

# Stop Gender Based Violence at Work Stakeholder meeting

World Day for Decent Work, October 7<sup>th</sup> 2016



## 1 Introduction

Together with WO=MEN, CNV Internationaal organised a stakeholder meeting and a working session (enclosure: list of participants) on the annual World Day for Decent Work (October 7<sup>th</sup>) with representatives of workers organisations, the Dutch government, employers organisations, knowledge institutes and civil society. The aim was to gain insights into both the different views that exist on the problem of violence against women at the work floor and on the various views on how to tackle this problem. Furthermore, the session was intended as a first activity for creating support for an ILO convention.

Violence against women at the work floor continues to be one of the most harrowing forms of abuse of human rights where labour is concerned. Victims of this violence are not inclined to report it to the authorities, for example out of fear of retribution. Some countries have adopted laws against this specific form of violence, but in practice these are often insufficient. There is, no international standard that could lay the basis for binding regulations on the topic. This is why the ILO Governing Body decided in November 2015 to put a standard setting item

*Stop Gender Based Violence at Work*

on the agenda of the 2018 International Labour Conference (ILC), under the name of 'Violence against women and men in the world of work'.

## 2 Gender Based Violence at Work, the current state

Marieke Koning (gender specialist at the International Trade Union Confederation ITUC) introduces the process towards a possible ILO convention.



Marieke Koning (ITUC) explains procedure ILO conventions. Photo: CNV/Arthur Koppejan

### Gender based violence is not part of the job

One of every 3 women has been confronted with Gender Based Violence (GBV), 40 to 50% has experienced sexual harassment in the workplace. GBV has a severe impact on the victims.

#### What is an ILO convention?

An ILO convention is a minimal tripartite standard on protection on a global level. When a convention is adopted at the International labour Conference the next step is the ratification process within the countries followed by the development of national legislation.

#### Why should there be an ILO convention on GBV?

At the moment there is no international instrument on work related GBV, it is not properly covered in existing related ILO conventions on Discrimination (Employment & Occupation) Convention, Forced labour and slavery C 029 and Equal pay, sharing family responsibilities, Maternity Protection Convention. There is also no clear definition of GBV.

#### Why should governments support an ILO standard

- It would contribute to the realisation of women's rights.
- It increases women's independence and productivity at work.
- Gender based violence costs in health care, court cases, lost wages and sick pay.
- It improves health and safety at work
- It improves industrial relations.
- It would contribute to the realisation of sustainable development goals.

- It would contribute to realising decent work objectives.
- It would build greater consistency into legal frameworks aimed at eradicating gender based violence and promoting women's human rights.



**Why should employers support an ILO standard on Gender Based Violence.**

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

- Improving safety at work and reducing employers' economic losses associated with gender-based violence (e.g., through absenteeism, loss of productivity, court/ tribunal cases, compensation orders); and
- Giving clear guidance to employers and workers concerning their responsibilities to prevent, address and redress GBV at work.

