

TABLE OF CONTENT:

- 1. WHY THIS CAMPAIGN
- 2. ILO STANDARD-SETTING PROCESS EXPLAINED
- 3. WHAT HAPPENS NOW?
- 4. THE CAMPAIGN IN BRIEF: TIMELINE AND ACTIONS
- 5. HOW TO CONTACT AND LOBBY YOUR GOVERNMENT
- 6. SAMPLE LETTER TO SEND TO YOUR GOVERNMENT
- 7. KEY TALKING POINTS YOU CAN USE WHEN ENGAGING WITH GOVERNMENT REPRESENTATIVES AND/OR UNION MEMBERS
- 8. TIPS FOR YOUR CAMPAIGN
- 9. BUILDING A CROSS MOVEMENT ALLIANCE TO ERADICATE GENDER-BASED VIOLENCE FROM THE WORLD OF WORK
- 10. RESOURCES

1. WHY THIS CAMPAIGN

There can be no decent work with violence at work.

"All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity". ILO Declaration of Philadelphia, 1944.



















Whilst both women and men experience violence and harassment in the world of work, unequal status and power relations in society and at work often result in women being far more exposed to violence and harassment. Gender-based violence remains one of the most tolerated violations of workers' human rights. According to statistics, 35% of women - 818 million women globally - over the age of 15 have experienced sexual or physical violence at home, in their communities or in the workplace.

BOX 1

GENDER-BASED VIOLENCE AND VIOLENCE AGAINST WOMEN

Violence against women is defined by the UN Declaration on the Elimination of Violence against Women, adopted by the General Assembly on 20 December 1993, as "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life".

Gender-based violence (GBV) is violence that is directed against an individual or group of individuals based on their gender identity. GBV encompasses violence against women and girls as well as against men and boys, people who are lesbian, gay, bisexual, transgender and intersex (LGBTI), and other individuals who do not conform to dominant perceptions of gender.

Yet there is still no law at the international level that sets a baseline for taking action to eradicate violence and harassment, including gender-based violence and harassment, in the world of work.

The International Labour Organization (ILO) is working towards such a law, through what is known as a "standard-setting" process. The eventual standard(s) adopted by the ILO may be a binding instrument, known as a Convention; non-binding guidance, known as a Recommendation; or a Convention accompanied by a Recommendation.

BOX 2

THE DIFFERENCE BETWEEN AN ILO CONVENTION AND RECOMMENDATION

A Convention is a legally binding international treaty. When ILO member states ratify a Convention:

- » they commit themselves to applying the Convention in national law and practice and reporting its application at regular intervals;
- » in addition, complaints can be made against countries for violations of a Convention they have ratified, through the ILO's supervisory procedures.

A Recommendation is a non-binding guideline which either:

- » supplements a Convention by providing more detailed guidelines on how it could be applied; or
- » stands on its own (i.e. not linked to any Convention).

A Convention accompanied by a Recommendation form a strong set of international instruments.

Conventions and Recommendations are negotiated by representatives of governments, employers and workers and are adopted at the ILO's annual International Labour Conference.

