



Ministry of Foreign Affairs



# *Violence and harassment @ work*

*A guide for small and medium enterprises to prevent violence and harassment in the workplace*

Commissioned by the Netherlands Enterprise Agency

*>> Sustainable. Agricultural. Innovative.  
International.*



## Colophon

This document is an update of a publication of the Netherlands Enterprise Agency and CNV Internationaal (Christelijk Nationaal Vakverbond). FNV (Federatie Nederlandse Vakbeweging) and FWF (Fair Wear Foundation) provided input for the first publication in 2017.

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# Contents

Colophon	2
1. Introduction	4
2. What is violence and harassment at work?	5
3. Why should you prevent violence and harassment at work?	9
4. What is Convention 190?	11
5. How can governments and employers act to prevent and eliminate violence and harassment at work?	12
6. What can you do to prevent and eliminate violence and harassment at work?	14
7. Measures to prevent, eliminate and deal with violence in the workplace	20
8. Helpful resources	21
9. Endnotes	22



# 1. Introduction

Do you know whether the employees working in your company, your subsidiaries, joint ventures, factories, or farms feel safe at work? Are your company staff aware of their rights? Are your managers aware of the impact an unsafe environment can have on employee absence and illness rates? Violence and harassment – some of the most hidden forms of human rights abuse – are a prevalent and significant risk in the workplace. It can occur in all companies, including your company or supply chain.

Companies increasingly want to do business in a meaningful and ethical way. They want to ensure that they are contributing to a sustainable economy and society with practices in line with international agreements on their responsibilities in areas such as environmental protection, anti-corruption, and human and labour rights.

Due to the growing importance of responsible business conduct policies, customers and employees, as well as governments, employer representatives, investors, unions, and non-governmental organisations (NGOs), expect businesses to respect human and labour rights and adhere to responsible codes of conduct. Respecting human rights in your company will have a positive effect on its reputation and also increase productivity. For this reason, it also makes economic sense to take human rights into account.

Companies and Small and Medium-Sized Enterprises (SMEs) are also expected to identify, prevent, and address the risks of adverse impacts on human and labour rights linked to their business activities. Governments worldwide use several different global frameworks and instruments, the most prevalent being the [OECD Guidelines](#) for multinational companies. These guidelines are based on the [UN Guiding Principles on Business and Human Rights](#) (UNGPs). The Netherlands has based its policies and instruments about responsible business conduct on fundamental ILO Conventions, OECD guidelines, and the UN guiding principles. The need to adhere to the OECD guidelines has increased significantly in recent years. Ensuring a safe and healthy workplace is more important than ever. The COVID-19 crisis has caused companies to rethink how to integrate safeguards against violence and harassment in a more consistent and effective way, to create a long-term workplace culture of employee safety, support, and non-retaliation for survivors.

This guide aims to support your business in preventing and eliminating violence and harassment in the workplace. On June 21, 2019, governments, employers, and trade unions agreed upon an international standard for ending violence and harassment in the world of work. This new standard, Convention 190 and its accompanying Recommendation 206, was adopted by the International Labour Organization (ILO), affirming everyone's right to a safe workplace, free of violence and harassment. The message is clear: No one should be subjected to any kind of violence or harassment while doing their job. The adoption of the Convention is a strong signal which shows:

- It is time to recognise that far too many people—primarily women—continue to experience violence and harassment in the world of work and that this issue must be addressed.
- Stakeholder expectations have shifted radically with regard to how companies should respond to workplace violence and harassment. Nowadays they also expect companies to actively work to prevent it from happening in the first place.
- Norms are shifting and a higher standard of behaviour is expected in the workplace now.

Because the Convention addresses all workers – regardless of whether you work in the formal/informal economy or you have a flexible/permanent contract – it requires a more comprehensive response from companies and SMEs.

This guide is designed to help tackle the problem of violence and harassment more comprehensively by:

- Informing you about the characteristics of violence and harassment in the workplace;
- Providing background information on the adopted ILO Convention 190;
- Providing tips to more effectively tackle and prevent violence and harassment at work;
- Sharing some workplace initiatives of SMEs, brands, trade unions, and other key players, this guide illustrates how you can work towards eliminating violence and harassment in the world of work;
- Supporting you in creating a positive, inclusive work environment that prevents violence and harassment.