**What could an ILO convention cover?**

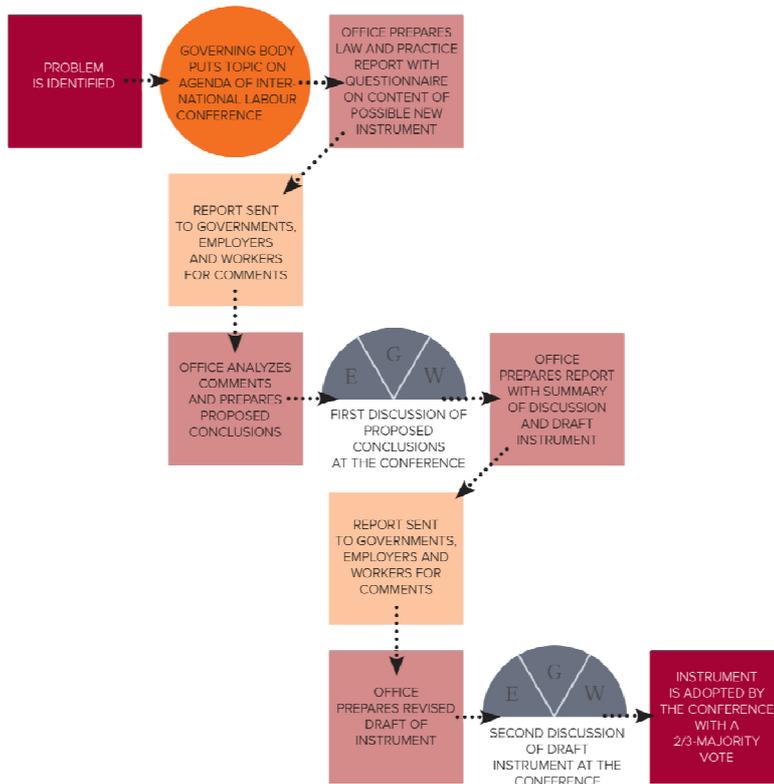
- A broad definition of gender-based violence at work which would include the diverse forms of violence endured by workers at their workplace;
- Provisions to prevent gender-based violence at work;
- Measures to protect and support workers affected by gender-based violence;
- A description of the groups most affected by gender based violence: LGBT persons, indigenous and migrant workers, workers living with HIV/AIDS and disabilities, people trapped in forced and child labour;
- Protection of all workers without discrimination as to race, colour, language, religion, political or other opinion, national or social origin, property, marital status, sexual orientation, HIV/AIDS status, migrant or refugee status, age or disability, or place of work;
- Recognition of the impact of domestic violence on the workplace;
- Invoking a broad definition of the "workplace" (including transport)
- Provision of various employment and social security rights for complainants, including the right to reduce or reorganise working hours;
- Making of a specific provision for the appropriate and sensitive treatment of complainants of violence who suffer from multiple forms of discrimination, prohibiting employers from discriminating against them or penalising them for the consequences of the abuse.

**Where are we now in the process?**

- In the beginning of October 2016 the ILO expert group had a meeting to discuss what the instrument of a convention could cover.
- In November 2016 the ILO Governing Body will discuss the report and decide on steps to take.
- In March / April 2017 the ILO will provide a report and questionnaire to governments and unions. The main question will be: would you prefer a (binding) convention or a recommendation (a guidance) or a general discussion only. Based on this questionnaire the ILO will prepare a report that will be discussed during the 2018 ILC.

- During the 100st ILC in 2019 the follow up discussion and the possible adoption could take place.

### How an international labour standard is adopted



## 3 Experiences from the field

### GBV within horticultural sector in East Africa

Virginia Munya, HIVOS regional project officer, shares practical experiences in the horticultural (flower) sector, with 85% of women production work in Kenya and Uganda. Unwanted sexual advances and intimidation are wide spread, although there are farms with good examples, generally depending on how active the trade union is. Women workers are vulnerable, they are not able to stand up for their rights and able to bargain, for many reasons:

- Financial problems: Minimum wage is too low and not a living wage in East Africa (50 euros per month). Therefore workers are forced to work overtime to earn extra. Due to financial problems they end up in bondage situations, having to pay for one loan after another.
- Maternity problems: Majority of women are young single mothers in casual kind of relationships.
- Housing problems, family situation: Companies provide small one room houses, where they live with their children. They grow up too fast and end up in similar risky relationships
- Casual contracts: when pregnant, women are often fired
- Child care is key to prevention, but day care centres are often informal (bad nutrition, too crowded), decent day care would improve productivity. Alternatively the rural family could take care of them, but this affects the mothers as well and it is expensive for the mother to visit her children.



Virginia Munya (HIVOS) about bad practices in flower industry, Kenya. Photo: CNV/Arthur Koppejan

Sexual harassment policies exist in some companies but the system is not supported. Often the gender officer is a man, there is no capability. Workers lack confidence because finally this officer represents the management.