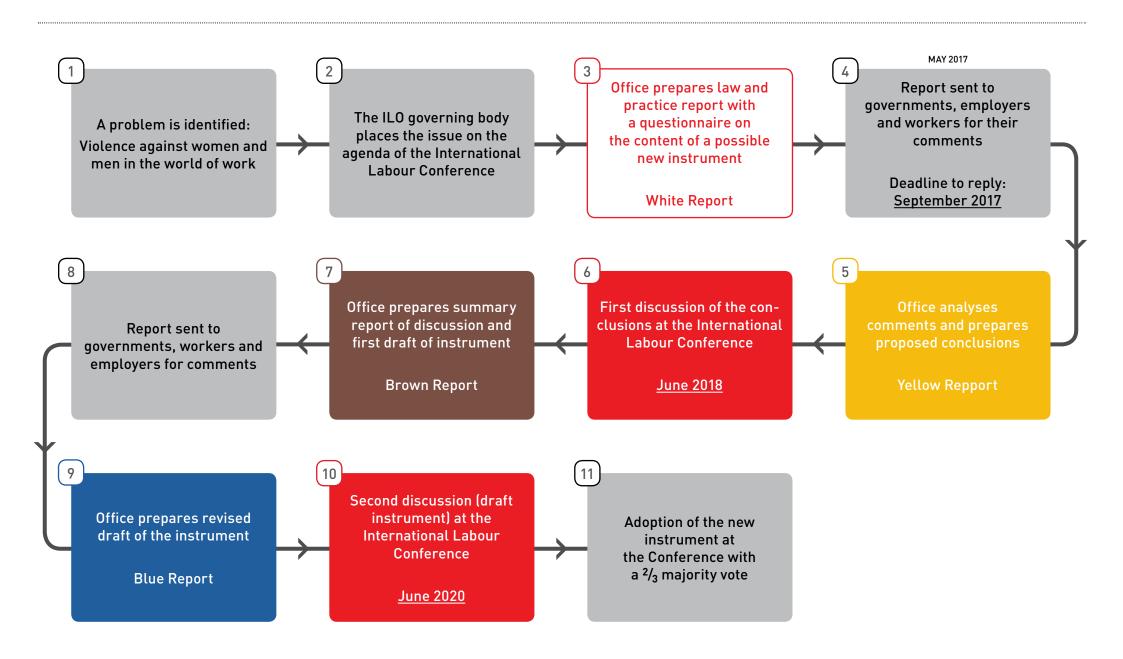
Once a standard is adopted, member States are required under the ILO Constitution to submit them to their competent authority (normally the parliament) for consideration. In the case of Conventions, this means consideration for ratification. If it is ratified, a Convention generally comes into force for that country one year after the date of ratification.

THE ITUC CAMPAIGN AIMS TO

- build critical support for the adoption of an ILO Convention, accompanied by a Recommendation, on "Violence and harassment against women and men in the world of work", with a strong focus on the gender dimension of violence; and
- 2. mobilise and strengthen trade union action in eradicating gender based-violence from the world of work.

Trade unions have been lobbying for an ILO Convention on gender-based violence for many years. At the end of 2015, the ILO announced the launch of a standard-setting process on "violence against women and men in the world of work". A first discussion will take place at the 107th Session of the ILO Conference in June 2018. In preparation of the discussion, the ILO held a Meeting of Experts on violence against women and men in the world of work.

2. ILO STANDARD-SETTING PROCESS EXPLAINED



3. WHAT HAPPENS NOW?

In May 2017, the ILO sent a <u>questionnaire</u> to governments, trade union national centres and employers' organisations, asking for their views on the content of a possible new instrument(s) that will be discussed at the ILO Conference in June 2018. The questionnaire will be open for submission until 22 September 2017.

The questionnaire includes questions concerning:

- » what form a possible new instrument(s) should take;
- » the scope of the new instrument(s), i.e. what such instrument(s) should cover;
- » whether the instrument(s) should specifically address the gender dimensions of violence in the world of work; and
- » how wide the definition of the world of work should be.

Governments will be preparing their replies to the questionnaire (from May 2017 onwards), as will employers.

Trade unions must also prepare and send their responses to the questionnaire. The ITUC will prepare a guide for its affiliates that will contain model answers to the questionnaire.

WHAT WE WANT

A comprehensive ILO Convention supplemented by a Recommendation, with a strong focus on preventing, addressing and remedying gender-based violence in the world of work.

WE NEED TO ACT NOW

Within your union

- » Designate someone responsible for coordinating your union's response.
- » Ask for a copy of the questionnaire and the ITUC model replies by sending an email to: equality@ituc-csi.org.
- Make sure to submit your union's reply to the questionnaire by the deadline of 22 September 2017!
- » It is crucial that as many trade union national centers as possible respond to the questionnaire. If we are to win an ILO Convention, we must do this together!

With your government

- Find out which department/ministry/person will be responsible for coordinating your governments' reply to the questionnaire.
- Seek a meeting with government representative(s) to discuss how they intend to reply to the questionnaire.
- » Explain to your government why it is important to support an ILO Convention supplemented by a Recommendation, with a focus on gender-based violence:
 - » Use the tips presented in section 7 of this toolkit.
 - Present your own union experience of dealing with violence and harassment in the world of work and how an international binding standard would help address this issue.
 - » Visit the <u>ITUC GBV info hub</u> to see how unions and their allies are campaigning together.
 - Read the report of the ILO tripartite committee of experts. It contains valuable arguments as to why an international instrument(s) is needed and what such an instrument(s) could cover.

