

- ▶ Inclusive of all types of work, covering all workers irrespective of their contractual status, and applies to all sectors, whether private or public, both in the formal and informal economy, and whether urban or rural.
- ▶ Integration of fundamental principles and rights at work in preventing and eliminating violence and harassment.
- ▶ Promotion of a gender-transformative agenda to social and culture change.
- ▶ A multi-faceted and integrated approach with all relevant laws and regulations (labour and employment, equality, non-discrimination, occupational safety and health, migration and criminal law).
- ▶ A strong focus on prevention, including addressing the underlying risk factors and causes of violence and harassment and ways to overcome them.
- ▶ Relevant to contemporary changes in work and employment, and a blueprint for ending violence and harassment in response to the challenges and realities of the future world of work.
- ▶ The importance of a human-centred approach in preventing and eliminating violence and harassment, including providing remedies and support to victims of violence and harassment in the world of work.

1.3 A timely response to the profound changes taking place in the world of work

“The ILO marks its Centenary at a time of transformative change in the world of work, driven by technological innovations, demographic shifts, environmental and climate change, and globalization, as well as at a time of persistent inequalities, which have profound impacts on the nature and future of work, and on the place and dignity of people in it.”⁵

The Convention and Recommendation could not have been timelier in light of the profound changes in the world of work. As the ILO Centenary Declaration for the Future of Work notes, responding to these changes requires a human-centred approach with workers’ rights at the centre of sustainable development in all new economic, social and environmental policies. The Declaration reaffirms the importance of decent work, social dialogue, social justice and the role of multilateralism in shaping the future of work and the challenges of the world of work, alongside “Committing to a world of work free from violence and harassment”. The COVID-19 pandemic renewed the sense of urgency for preventing and eliminating violence and harassment in the world of work.

Adopting Convention No. 190 has opened the doors to the possibility of real change in laws, combining both a transformational approach and practical change in the workplace. Workers’ organizations have begun the hard work of organizing and advocating for the ratification and implementation of Convention No. 190 in ILO member States, so that national laws, policies and practices protect all workers.

► 2. Overview of Convention No. 190 and Recommendation No. 206

This section describes the basic principles, and rights and obligations set out in the Convention and where relevant, supplemented with guidance by the Recommendation. They are covered under the following main headings that frame the instruments:

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| <ul style="list-style-type: none"> I. Definitions of violence and harassment II. Scope – who is covered, and when and where under the instruments? | <ul style="list-style-type: none"> III. Core principles and obligations on Members IV. Protection and prevention V. Enforcement and remedies VI. Guidance, training and awareness raising |
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⁵ ILO Centenary Declaration for the Future of Work (adopted by the conference the 108th Session, Geneva, 21 June 2019).

Definitions of violence and harassment

► A wide definition is given to violence and harassment, including gender-based violence and harassment:

► “Violence and harassment’ in the world of work refers to a range of unacceptable behaviors and practices ...that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.”

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. (Art. 1 (1) of Convention No. 190)

This definition of violence and harassment in the Convention covers a **wide range of unacceptable behaviors and practices**. It covers conduct in the workplace such as physical, verbal, non-verbal forms of violence and abuse, sexual violence and sexual harassment, psychological abuse, psychosocial violence and harassment, bullying and mobbing, threats and intimidation, stalking, cyber harassment through technology and the Internet, amongst others. Many of these different forms of violence and harassment are overlapping.

It includes in its scope the need to address **violence and harassment by third-parties**, such as, clients, customers, students, pupils and the general public. This is very important for workers in sectors such as health, hospitality, entertainment, retail, education, transport and other customer facing services. Trade unions in these sectors increasingly address third-party violence and harassment in their collective negotiations, guidance and awareness raising.

Domestic violence is a further form of violence and harassment covered in the Convention and Recommendation. It recognizes that domestic violence can affect the world of work, and that governments, employers and worker’s organizations can help to recognize, respond and address the impacts of domestic violence. It is a relatively new area of trade union activity and workplace bargaining. Recognizing the problem, implementing appropriate support for victims of domestic violence and the impact in the world of work, and referring victims to specialized agencies for information, legal, housing and other supports mechanisms, can ensure that victimized workers stay safely in their jobs.

The importance of gender-based violence and harassment

“Acknowledging that gender-based violence and harassment disproportionately affects women and girls, and recognizing that an inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work.” (Convention No. 190, Preamble)

Gender-based violence and harassment is central to the Convention. It acknowledges that women are disproportionately affected by violence and harassment in the world of work and that this is affected by social norms and unequal gender relations. Furthermore, there is recognition of the importance of multiple and intersecting forms of discrimination.

Gender-based violence featured as an important part of the trade union campaign for a Convention, as seen in the ITUC Campaign ‘End-Gender Based Violence at Work’. Throughout the Convention, references are made to the importance of preventing and eliminating gender-based violence and harassment.

Scope: who is covered by the standards, and when and where?

Wide scope and definition of workers

“This Convention protects workers and other persons in the world of work, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer.” (Art. 2 (1))

“This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas.” (Art. 2 (2))

The Convention has a wide scope and gives an inclusive definition of a worker. It provides protection for all workers **irrespective of their contractual status**, with or without contracts of employment. This means that protection is given to workers in non-standard forms of employment, including workers in precarious jobs, working part-time, on temporary contracts or on zero hours contracts.