**CNV Internationaal and GBV**

Marie Jose Alting von Geusau comments that CNV Internationaal’s 2015 research in 4 countries on 4 continents learns that GBV is encountered on a daily basis. The role of trade unions is important so as to defend the interests of vulnerable workers. Paragraphs on ending GBV at the work floor should be included in Collective Bargaining Agreements more often. CNV and their partner trade unions will be involved in the preparatory process towards an ILO convention. GBV is also an important issue addressed by the strategic partnership of CNV Internationaal with the Fair Wear Foundation and Mondiaal FNV.

**Gender based violence within communities**

Edith van der Spruit (WO=MEN, Dutch gender platform) underlines that gender based violence not only exists at work but also in the communities itself and is influenced both by patriarchal as matriarchal cultural aspects. To tackle the problem of gender based violence at work this problem requires that these problems are also tackled in the broader society. WO=MEN raises awareness and influences (inter)national politics to include gender justice for example by doing advocacy on decent work conditions.

**GBV within Technology Industry**

Anita Mires, Adobe Systems US tells about the incredible recognition of women in technology over the last 5 years. Nevertheless women still face violence, mostly verbal, bullying and intimidation. Women experience less career opportunities than men. Universally women are paid less (75/100). In the US is zero support for institutional child care. There are diversity officers in the US, but conferences on diversity are mainly visited by women. Training and awareness raising are important. What is harassment, what not, what is acceptable, what not. A lot of times women are not aware of the fact that they are treated in a way that is not acceptable.



Anita Mires (Adobe Systems, USA) about women's position in technology. Photo: CNV/Arthur Koppejan.

#### **GBV within apparel industry**

Martin Curley of the Fair Wear Foundation explains that the workforce of the apparel industry consists mainly of women. GBV tends to be a hidden issue on the workfloor which is difficult to cover by the audits the FWF is carrying out. A resource kit on gender based violence in global supply chains from FWF and ITC/ILO by Jo Morris, will be available soon.

#### **Uganda, sexual violence is how people get their jobs**

Phil Wilmot from Solidarity Uganda tells about the situation in Uganda. In Uganda there is no such thing as minimum wage. Sexual violence is how people get their jobs. Women give birth on the job, also within Dutch owned companies and the use of banned chemicals that are also dangerous for water quality and workers health are common. Hence there is still a lot to be done and governments and companies should take their responsibilities.

## **4 Inventory of other issues from the field**

- Economies in transition: India and Bangladesh, many women are the first to enter in a job, it's their first opportunity to earn an income. There are no norms that gives flexibility
- How to deal with non-compliance, how to make sure there is a safe place for women, if all these laws are there how to make them used
- A lot of cases of violence happen during transport from home to work and vv. How does this relate to the convention?
- Take into account the complicated relationship between employer and employees when thinking about solutions
- Form a network within a company
- Peer accountability, women leadership. Women are often the majority of workers but they are not able to raise their voice, because they feel intimidated.
- Also in the Netherlands it is happening, women find difficulty to go for their rights.

- Rumours and gossiping are an important 'weapon' in Africa. People are being judged for their private life in the workplace and what happens at work can be turned against them at home (for example women who work extra hours and get rewarded in extra leave can become a victim of suspicion since they come home late but do not receive extra salary) .
- Cyber violence targets especially women
- Forced prostitution and violence against prostitutes is a big problem as well,
- Unpaid work, slavery, these are the most vulnerable workers. Girls do the majority of unpaid work (40% higher than boys) and thus they have less time for education. It starts with early education (little girls working at home, and the boys are playing
- Not enough support for victims