## 2. What is violence and harassment at work?

This chapter briefly sums up some common definitions to give you a better understanding of violence and harassment in the world of work.

### Definitions

#### Violence and harassment at work

Most people associate violence and harassment at work with physical assault. However, *violence and harassment at work* encompasses much more. It can be physical, psychological, or sexual in nature.<sup>1</sup> It is any act in which a person is abused, threatened, intimidated, or assaulted while at work. This includes any behaviour that embarrasses, humiliates, intimidates, annoys, and/or alarms people. It may be based on race, gender, culture, age, sexual orientation, language, HIV status, and/or religious preference. The perpetrators do not need to have a deliberate intent to hurt the victim. What is important is whether the behaviour is perceived as unwanted. It is the person being violated who determines the seriousness of the act.<sup>2</sup>

#### The world of work

The *world of work* includes all locations where employment-related business is conducted as a result of employment responsibilities: a factory, an office, a farm, any off-site business-related locations (during breaks, travel, meetings, trainings, social activities, and

events) as well as work-related communications and the time commuting to and from work. It also covers informal employment, such as selling products on the street and artisanal production or piecework in the home. The world of work is a broad and all-encompassing concept.

Violence and harassment can have an internal and external origin:

- Internal violence and harassment comes from colleagues, managers/directors and supervisors.
- External violence and harassment is perpetrated by, for example, customers, patients, students, or members of the public.

Your company should address violence and harassment throughout this broad scope of the world of work.

#### Forms of violence and harassment

There are no clear and objective ways to measure the impact of violence and harassment on the victim, team, or company. This impact depends on the frequency and intensity with which the violence and harassment occurs, as well as on the character of the victim, historical trends, the local culture, and so on. The graph below shows different forms of violence and harassment.

## Forms of violence and harassment

### INTIMIDATION

e.g. unwanted advances, persistent sexual proposals, threats of violence, etc.

### GESTURAL HARASSMENT

e.g. staring (with lust), winking, licking lips, gestures with fingers, stalking, etc.

### WRITTEN & GRAPHIC HARASSMENT

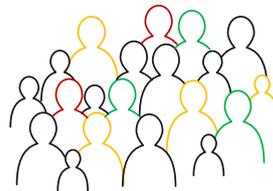
e.g. spreading private pictures, sexting, display of pornographic material, sexually explicit screen savers, intimidation via social media, etc.

### PHYSICAL ATTACKS

e.g. shoving, hitting, property damage, sabotage, theft, physical and sexual assaults, rape, murder

### ECONOMIC HARASSMENT

e.g. financial abuse, modern slavery, blackmail, unequal payment, etc.



### IMPLICIT VERBAL HARASSMENT

e.g. offensive jokes, spreading rumours, insults on appearance, race, sexual orientation, religion, etc.