A further benefit of the inclusive definition of a worker is that protection is also given to **jobseekers, workers whose employment has been terminated, trainees, interns, apprentices and volunteers**, as well as individuals exercising the authority, duties or responsibilities of an employer.

Recognition of the changing world of work

The Convention also takes account of the fact that work does not always take place at a physical workplace and that the world of work can include areas such as work-related communications, such as enabled by Information and Communication Technologies (ICT) or that work often takes place away from the formal workplace. Teleworking from home is one of the consequences of lockdown measures in response to COVID-19, making private households the new workplace where violence and harassment may also occur, making these newly adopted ILS even more relevant. The broad definition given to the world of work reflects the reality of present-day work tasks and the location of work, including in the gig economy.

“The Convention applies to violence and harassment in the world of work, occurring in the course of, linked with or arising out of work:

- (a) in the workplace, including public and private spaces where they are a place of work;
- (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- (c) during work-related trips, travel, training, events or social activities;
- (d) through work-related communications, including those enabled by information and communication technologies;
- (e) in employer-provided accommodation; and
- (f) when commuting to and from work.” (Art. 3).

Workers most exposed to violence and harassment in the formal and informal economy

The Convention includes in its scope workers in the formal and informal economy. It recognizes that workers working in public and private spaces are potential victims of violence and harassment, and that violence and harassment can occur on the way to and from workplaces. It is particularly relevant for those who work in public spaces such as street vendors, market traders or

waste pickers, or those working in private spaces such as domestic workers, social care workers and home-based workers, acknowledging that working conditions in these sectors may constitute risk factors for violence. In this regard, Recommendation No. 206 states that:

- “Members should adopt appropriate measures for sectors or occupations and work arrangements in which exposure to violence and harassment may be more likely, such as night work, work in isolation, health, hospitality, social services, emergency services, domestic work, transport, education or entertainment.” (Para.9)

The Convention recognizes also the risks faced by workers in the informal economy, where more than 2 billion workers or 61% of the world’s workers work.⁶ For workers in the informal economy the Convention makes an important contribution to the rights of workers in the informal economy and especially the transition to the formal economy.⁷ It is a major step forward that informal workers are included in the scope of the new standard, thereby recognizing the realities of the risks faced by some of the workers in vulnerable situations. Some of the worst experiences of violence and harassment are found in sectors, where women informal workers are particularly vulnerable to gender-based violence and harassment.

In providing further guidance, the Recommendation notes that:

- “In facilitating the transition from the formal to the informal economy, Members should provide resources and assistance for informal economy workers and employers, and their associations, to prevent and address violence and harassment in the informal economy.” (Para.11).

The role of the public sector

The Convention also includes public sector workers in its scope, as well as the role that can be played by public sector workers and employers in the implementation mechanisms.

It is important to note that the Convention recognizes the important role of public authorities at all levels in providing protection for informal economy workers. The implication of this is that public authorities – for example, in national, local or regional government - are accountable for implementing laws and regulations.

6 ILO *Women and men in the informal economy: A statistical picture* (Third edition): https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_627189/lang--en/index.htm In Africa, 85.8 per cent of employment is informal. The proportion is 68.2 per cent in Asia and the Pacific, 68.6 per cent in the Arab States, 40.0 per cent in the Americas and 25.1 per cent in Europe and Central Asia. The report shows that 93 per cent of the world’s informal employment is in emerging and developing countries.

7 More than 60% of all workers are employed in the informal economy. The Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204) was adopted by the International Labour Conference in June 2015. For further information see the ILO ACTRAV Workers’ Guide to the Recommendation: https://www.ilo.org/wcmsp5/groups/public/@ed_dialogue/@actrav/documents/publication/wcms_545928.pdf

Prevention of violence and harassment in sectors, occupations and work arrangements where workers are vulnerable to violence and harassment

Convention No. 190 requires that Members should take appropriate measures to protect workers and prevent violence and harassment, particularly where workers are more exposed to violence and harassment.

In relation to provisions on prevention, Art. 8 of the Convention states that each Member shall take appropriate measures to prevent violence and harassment, by taking account of:

- (a) recognizing the important role of public authorities in the case of informal economy workers;
- (b) identifying, in consultation with employers' and workers' organizations, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment; and
- (c) taking measures to effectively protect such persons.

The Convention acknowledges some groups of workers, such as workers in sectors, occupations and work arrangements are particularly exposed to violence and harassment. For example, this could apply to sectors such as health, transport, education and domestic work, or where workers work alone and/or in isolated areas, and/or work late or night shifts. Although these sectors are not identified in the Convention, Convention No. 190 does make it clear that consultations with employers' and workers' organizations will take place to identify the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment.

This will enable each country to identify the sectors where workers are most exposed to violence and harassment, and is an area where trade unions will be able to contribute significant knowledge. And when this is done, governments will be required to take measures to effectively protect these workers.

What are the core principles and obligations on governments?

Obligations to respect, promote and realize that workers' are free from violence and harassment

The Convention sets out core principles and obligations on governments who ratify the Convention, notably that: "Each Member that ratifies this Convention shall respect, promote and realize the right of everyone to a world of work free from violence and harassment" (Art. 4 (1)).