## 5 Inventory of solutions & recommendations

- The corporate world should pay more attention to gender, and the economic costs of violence show that it's a smart thing to do
- Set clearly the roles and responsibilities, which role should each of the parties play
- Use multi-stakeholder solutions, ILO is not isolated
- Implementation: do not only focus on an ILO convention, don't forget to use the existing tools.
- Social sustainability standards are an opportunity to talk with the businesses and the community, as in the existing Women at work campaign.
- A lot of companies already joined UN global compact, let the ILO convention be an instrument to involve those who stay behind and companies not willing to join.
- Grab the opportunity of the Sustainable Development Goals
- Data and narratives are important.
- Apply a so-called 'supply chain approach': in case a convention is signed in the Netherlands, it applies to Dutch companies active under Dutch law. Hence these companies will also need to apply it in their supply chain activities
- Make a study to prove ending GBV is cost effective, and enable monitoring
- List most benevolent companies. Doing good for others is good for the business
- Trade unions need to have a policy on sexual harassment within their own organisation, otherwise women don't feel safe to come up with the issue
- Cooperate with 1% movement: 1% of profit towards corporate responsibility and set examples (for example a company moved its conference to another state because of the bathroom law).
- It's not just about awareness raising it's a responsibility of the employer to create a safe working place. And it is key to figure out how responsibility can be shared between companies and brands in the case of the apparel industry
- Include the growing group of self-employed, informal stakeholders and consumers
- Developing a factsheet for companies on how to prevent GBV at the workplace can be a very practical tool for companies
- Create a roadmap for the way towards the convention
- Find a powerful ambassador
- Most gender justice programming is pigeon holed. Since at the end of the day the women go back home, they don't want to risk losing their marriage. Workplace needs to be tackled, but school and home environment as well since the problem is not a narrow one.
- Link up with other movements (among others land movement and environmental organisations) (

- Look for opportunities outside, are there alternatives for people working in difficult conditions?
- A blog on social enterprises led by women in South East Asia can provide inspiration ([http://blogs.worldbank.org/publicsphere/where-glass-ceiling-already-smashed?cid=GEN\\_TTGenderEN\\_D\\_EXT](http://blogs.worldbank.org/publicsphere/where-glass-ceiling-already-smashed?cid=GEN_TTGenderEN_D_EXT))

## 6 Closure, opportunities to influence

Marie José Alting von Geusau thanks everyone for the very rich debate. All parties concerned on the ground should be involved to start influencing the process.

- When the questionnaire is out, influence your government.
- Short term: Alliance building with women and family movement.
- 25 November (International Day for the Elimination of Violence against Women): UNI Global union and a whole number of companies will announce in public that they are in full support of the convention.
- Join ITUC leadership campaign: Count us in (addressing also men).
- Exchange information and amplify. CNV Internationaal will work on the network and will share a mailing list.



*Closing of the meeting. Photo: CNV/Arthur Koppejan*

## Participants list

Anten	Louise	Min BuZa
Balgooi, van	Fioen	MVO Nederland
Curley	Martin	Fair Wear
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Dragstra	Fiona	Wageindicator
Droppers	Esther	CNV Internationaal
Elfferich	Jytte	Oxfam-Novib
Geusau, von	Marie José	CNV Internationaal
Greven	Imke	Oxfam-Novib
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Koning	Marieke	ITUC
Korn	Laura	CNV Jongeren
Kwakkenbos	Anne	Wo=Men
Mejdoubi	Jamila	Atria
Mires	Anita	Adobe
Munyua	Virginia	Hivos Kenya
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Ridder	Michel	RVO
Roos	Wilma	Mondiaal FNV
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Wijnhoud	Danny	ActionAid
Wildeman	Caroline	Hivos / Women @ Work
Wilmot	Phil	Solidarity Uganda
Zaat	Anne-Marie	Stichting Sundjata
Kersten	Martine	CNV Internationaal
Litamahuputty	Eugene	CNV Internationaal
Vergoossen	Tim	CNV Internationaal
Johannes	Corita	CNV Internationaal
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Hul, van den	Kirsten	The change agent
Koppejan	Arthur	Arthur Koppejan Fotografie