With your employers

- » Find out (e.g. through your employer or by contacting them directly) whether your national employers' federation supports an ILO Convention and Recommendation on violence and harassment in the world of work.
- » Use the ITUC flyer to explain why it is in employers' interests to support such an instrument.
- » If your employer is supportive, publicise this fact.
- » If your national employers' federation supports a Convention, ask them to communicate their support to the <u>International Organisation of Employers (IOE)</u>, the counterpart of the ITUC at the ILO.

PLEASE SHARE WITH US YOUR MATERIALS, TOOLS AND TIPS HERE:

http://polls.ituc-csi.org/index.php/219916?lang=en or write to: equality@ituc-csi.org

A comprehensive set of ILO instruments could cover, for example:

- » A broad definition of violence and harassment in the world of work in its diverse and multiple forms, including physical abuse, including assault, battery, attempted murder and murder; sexual violence, including rape and sexual assault; verbal abuse; bullying; psychological abuse and intimidation; sexual harassment; threats of violence and stalking.
- » A strong focus on gender-based violence and harassment in the world of work.
- » Provisions to prevent violence and harassment in the world of work.
- » Measures to protect and support workers affected by violence and harassment in the world of work, without discrimination as to race, ethnicity, 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.
- » A description of the groups most at risk of experiencing violence and harassment in the world of work such as women, LGBTI workers, indigenous and migrant workers, workers living with HIV/AIDS and disabilities, workers in the informal economy, people trapped in forced and child labour.
- » Measures to address the impact of domestic violence in the world of work.
- » A broad definition of the "world of work".
- » Provision of various employment and social security rights for complainants, including the right to reduce or reorganise working hours.
- » Specific provision for the appropriate and sensitive treatment of complainants of violence and harassment, including protection from reprisals or penalties for making the complaint.

4. THE CAMPAIGN IN BRIEF: TIMELINE AND ACTIONS

2017

TRADE UNION ACTIONS TIMELINE 12 May - the "white" report Unions to lobby governments to respond to the ILO questionnaire Tips to contact and lobby your govern-» ILO sends to governments, employers and trade unions the "Law and Pracment are included in this Guide as well a sample letter to call for a meeting with tice" Report and Questionnaire on the your government content of the possible new instrument(s) on "Violence and harassment against women and men in the world Trade unions to prepare a response of work". Contains legal analysis of law to the questionnaire and practice in 80 countries. The ITUC will be sending guidance to unions on completing the questionnaire in June 2017

22 September

Deadline to respond to the ILO questionnaire

2018

TIMELINE	TRADE UNION ACTIONS
 January - March » ILO sends out the "yellow" report based on the replies received. It will contain the "draft conclusions" for the discussion – i.e., a frame for the ILO instrument and will indicate the principal questions which require consideration by the International Labour Conference (ILC). 	Trade unions to continue with their lobby and advocacy campaigns and prepare for the first discussion at the International Labour Conference (ILC)
June	
» First discussion at the ILC in a commit- tee composed of governments, employ- ers and workers	

After June

ILO prepares the "brown" report with summary of discussion and draft instrument - hopefully a Convention and Recommendation - to the governments, trade unions and employers asking for amendments and/or comments.

TIMELINE TRADE UNION ACTIONS Note: The 2019 ILC will celebrate the centenary of the ILO. There will be no standard-setting committee. Trade unions to continue with their lobby and advocacy campaigns.



TIMELINE	TRADE UNION ACTIONS
January – March (confirmation of timetable pending) » ILO sends the final "blue" report with the text of the draft instrument to the governments.	Trade unions to continue with their lobby and advocacy campaigns and prepare for the second discussion at the ILO Conference
June 2020	
» Second discussion of draft instrument at the ILO Conference. A 2/3 majority vote is required to adopt the instru- ment at the Conference	

After the adoption of the ILO instrument(s) at the ILO Conference.

If we are successful in achieving a Convention, unions will need to campaign strongly for its ratification!

5. HOW TO CONTACT AND LOBBY YOUR GOVERNMENT

It is crucial that unions lobby their governments to support an ILO Convention and Recommendation on violence and harassment against women and men in the world of work.