At the heart of the Convention is the obligation on governments to introduce laws and regulations that "... respect, promote and realize the right of everyone to a world of work free from violence and harassment" and to adopt "...an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work." As the Convention is addressed to the ILO's member States, ratification of the Convention means that governments are obliged to draw up laws and policies to implement and monitor the Convention (Art. 4 (2)).

What should be included in laws and regulations under Article 4 (2)?

- (a) prohibiting in law violence and harassment;
- (b) ensuring that relevant policies address violence and harassment;
- (c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment;
- (d) establishing or strengthening enforcement and monitoring mechanisms;
- (e) ensuring access to remedies and support for victims;
- (g) providing for sanctions;
- (h) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and
- (f) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.

As the list under Art. 4 (2) above shows, the prohibition of violence and harassment is a specific requirement under the Convention. This includes ensuring that relevant policies address violence and harassment, and that a comprehensive strategy to prevent and combat violence and harassment is adopted. Convention No. 190 also provides for the establishment or strengthening of enforcement and monitoring, ensuring remedies and support for victims, and sanctions for perpetrators. Further measures should be provided to build capacity through tools, guidance, education and training, and awareness raising. Finally, an important role is given to the role of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies.

In adopting such inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment, the different and complementary roles and functions of governments, and employers and workers and their respective organizations should be recognized. (Art. 4 (3))

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Workers' organizations have an important role to play in promoting the ratification and implementation of Convention No. 190 and the application of Recommendation No. 206. **Convention No. 190 is specific in requiring involvement of workers' organizations and states that the development, implementation and monitoring of laws and policies are to be carried out in consultation with employers' and workers' organizations. This firmly places social dialogue at the centre of the development and implementation of laws and policies to prevent and eliminate violence and harassment in the world of work.**

Additional guidance in Recommendation No. 206 states that Members should address violence and harassment in the world of work in labour and employment, occupational safety and health, equality and non-discrimination law, and in criminal law, where appropriate. In many of these areas, some trade unions already play an important role through tri-partite and bi-partite social dialogue, for example, in promoting gender equality.⁸ In the area of occupational safety and health, trade unions often play pivotal roles in devising integrated prevention programmes. Convention No. 190 and Recommendation No. 206 recognize the important role to be played through occupational risk assessments, and expanding the role these play in taking into account psychosocial risks, in the workplace.

Fundamental principles and rights at work

The Convention and Recommendation recognize the need to respect, promote and realize the fundamental principles and rights at work at the core of measures preventing and eliminating violence and harassment in the world of work. On this basis the Convention states that:

- "...each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation, as well as promote decent work." (Art. 5)

Freedom of association and collective bargaining

Of particular relevance is the important prerequisite of freedom of association and collective bargaining to preventing and eliminating violence and harassment in the world of work. Recommendation No. 206 elaborates on this by stating that:

- "Members should ensure that all workers and employers, including those in sectors, occupations and work arrangements that are more exposed to violence and harassment, fully enjoy freedom of association and the effective recognition of the right to collective bargaining consistent with the Freedom of Association and the Right to Organize Convention, 1948 (No.87), and the Right to Organize and Collective Bargaining Convention, 1949 (No.98)." (Para. 2)

The Recommendation makes it clear that Conventions No. 87 and No. 98, enshrining the right to freedom of association and the right to collective bargaining, applies to all Members. These should be the basis for active trade union involvement in the formulation of laws, regulations, workplace policies, training and awareness raising, amongst the measures set out in the standards. The Recommendation spells this out in more detail by stating that Members should take appropriate measures in this regard to:

- a) promote the effective recognition of collective bargaining at all levels as a means of preventing and addressing violence and harassment and, to the extent possible, mitigating the impact of domestic violence in the world of work; and
- b) support such collective bargaining through the collection and dissemination of information on related trends and good practices regarding the negotiation process and the content of collective agreements (Para. 4)

Of importance is that Convention No. 190 requires consultations with employers' and workers' organizations when relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration are being drawn up, and guidance, resources, training and other tools on violence and harassment for employers and workers and their organizations (Art. 11). These are important responsibilities that trade unions often assume – the Convention strengthens these possibilities further particularly in the sectors and work situations where workers are most vulnerable. It is clear that collective bargaining – which can take place across all sectors and at all levels, will be important to the implementation of the new standards, irrespective of whether the Convention is ratified or not. An example of this, is to apply the Convention across global supply chains in sectors such as textiles, agriculture and electronics. Global Framework Agreements (GFAs) and joint statements between multinational companies and global unions, can also help to promote union organizing and representation, social dialogue and collective bargaining, in countries where there are weak trade union protections and/or absence of laws and policies

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on violence and harassment. Some GFAs have already begun to address these issues.⁹

As Art. 12 of the Convention states in addition to the provisions contained in the Convention being implemented through national laws and regulations, it specifies that implementation can also take place through:

- "...collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary."