### WORK-RELATED HARASSMENT

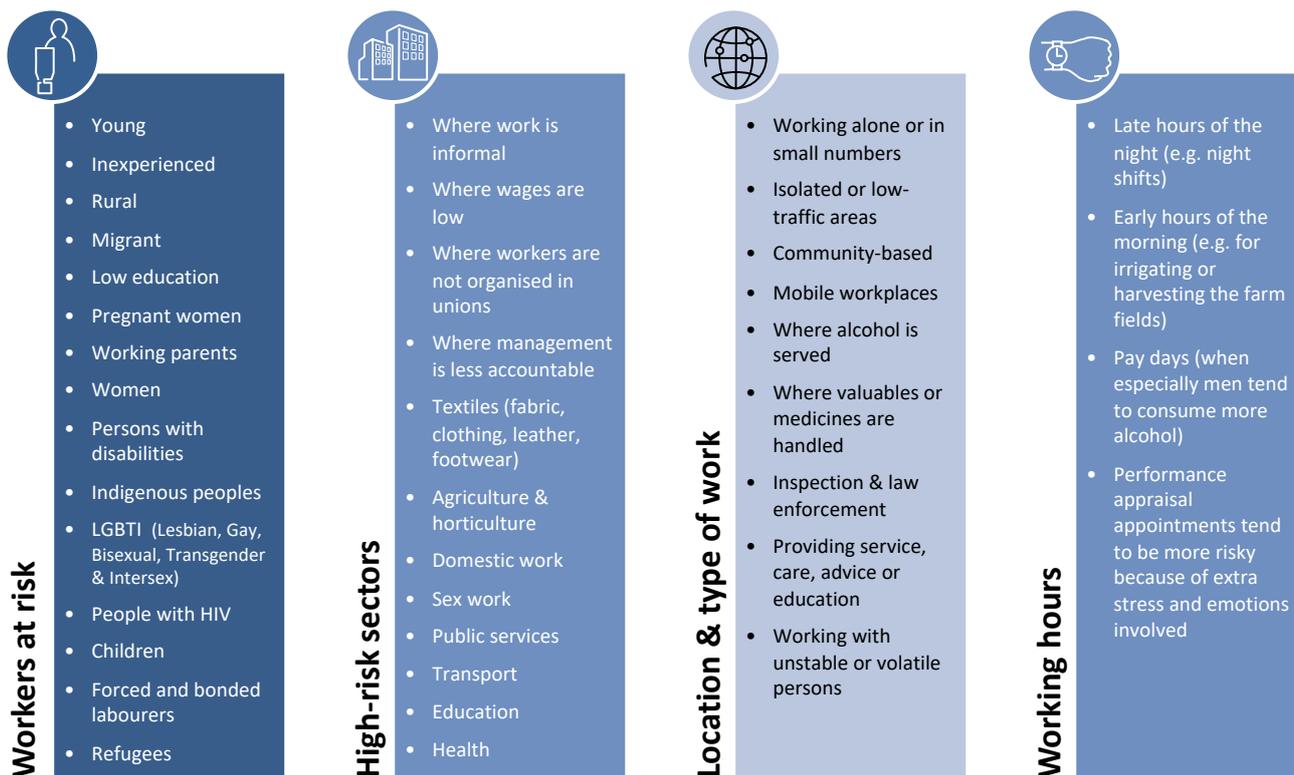
e.g. overloading a person with work, setting unrealistic targets, isolating a person, denying access to information, unfair treatment, etc.

### EXPLICIT VERBAL HARASSMENT

e.g. bullying, swearing, insulting, condescending language to colleagues, etc.



# Work-related factors that increase the risk of violence at work



## Factors that increase the risk of violence and harassment at work

To prevent and address violence, you have to be aware of the risks. The figure below presents the main work-related factors that increase the risk of violence and harassment at work.

Both men and women can be victims of violence and harassment. However, most often the victims of interpersonal violence and harassment are women. Men are predominantly the perpetrators of violent crimes, even in cases where other men are the victims. At least one in three women around the world is estimated to be forced into sex, has been physically beaten and/or otherwise abused in her lifetime.

### Sexual harassment of women in the garment industry

Sexual harassment is a relatively common occurrence in garment factories. The industry is largely comprised of women workers under the age of 30, many of whom migrate from rural areas or from abroad for their first formal sector job. Typically, the majority of supervisory and management positions are held by men and power imbalances are endemic.<sup>3</sup>

According to a report by FNV and *Sisters for Change*, one in fourteen women employed in India's textiles sector has experienced physical violence and harassment in the workplace; one in seven has been raped or forced to commit sexual acts. 'Quid pro quo' sexual harassment (meaning when a job benefit is offered in exchange for sexual favours)

is reported by 22% of the respondents in the Better Work programme of the ILO and the International Finance Corporation (IFC). Female migrant workers are often even more isolated, removed from their social networks. They often lack an understanding of the language and culture of the host community. They mostly occupy a position of low power in factories, especially in relation to an often-male line supervisor who assesses their performance. Supervisors can use their position to sexually harass workers in their teams, and disempowered workers may interpret such conduct as a condition of their employment or promotion.<sup>4</sup>

Companies (especially those functioning internationally) share responsibility with employees within their organisation, their overseas divisions and departments, and their primary suppliers, up-stream and down-stream to establish a safe and healthy workplace, free from violence and harassment. In addition to the above mentioned risks, procurement behaviour can create serious risks as well. Setting excessive targets and delivery times also increases risk. Unrealistic orders put downward pressure on payment and working conditions in the supply chains. This will result in the further outsourcing of production, unstable work contracts, long working hours/excessive overtime, and tension in the workplace. This tension often leads to abusive and violent behaviour by supervisors and managers, who shout at their workforce in an effort to speed up production. For them, verbal abuse is also a way to cope with the stress of meeting demanding targets.