HERE ARE A NUMBER OF ACTIONS YOU COULD TAKE

- 1. Write a letter and request a meeting with the minister(s) in charge of women's issues/ equality/human and labour rights to discuss the ILO standard and why it is important for the government to respond to the questionnaire and support an ILO Convention. See a sample letter which you can send to your government.
- 2. Contact local politicians who support trade unions and/or women's issues and talk to them about violence and harassment in the world of work. Request they lobby within their political party to support an ILO Convention and Recommendation.
- 3. Encourage union members to write to their local politicians with a standard letter calling on them to support an ILO Convention and Recommendation on violence and harassment against women and men in the world of work.
- 4. Present findings of violence and harassment in the world of work, with a particular focus on gender-based violence, to government members.

- 5. When meeting your government or local representative(s), include in your delegation women workers who have experienced gender-based violence at work.
- 6. Encourage supportive members of the parliament and the government to ask a question in parliament on violence and harassment in the world of work focusing on the gender dimension of violence.
- 7. Encourage union members to call into radio programmes and ask questions publically to local politicians who are unresponsive or non-committal to the support of an ILO instrument.
- 8. Form alliances with civil society organisations that deal with gender-based violence and lobby the government together.

6. SAMPLE LETTER TO SEND YOUR GOVERNMENT

DOWNLOAD SAMPLE LETTER AS A WORD DOCUMENT

[Date]

[Minister of Labour/Women's Affairs] [Address]

Dear [Name of Minister],

On behalf of **[name of your union]**, I am writing to express our support for an International Labour Organization (ILO) Convention on violence and harassment in the world of work. **[Name of union]** urges the government of **[name of country]** to support a new ILO Convention on violence and harassment, by filling in the ILO questionnaire that has been sent to the government.

There is a need for a specific international legal instrument focusing on violence and harassment, including gender-based violence (GBV), in the world of work, as no such instrument currently exists. Whilst some existing ILO instruments refer to violence and/ or harassment, these instruments do not define what is understood by violence or harassment, do not provide guidance on how to address its various forms and do not cover all workers.

Two-thirds of women around the world experiencing violence are in employment. This means that their path to escape most likely affects their work life. They plan, they find accommodation, they seek police assistance, they attend court dates, they arrange counselling and medical attention for their children – they do all this while trying to navigate work. Lack of economic independence can also keep women trapped in violent relationships.

We believe that **[name of country]** can play an important role in establishing a new ILO standard on violence and harassment in the world of work.

By filling in the ILO questionnaire and supporting a new ILO Standard in the form of both a Convention and Recommendation, the government will be signalling zero tolerance for violence and harassment, as well as contributing to Goals 5 and 8 of the UN 2030 agenda on Sustainable Development - on gender equality and decent work respectively.

We welcome the opportunity to meet with you to discuss this matter further at a time of your convenience.

Sincerely,

7. KEY TALKING POINTS YOU CAN USE WHEN ENGAGING WITH GOVERNMENT REPRESENTATIVES AND/OR UNION MEMBERS

- 01. Gender-based violence includes, but is not limited to, physical sexual harassment. It needs to be addressed on an international level to ensure minimum standards for all.
 - » It is important that a definition of violence and harassment in the world of work include both physical and psychological harassment and have a strong focus on gender-based violence.
 - » Unequal power relations and discriminatory behaviours and attitudes are often at the root of violence and harassment in the world of work. Women, racialized groups, indigenous workers, migrant workers, LGBTI workers and young workers are often at higher risk.
 - » Gendered violence is violence perpetrated against women because they are women. It also includes violence perpetuated against those who do not conform to dominant gender stereotypes or those who do not conform to socially accepted gender roles.
 - » Examples of violence and harassment, which is very often gendered, include bullying and intimidation, psychological abuse, verbal abuse and threats of violence, stalking, coercion, economic and financial abuse, rude gestures, and put-downs.
 - » Workers in low-paid, precarious, informal and unorganised jobs are at greater risk of experiencing violence and harassment in the world of work. Women are over-represented in these jobs.²
 - » Addressing violence and harassment through an international standard is key to the objectives of achieving decent work for all (Goal 8 of the SDGs)³, and women's rights and equality in the workplace (Goal 5 of the SDGs).
 - » The economic impacts of violence and harassment are worth millions of dollars. Creating a mechanism to help identify and prevent violence and harassment in the world of work will help reduce the economic effects.

02. The world of work is an important environment to address violence and harassment – especially gender-based violence.

The term "world of work" should refer to all its aspects, including:

- » the physical workplace (including when home is the workplace);
- » commuting to and from work;
- » attending a training or social events;
- » technology that connects the actors of the world of work; and
- » the impacts of domestic violence in the world of work.