Equality, non-discrimination and protection for vulnerable groups

The Convention requires that laws, regulations and policies include equality and non-discrimination and that they take account of the disproportionate impact of violence and harassment on women and other vulnerable groups:

- "Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work." (Art. 6)

In addition, the Recommendation makes it clear that this should leave no one behind:

- "...measures to prevent violence and harassment do not result in the restriction of the participation in specific jobs, sectors or occupations, or their exclusion therefrom, of women and the groups referred to in Article 6 of the Convention." (Para. 12)

Recommendation No. 206 elaborates on this further by specifying the full implementation of the equality and non-discrimination instruments of the ILO, including the Equal Remuneration Convention, 1951 (No. 100) and accompanying Recommendation No. 90, and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) and accompanying Recommendation No. 111, and other relevant instruments (Para.5). Therefore, full implementation of the standards is closely tied to the application of relevant

ILO instruments and fundamental principles and rights at work, giving added leverage to their importance.

The Convention gives no specific list of vulnerable groups or groups in situations of vulnerability (Article 6). In the Recommendation it is noted that Art. 6 "...should be interpreted in accordance with applicable international labour standards and international instruments on human rights." (Para. 13)

The definition of vulnerable groups in the Convention and Recommendation can be interpreted as applying to workers facing discrimination such as LGBTI workers,¹⁰ black and minority ethnic workers, migrant workers, women workers, young workers, persons with disabilities, indigenous peoples, amongst others.¹¹ Specifically the Recommendation refers to protection of migrant workers, particularly women migrant worker, irrespective of their migrant status in origin, transit and destination countries, in laws and other measures (Para.10).

It is important to note that the Convention acknowledges that some workers facing "multiple and intersecting forms of discrimination", may be a greater risk. For example, a worker from an ethnic and sexual minority and with disability.

Protection and prevention

Convention No. 190 contains measures on protection and prevention of violence and harassment in the world of work. It requires Members to introduce **laws and regulations to define and prohibit violence and harassment** in the world of work, including gender-based violence and harassment (Art. 7). It sets out **duties on employers**, to create clear and effective workplace policies and procedures to prevent and address violence and harassment.

In this regard, Art. 9 of the Convention puts obligations on governments to spell out positive duties on employers to protect workers and prevent violence and harassment in the following areas **so far as is reasonably practicable**:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;

⁹ For examples of GFAs and joint statements that include violence and harassment see: ILO / UN Women (2019) Handbook Addressing Violence and Harassment Against Women in the World of Work; and Pillinger (2017) Violence and Harassment Against Women and Men in the World of Work. Geneva, ILO.

¹⁰ In relation to violence and harassment against LGBTI workers, there is substantial evidence to show that LGBTI workers are disproportionately affected by violence and harassment at work. See TUC (2019) Lifting the lid on the hidden epidemic of LGBTI sexual harassment at work. London, TUC. Regarding international human rights instruments, United Nations supervisory bodies have determined that discrimination against LGBTI persons violated the provisions of a number of human rights treaties, (International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of Persons with Disabilities, among others).

¹¹ For further discussion of vulnerable and discriminated workers see: ILO / UN Women (2019) *op cit.* and Pillinger (2017) *op cit.*

- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and
- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures. (Art. 9)

Workplace policy

In relation to development of a workplace policy, the Para. 7 of the Recommendation states that laws and regulations should specify that workers and their representatives should be involved in the design, implementation and monitoring of the policy (as referred to in Art. 9(a)) of the Convention. The workplace policy should include the following (Para.7):

- (a) state that violence and harassment will not be tolerated;
- (b) establish violence and harassment prevention programmes with, if appropriate, measurable objectives;
- (c) specify the rights and responsibilities of the workers and the employer;
- (d) contain information on complaint and investigation procedures;
- (e) provide that all internal and external communications related to incidents of violence and harassment will be duly considered, and acted upon as appropriate;
- (f) specify the right to privacy of individuals and confidentiality, as referred to in Art. 10(c) of the Convention, while balancing the right of workers to be made aware of all hazards; and
- (g) include measures to protect complainants, victims, witnesses and whistle-blowers against victimization or retaliation.

The Convention also highlights the importance of prevention of violence and harassment in occupational safety and health. It includes reference to the inclusion of violence and harassment in occupational risk assessments. In light of this Recommendation No. 206 specifies that occupational safety and health provisions in national laws, regulations and policies should take into account relevant safety and health instruments of the ILO. These include the Occupational Safety and Health Convention, 1981 (No. 155), and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).

Workplace risk assessments, as set out in the Convention and detailed further in the Recommendation, should also help to change attitudes by taking into account factors that increase the likelihood of violence and harassment (such as gender, cultural and social norms).

In relation to the workplace risk assessment (referred to in Art. 9(c) of the Convention), particular attention is given to risk factors that increase the likelihood of violence and harassment, including psychosocial risks and hazards. The Recommendation states (Para. 8) that account should be taken of risk factors that:

- (a) arise from working conditions and arrangements, work organization and human resource management, as appropriate;
- (b) involve third parties such as clients, customers, service providers, users, patients and members of the public; and
- (c) arise from discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment.

Enforcement and remedies

An important role is given to Members to take appropriate measures on enforcement and remedies, including the monitoring and enforcement of national laws and regulations. (Art. 10(a)).

There should be easy access to **appropriate and effective remedies and safe, fair, and effective reporting and dispute resolution**, (Art. 10(b)) such as:

- complaint and investigation procedures;
- dispute mechanisms at workplace level or external to the workplace;
- courts and tribunals;
- protection from victimization or retaliation for complainants, victims, witnesses and whistle-blowers
- support measures for victims;
- legal, social, medical and administrative support measures for complainants and victims.

The Convention refers to the importance of protecting the privacy and confidentiality of complainants and whistleblowers.

Trade union involvement can help in the development and implementation of effective remedies relating directly to the workplace. For example, when trade unions are involved in the development of complaint and investigation procedures in the workplace, these mechanisms are more likely to be relevant to, understood and trusted by workers, and effectively implemented in practice.

Recommendations for effective remedies through laws and regulations should include the right for a complainant to resign with compensation and reinstatement, and appropriate compensation for damages. In addition, an order can be issued requiring that conduct is stopped or that policies or practices are changed; and for the provision of legal fees and costs, in line with national law and practice. (Para.14)

Victims of violence and harassment should also have access to compensation for violence and harassment - physical, psychosocial, or other injury or illness - which results in incapacity to work. (Para.15)

In addition, Convention No. 190 provides workers **with the right to remove themselves from a work situation** which they have reasonable justification to believe presents an imminent and serious danger, without retaliation. (Art. 10(g)).

Effective complaint and dispute resolution mechanisms for gender-based violence

In recognition of the extent and seriousness of gender-based violence in the world of work, Convention No. 190 reiterates the need for a gender-responsive approach. Central to this is to ensure that victims of gender-based violence and harassment in the world of work have access to **gender-responsive, safe, and effective complaint and dispute resolution mechanisms, support, services, and remedies**. (Art. 10(e))

In providing for gender-responsive complaint and dispute mechanisms (referred to under Art. 10(e) of the Convention), Para. 16 of the Recommendation suggests that this could include some or all of the following measures, all of which are drawn from best-practice approaches across the world:

- (a) courts with expertise in cases of gender-based violence and harassment;
- (b) timely and efficient processing;
- (c) legal advice for complainants and victims;
- (d) guides and information resources in relevant languages;
- (e) shifting the burden of proof in proceedings that are not criminal proceedings. (Para.16)

In addition, support services and remedies for victims of gender-based violence and harassment (under Art. 10(e) of the Convention) should include measures provided or funded by government, such as:

- (a) support to help victims re-enter the labour market;
- (b) counselling and information services;
- (c) 24-hour hotlines;

- (d) emergency services;
- (e) medical care and treatment and psychological support;
- (f) crisis centres, including shelters; and
- (g) specialized police units or specially trained officers to support victims.

Mitigating the effects of domestic violence in the world of work

The effects of domestic violence at work and ways to mitigate them are covered in both Convention No. 190 and Recommendation No. 206. This is highlighted in the Preamble to Convention No. 190:

- “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.”

Convention No. 190 notes that domestic violence has an impact on workers—especially women workers—and their livelihoods. The Convention lays out measures governments, employers and workers organizations can take to support victims/survivors of domestic violence, and to “recognize the effects of domestic violence and, so far as practicable, mitigate its impact in the world of work”. (Art. 10f).

Further guidance is given in the Recommendation of the measures that can be included in policies and procedures for mitigating the impact at the workplace. They include measures to recognize the problem, respond appropriately and refer to appropriate specialist support, including:

- (a) leave for victims of domestic violence;
- (b) flexible work arrangements and protection for victims of domestic violence;
- (c) temporary protection against dismissal for victims of domestic violence, as appropriate.
- (d) the inclusion of domestic violence in workplace risk assessments;
- (e) a referral system to public mitigation measures for domestic violence, where they exist; and
- (f) awareness-raising about the effects of domestic violence. (Para.18).

Domestic violence can have an impact in the workplace, for example, when victims of domestic violence are targeted at work, affecting their safety and that of their colleagues. While the workplace can provide a place of safety for victims of domestic violence, it can also be

a place where perpetrators can easily find and harm them. Victims of domestic violence speak of the effects on the work performance and attendance at work, and many have lost their jobs as a result. The key issue is that victims of domestic violence may need support to enable them to remain safely in their jobs, and ultimately so that they can progress in their careers and continue to have the possibility of an independent income.

Perpetrator accountability

Holding perpetrators accountable for violence and harassment is crucial if violence and harassment is to be eliminated in the world of work. The Convention calls for sanctions for perpetrators of violence and harassment in order to hold perpetrators accountable (Art. 4(f)). The Recommendation goes further in suggesting that perpetrators are provided with "...counselling or other measures to prevent the reoccurrence of violence and harassment, and facilitating their reintegration into work." (Para.19)

Gender-responsive training for labour inspectorates and other relevant authorities

The Convention places responsibilities on labour inspectorates and other relevant authorities, as appropriate, to deal with violence and harassment in the world of work. (Art. 10)

In line with the objective to be inclusive of all workers and to eliminate gender-based violence, the Recommendation specifies that this should include gender-responsive training on violence and harassment, including psychosocial hazards and risks, gender-based violence and harassment, and discrimination against particular groups of workers. (Para. 20)

In addition, national bodies responsible for labour inspection, occupational safety and health, and equality and non-discrimination, including gender equality, should also include violence and harassment in their mandate. (Para. 21) Trade unions often sit on these national bodies and can ensure that these national bodies are aware of their obligations and have the capacity to implement the standards.