03. Only an ILO Convention and Recommendation will adequately address the issue of violence and harassment in the world of work

- » An ILO Convention will reinforce that violence and harassment, including gender-based violence, is not part of the job and is not acceptable in any circumstance.
- » It will create a consistent international approach to addressing violence and harassment in the world of work.
- » Only a few countries provide wide protection against violence and harassment in the world of work.
- » Whilst some existing ILO instruments refer to violence and/or harassment, these instruments do not define what is understood by violence or harassment, do not provide guidance on how to address its various forms and do not cover all workers.
- » An ILO Convention can address preventative measures in the workplace to reduce violence and harassment, including GBV.
- » An ILO Convention will help to improve health and safety at work and improve industrial relations.
- » A Recommendation attached to the Convention would give valuable guidance on the implementation of the Convention.



8. TIPS FOR YOUR CAMPAIGN

Trade unions will need to work together, at the local, national, regional and global level, to secure a new ILO instrument(s) on violence and harassment in the world of work, with a particular focus on gender-based violence.

HERE ARE SOME TIPS AND SUGGESTIONS ON HOW UNIONS CAN CAMPAIGN EFFECTIVELY TO HELP ADVOCATE FOR THE NEW ILO STANDARDS.

- » Spread the word! Organise trade union meetings and events to inform and sensitise members, activists, organisers, members of collective bargaining teams, experts and activists on gender, migration, youth and trade union decision makers within your union about the ILO discussion on the new standards.
- » Plan at or near worksites a lunch/meeting/morning tea where issues of violence and harassment in the world of work - with a focus on gender-based violence (GBV) - can be discussed and agree on strategies for eliminating it in their workplace.
- » Conduct a survey among union members to assess the nature and extent of GBV at your workplace.
- » Collect and share stories from members around GBV, anonymously if necessary. This will help to show why an ILO Convention is urgently needed.
- » Create a petition calling for your government to support an ILO Convention and Recommendation on violence and harassment in the world of work.
- » Ask trade union leaders to speak at key trade union events and in the media about the importance of eradicating GBV in the wold of work and supporting an ILO Convention.
- » Plan public events, public endorsements of politicians, employers and trade union leaders.

» Mobilise activists and members across unions to take action to demand government support for an ILO Convention and Recommendation around the following global days of action:

7 October 2017	World Day for Decent Work
25 November 2017	UN Day for the Elimination of Violence against Wome
25 November – 10 December 2017	16 Days of Activism Against Gender-Based Violence
8 March 2018	International Women's Day

- » Create an online platform on social media or an email network to post and circulate campaign updates and materials.
- » Organise a photoshoot with trade union members, activists, leaders and allies showing their support for an ILO Convention and share on social media.

9. BUILDING A CROSS MOVEMENT ALLIANCE TO ERADICATE GENDER-BASED VIOLENCE FROM THE WORLD OF WORK

Rallying support for an ILO Convention and Recommendation is a great opportunity to heighten awareness on gender-based violence, expose its harmful impacts, collectively empower women workers and end tolerance of gender-based violence in the world of work. Working together, unions, feminist movements, LGBTI organisations, labour support organisations, migrants associations, human rights organisations and other civil society allies can be a powerful force against gender-based violence in the world of work.

- » Invite feminist and other civil society allies to a briefing session; discuss each other's role(s) in building and strengthening the campaign and setting-up a national campaign alliance.
- » "Deep dive" into the systemic and structural causes of gender-based violence.
- » Organise joint actions like a march to the parliament, a workers' hearing on the impacts of gender-based violence in the world of work, a public debate, an artistic/ cultural event: e.g. street theatre; murals with messages and poems.
- » Common messages for (social) media to sensitise and engage a wide audience.