Statistics on violence and harassment in the world of work

In elaborating on the Convention, Recommendation No. 206 states that statistics should be collected on violence and harassment disaggregated by sex, form of violence, and sector of economic activity (including the groups referred to in Art. 6 of the Convention). (Para.22)

As a first instance, this could ensure that employers provide relevant information about the number and type of complaints made and how they were resolved, whether workplace policies and occupational risk assessments have been drawn up and how they have

been implemented, the introduction of complaints procedures, support for victims etc. Further data could be developed to delve further into the causes of violence and harassment, drawing on workers' experiences through participatory forms of research.

Guidance, training and awareness raising

The Convention addresses the importance of guidance, training and awareness raising and that this should be carried out in consultation with employers and workers. (Art. 11)

Trade unions are well-placed to actively contribute to guidance, training and awareness raising at national, sectoral and workplace levels. They can bring important insights into the sectors and jobs where workers, particularly women workers, are most vulnerable to violence and harassment. Building capacity and empowering women in trade unions to take leadership is crucial in implementing the gender-responsive approach to violence and harassment in the Convention.

Convention No. 190 (Art. 11) states that each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that:

- (a) violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;
- (b) employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment; and
- (c) initiatives, including awareness raising campaigns, are undertaken. (Art. 11)

The Recommendation sets out a range of ways that Members should fund, develop, implement and disseminate, as guidance, training and awareness raising, as appropriate. As with other parts of the Convention, awareness raising campaigns are required to tackle gender-based violence and harassment and address discriminatory attitudes. It recognizes the role that can be played by many different stakeholders, such as journalists and other media personnel, can play in addressing some of the underlying causes and risk factors. Furthermore, it raises the importance of the role of judges, labour inspectors, police officers, prosecutors and other public officials in assisting public and private employers and workers and their organizations in preventing and addressing violence and harassment in the world of work.

Recommendation No. 206 (Para.23) makes the following recommendations for Members to fund, develop, implement and disseminate, as appropriate:

- (a) programmes to address factors that increase the likelihood of violence and harassment occurring, including discrimination, the abuse of power relations, and gender, cultural and social norms that support violence and harassment;
- (b) gender-responsive guidelines and training programmes for judges, labour inspectors, police officers, prosecutors and other public officials, as well as measures to assist employers and workers and their organizations in preventing violence and harassment;
- (c) model codes of practice and risk assessment tools on violence and harassment which could be sector specific or take into account situations of workers facing discrimination, vulnerable groups or groups in situations of vulnerability (as referred to in Art. 4).
- (d) public awareness raising campaigns in all relevant languages about the unacceptability of violence and harassment, in particular gender-based violence;
- (e) gender-responsive curricula and instructional materials at all levels of education and vocational training;
- (f) materials for journalists and media personnel on gender-based violence and harassment, including underlying causes and risk factors;
- (g) public campaigns that aim to foster safe, healthy and harmonious workplaces free from violence and harassment.

Guidance, training and awareness raising are important activities carried out by trade unions inside and outside of the workplace. They have the potential to cover areas such as risk assessment tools and measures to tackle gender-based violence, which will be relevant inside the workplace, while others have broader relevance for all societal actors in the general public, media, police, judges, labour inspectors and other public officials, amongst others.

► 3. Conclusion and next steps

3.1 Conclusion

A future of a world of work free from violence and harassment, based on dignity and respect

The Convention offers a real opportunity for governments, and employers' and workers' organizations to work together to prevent and eliminate violence and harassment in the world of work. The Convention and Recommendation provide a clear framework for action and an opportunity to shape a future of work based on dignity and respect. The Convention is comprehensive, integrated and inclusive. It sets out prevention measures and legal protection for all workers, especially workers who are in vulnerable situations that are more exposed to violence and harassment at work, and it calls for transformative change, along with awareness raising measures.

The Convention and Recommendation are forward looking and have the potential to give protection to all workers across the world. Even in countries that have legislation, the Convention and Recommendation bring new issues into policy, particularly with the focus on prevention and occupational risk assessments, amongst other areas.

A force for changing attitudes and behaviors that contribute to violence and harassment

The violence and harassment Convention and Recommendation have the potential to change attitudes and behaviors and create a future world of work based on equality, dignity and respect. Implementing laws, workplace measures and raising awareness about the causes of and measures to address violence and harassment will not only help to address the underlying causes of violence and harassment, but they will also be crucial to achieving transformational and long-term change in social norms. Besides, both instruments are likely to make a positive contribution to the new challenges that will arise in the world of work, and more specifically in work places resulting from COVID-19, as new forms of organizing work and respecting new protection and security rules may cause new tensions.

In particular, the standards spell out measures to tackle gender-based violence, by taking into account gender inequalities, discrimination and social norms in preventing violence and harassment. For instance, the Convention and Recommendation refer to guidance, training and awareness raising to address the factors

that contribute to violence and harassment. Specific emphasis is given to addressing “discrimination, the abuse of power relations, and gender, cultural and social norms that support violence and harassment”.

As this Policy Brief has shown preventing and eliminating violence and harassment in the work of work requires integration with existing international labour standards (in particular fundamental principles and rights at work), as well as national policies on occupational safety and health, psychosocial risks, non-discrimination, gender equality, etc. It is anticipated that the Convention and Recommendation will help to strengthen these linkages and the importance of fundamental principles and rights at work.

A real contribution to achieving the Sustainable Development Goals (SDGs)

The violence and harassment Convention and Recommendation will make an important contribution to the achievement of the SDGs as set out in the UN's 2030 Agenda for Sustainable Development. For governments, employers and trade unions the SDGs are relevant to preventing and tackling violence and harassment in the world of work through goals to:

- Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (SDG8), which includes the achievement of full and productive employment and decent work for all women and men under target 8.5;
- Achieve gender equality and empower all women and girls (SDG 5). It includes the target to end “all forms of discrimination against all women and girls everywhere”; eliminating “all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation” and adopting and strengthening “sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.”
- Reduce inequality within and among countries (SDG 10). Inequality within and among nations continues to be a significant concern despite progress in and efforts at narrowing disparities of opportunity, income and power. Inequality is also reflected through the different grounds of discrimination. For instance, pay inequality for equal work value remains one of the most persistent forms of discrimination between men and women.

Social dialogue, including collective bargaining, is vital for realizing these goals and for achieving the conditions for dignified, equal, decent and sustainable work, which

are the basis for eliminating violence and harassment in the world of work.

3.2 Next steps for workers' organizations – putting the standards into practice

Workers' organizations have an important role to play in promoting awareness about the process for the ratification and application of Convention No. 190 and the application of Recommendation No. 206.

The first step following the adoption of the new standard, is that all Members are required to bring the Convention and Recommendation to the attention of their competent national authorities (usually this is the Parliament) within 12 months of the date of adoption (21 June 2019). This process will consider legislation, regulations or other measures, including ratification of the Convention. After the second received ratification, the Convention will enter into force (Art. 16(2)). After that once ratified by a country, the Convention will enter into force one year later. For the ratification to produce international effect, it needs that the original instrument of ratification reaches the Director General. Only domestic approval and decision is not enough to have ratified the Convention. This provision ensures that the measures in the Convention are discussed and have some visibility at the national level. Here, workers' organizations can play a vital role in giving visibility to the Convention and Recommendation and to holding their governments accountable.

Ratification requires that the Member makes a pledge to apply the Convention into national laws, regulations and practices. For some countries, this will mean amending or strengthening existing laws so that they cover all of the obligations set out in the Convention. For other countries, new legislation will need to be enacted.

Members ratifying the Convention will also be required to report on its application to the ILO regularly, for example, through the ILS supervisory machinery and reports to the Committee of Experts on the Application of Conventions and Recommendations.¹³

Changing social norms, challenging attitudes about violence and harassment in the world of work, as well as about gender stereotypes and unequal gender roles and relations, and implementing real change in areas such as non-discrimination, will be difficult to implement quickly. Putting in place the relevant laws, policies and measures to effect this long-term change is critical. There are some provisions such as implementation

¹² Under Targets 5.1, 5.2, 5.a and 5.c.

¹³ For further information see: <https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/committee-of-experts-on-the-application-of-conventions-and-recommendations/lang-en/index.htm>

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of workplace policies, occupational risk assessments, awareness raising, guidance and training, Codes of Practice and other measures, which can be drawn up and implemented immediately.

Using the minimum standards to frame the development of policies and negotiations

Trade unions at the national level have an important role to play in lobbying their governments and to give support for the ratification of Convention No. 190. Even if not ratified, the Convention and Recommendation can be used to guide and frame the development and implementation of laws and policies. This can form the basis for discussion of measures to inspire employers and workers' organisations to implement the best possible workplace measures through jointly agreed policies and/or collective bargaining agreements. On this basis, the Convention and Recommendation represent the minimum conduct that is expected of any government or employer. In this sense, they establish global minimum standards, a level playing field for all and an important roadmap for change!

In addition, the ILO can provide technical assistance to support the implementation of the Convention. A trade union can also file a complaint against a member State for not complying with a ratified Convention, which forms part of the ILO system of supervision.

Campaigning for ratification of Convention No. 190

Trade unions at the national, sectoral and/or local levels have already begun to campaign for the ratification of the Convention.¹⁴ It is important that unions spread the word to women union members and leaders, build solidarity and engage in lobbying of governments to ratify the Convention.¹⁵ The following are some of the ways that trade unions can lobby governments to implement the standards:

- Use existing tripartite structures and engage in advocating to highlight ways to integrate the principles and standards contained in Convention No. 190 and Recommendation No. 206 into national (and where relevant federal/state) policies and programmes.
- Through social dialogue, advocacy and campaigns, identify ways that governments can integrate these principles and standards into local, provincial and regional laws, regulations and policies.

The following are some of the ways that unions can lobby employers to integrate the principles and standards into existing and new workplace policies and procedures, irrespective of whether Convention No. 190 is ratified or not:

- Negotiate with employers to adopt and integrate the standards set out in Convention No. 190 and Recommendation No. 206 into existing policies and programmes. For example, this can be done by negotiating new or updating existing workplace policies, codes of conduct or CBAs so that they include the principles and standards of the Convention and recommended actions under the Recommendation.
- Target employers in the sectors and workers in vulnerable situations, and start negotiating for workplace policies and agreements using the standards set out in Convention No. 190 and recommended actions under Recommendation No. 206.