10. RESOURCES

ITUC

- » Webpage: http://polls.ituc-csi.org/index.php/219916?lang=en
- » Share your reports, events, updates and materials here: http://polls.ituc-csi.org/index.php/219916?lang=en or write to equality@ituc-csi.org
- » Facebook: https://www.facebook.com/STOP-Gender-based-violence-in-the-world-of-work-support-an-ILO-Convention-1327970813888443/
- » ITUC global call to support an ILO Convention on gender-based violence: http://www.ituc-csi.org/unions-call-forilo-standard-on
- » Check out ITUC's report in 2009 Part II: Who Bears the Costs? Domestic and workplace violence costs the economy millions of dollars in health care, court cases, lost wages, and sick pay. http://www.ituc-csi.org/ituc-report-gender-inequality-in
- » Equal Times articles:
 - » ILO edges towards anti-workplace violence convention: https://www.equaltimes. org/ilo-edges-towards-anti-violence#.WP9FrqllFaQ and https://www.equaltimes. org/will-the-ilo-take-a-stand-against?lang=fr#.WP9GcqllFaS
 - » Violence against women, the global fight back: http://www.equaltimes.org/violence-against-women-the-global other: https://www.equaltimes.org/istan-bul-convention-a-minimum

CAMPAIGN WEBPAGES OF GLOBAL UNION FEDERATIONS

- » EI: https://www.ei-ie.org/en/detail/3853/education-international-launch-es-a-%e2%80%98call-to-action%e2%80%99-to-address-violence-against-women-and-girls
- » BWI: http://www.bwint.org/default.asp?index=7660&Language=EN
- » IFJ: http://www.ifj.org/campaigns/stop-gender-based-violence-at-work/
- » ITF: http://www.itfglobal.org/en/campaigns-solidarity/campaigns/end-violence-against-women-un-day-2016/#tab_campaign1 and the take action toolkit: https://itfviolencefreeworkplaces4women.wordpress.com/take-action-toolkit/
- » PSI: http://www.world-psi.org/en/issue/vaw
- » UNI: http://en.breakingthecircle.org/
- IndustriALL and IUF: Global agreement with Unilever to help prevent sexual harassment in the workplace: http://www.industriall-union.org/ending-violence-against-women-at-work
- European Trade Union Confederation (ETUC)
- » Ending violence against women at work and at home: http://www.ituc-csi.org/eliminating-violence-against-women-18137

IL0

- » ILO 's webpage: http://www.ilo.org/gender/Events/WCMS_519760/lang--en/index.htm
- » The ILO report V(1) and questionnaire: http://www.ilo.org/ilc/ILCSessions/107/reports/reports-to-the-conference/ WCMS_553577/lang--en/index.htm
- » ILO Meeting of Experts on violence against women and men in the world of work:
- » Final report: http://www.ilo.org/gender/Informationresources/Publications/WCMS_546303/lang--en/index.htm
- » Background document: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/meetingdocument/wcms_522932.pdf
- » ILO-Actrav report: Violence and Harassment against Women and Men in the World of Work-Trade Union Perspective and Action: http://www.ilo.org/actrav/info/pubs/WCMS_546645/lang--en/index.htm

OTHER RESOURCES

- » The ILO's Decent Work objectives http://www.ilo.org/global/topics/decent-work/lang-en/index.htm
- The 2030 Agenda (Sustainable Development Goals), which calls for the achievement of full and productive employment and decent work for all women and men and the reduction of inequalities and the elimination of "all forms of violence against all women and girls in the public and private spheres" (Target 8.5, Goal 10 and Target 5.2 "Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation" http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-5-gender-equality#st-hash.gbRbGIET.dpuf
- » Agreed Conclusions of the United Nations Commission of the Status of Women (UNCSW) including:
 - » 11. The agreed conclusions of the 61st session of the UNCSW (2017): "Enact or strengthen and enforce laws and policies to eliminate all forms of violence and harassment against women of all ages in the world of work, in public and private spheres, and provide means of effective redress in cases of non-compliance; ensure safety for women in the workplace; address the multiple consequences of violence and harassment, considering that violence against women and girls is an obstacle to gender equality and women's economic empowerment; encourage awareness-raising activities, including through publicizing the societal and economic costs of such violence; and develop measures to promote re-entry of victims and survivors of violence into the labour market" (g) http://undocs.org/E/CN.6/2017/L.5
 - » 12. The agreed conclusions of the 57th session of the UNCSW (2013) call on governments to: "take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address discrimination and violence against women and girls, as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors" (yy): http://www.un.org/womenwatch/daw/csw/csw57/CSW57_Agreed_Conclusions (CSW report excerpt).pdf
- The second report of the UN Secretary General's High Level Panel on Women's Economic Empowerment explicitly recommends support for international labour standards on violence and harassment against women and men in the world of work: http://www.womenseconomicempowerment.org/reports/