Raising awareness of the standards and implementing the standards within trade unions

Finally, trade unions can become leaders in raising awareness and implementing the standards within trade unions in the following ways:

- Carry out union-wide information campaigns to ensure that workers fully understand the principles and standards contained in Convention No. 190 and Recommendation No. 206, including those relating to gender-based violence, including domestic violence.
- Ensure that all relevant trade union officers or representatives are fully aware of their roles and responsibilities in implementing the standards e.g. what is the role for occupational safety and health representatives.
- Ensure that women are enabled and resourced to take an active leadership role in negotiations with employers, lobbying employers and governments, and in helping to reach out to women in vulnerable situations.
- Draft model clauses that can be integrated into national, sectoral and workplace negotiations for collective bargaining agreements and workplace policies.
- Work closely with the union's gender experts, occupational safety and health specialists, and other key union personnel to draw up gender-responsive occupational safety and health risk management programmes on violence and harassment (risk identification, risk assessment and risk mitigation).
- Draw up internal union workplace policies and procedures that integrate the principles and standards of Convention No. 190 and Recommendation No. 206. As well as being a benchmark of standards for unions as employers, this can also help raise awareness about what can be included in workplace policies and procedures more generally.

¹⁴ For further information see the ITUC's campaign to get Convention 190 ratified and for its effective implementation, along with Recommendation 206. ITUC campaign: <https://www.ituc-csi.org/GBV>. Facebook: <https://www.facebook.com/StopGBVatWork/>.

¹⁵ <https://www.solidaritycenter.org/union-women-leaders-urge-nations-ratify-ilo-c190/>

Here there is a selection of quotes regarding the newly adopted ILS:

- ▶ The new standards recognize the right of everyone to a world of work free from violence and harassment... The next step is to put these protections into practice, so that we create a better, safer, decent, working environment for women and men. I am sure that, given the co-operation and solidarity we have seen on this issue, and the public demand for action, we will see speedy and widespread ratifications and action to implement." **ILO Director-General Guy Ryder**.¹⁶
- ▶ "The landmark Convention against violence and harassment at work is the culmination of an exceptional campaign for this new global standard, and efforts will now turn to ensuring that it is ratified by governments and put into action." **Sharan Burrow, ITUC General Secretary**.¹⁷
- ▶ "Imagine. Imagine a world of work free from violence and harassment. Imagine a world where work culture is defined by mutual respect and dignity. This is what the Standard Setting Committee on Violence and Harassment in the World of Work has not only imagined, but brought us closer to making a reality." **Mr Patry Chairperson of the Standard-Setting Committee on Violence and Harassment in the World of Work**.
- ▶ "Having a global minimum standard to prevent and address violence and harassment in the world of work will bring hope to millions of workers; hope that a world of work free from violence and harassment is possible." **Marie Clarke Walker, CLC, Worker Vice-Chair for the negotiations**.
- ▶ "It is a remarkable achievement and the result of years of campaigning by the trade union movement, particularly the women of the movement, who have been working long and hard to bring us to this historic day. As a man and a father of two daughters about to embark on their working lives, it has been a privilege to play a small part in the creation of these instruments which will help bring about more dignified and respectful working lives for all and help rid the world of work of the scourge of violence and harassment." **Mr Joyce, Worker (Ireland)**.
- ▶ "Violence and harassment has its roots in serious inequalities in our societies, which are mirrored in our world of work. We, the workers of Africa, are especially proud to have been part of such a historic moment, which was a chance for us to engage in dialogue with our governments and employers to take gender-responsive action to eliminate violence and harassment in the world of work...On behalf of the workers of Africa, I say to our governments: let us finish the good work by ratifying the Convention and ensuring effective implementation of these instruments. As Africa we stand stronger when united. We are ready." **Ms Magaya, Worker (Zimbabwe)**.
- ▶ "This is a historic breakthrough not only because it covers violence and harassment at the workplace as a rights issue subject to international law, but also because it reflects remarkable progress in attitudes in recent years." "There was a time when damage to health and injuries on the job were considered by many as just being part of working. Similarly, violence and harassment at work has been, for a very long time, in the shadows and workers, especially women workers, put up with it because they did not see a way out. The Centenary International Labour Conference has shined the light of day on these shameful and unacceptable, but all too common practices." **BWI General Secretary Ambet Yuson**.¹⁸
- ▶ "In this Convention, we have a vision of a different and better world for all people...This Convention, with its recognition of violence and harassment as a range of behaviors and practices, tells me that what I have experienced counts, that it is at one end of a range... Based on an understanding that some of us are more vulnerable than others, and that our stories are common, but different, these instruments truly leave no one behind...We have brought our heads and our hearts to this tripartite negotiation and we have found the words to give a framework to our vision. The next steps are actions. Let us do this." **Ms Mackintosh, Worker (NZ)**.

¹⁶ https://www.ilo.org/ilc/ILCSessions/108/media-centre/news/WCMS_711321/lang--en/index.htm

¹⁷ https://www.ituc-csi.org/IMG/html/gbv_newsletter_5_en.html

¹⁸ <https://www.bwint.org/cms/news-72/breakthrough-ilo-standards-on-violence-and-harassment-convention-adopted-1452>

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