Furthermore, low levels of unionization, a lack of institutional procedures for grievances and complaints, and the inherent difficulties in monitoring violations of employees also contribute to violence and harassment.<sup>5</sup>

Last but not least, the COVID-19 pandemic has become of a key factor of concern, negatively impacting violence and harassment and exacerbating inequalities.

### The impact of COVID-19<sup>6</sup>

Since the outbreak of the pandemic, domestic violence and harmful practices have intensified across the world, with nearly a 30 percent increase in reported cases of domestic violence. Economic downturns, job losses, women's increased financial dependence on partners and changing household dynamics worsen stressful situations at home. During the lockdowns and long periods of social isolation (school closures, forced isolation and social distancing measures), victims are not able to be away from their abuser at any time or to reach out to friends and family. The lack of institutional response (disruptive public services like policy, justice, health services, etc.) makes the situation even more worrisome. In the lower, labour-intensive tiers of global supply chains, the workforce is overly represented by women. These jobs tend to be low-paid, temporary work, increasing these women's susceptibility to layoffs and economic insecurity. These sectors can be further characterised by having a strong export orientation like, for example, the ready-made garment sector in Indonesia, floriculture production in Kenya, or toys and electronics in China. These female dominated sectors have been brought to a halt during the pandemic and workers are facing massive layoffs.

### Main barriers to addressing violence and harassment at work

Why is it so difficult to prevent violence and harassment in the workplace? Understanding root causes and barriers will help you craft strategies to prevent and deal with violence and harassment.

#### Social norms

When working abroad, your company will often be faced with societies that have their own set of social norms and values which they as a group find acceptable.<sup>7</sup> Many of these norms are related to the types of work done by women and by men. For example, ideas about women's mobility outside the home, the value of women's work and men's work, and about the justification of violence and harassment against women, LGBTQI, and indigenous groups. In addition, these norms are often so steeped into the culture that the discriminated groups themselves believe they are inferior and deserve to be abused.

A culture of accepting violence and harassment -sometimes not by formal law and regulations, but by cultural habits- means that neither men nor women inform others about the negative experiences that they have endured or are enduring. Other cultural customs that may increase the risk of violence and harassment in the workplace include the "normalisation of violent behaviour", the lower social status of employees and the practice of treating them in an aggressive way, and the "customary rules of hierarchy and exhibiting power as the boss of a production site.

### Addressing root causes

Networks such as [Business Action for Women](#) and [HERproject](#) aim to tackle the complex issues of gender-based violence throughout their operations and partner to design and implement new solutions. [HERrespect](#), which aims to prevent and address violence and harassment in factories and farms in global supply chains, tackles violence and harassment against women by addressing the root causes of violence and harassment in the workplace, which include:

- A general acceptance of violence and harassment against women in the workplace and a lack of awareness of the significances of unequal gender roles and norms.
- A lack of essential skills among management to handle stressful environments and a perception of violence and harassment as the most accessible and effective way to achieve production targets.
- Dominant gender norms that reinforce the unequal relationship between managers and workers.
- A lack of gender-specific policies and systems to prevent and act on violence and harassment, and a lack of communication regarding these policies to managers and workers.

The programmes use a combination of raising awareness about gender and building skills to prevent violence and harassment with male and female workers and managers. Further, they work to facilitate dialogue between workers and management and to review policies and systems. Leadership commitment has been essential for HER programmes in Bangladesh, India, Ethiopia, and Kenya.

### Lack of laws, regulations and awareness of rights

Many employees have little to no awareness of labour laws (if these laws exist!<sup>8</sup>) that combat violence and harassment in the workplace. Often, if they register a complaint, they are punished or discriminated against; some are dismissed or receive a negative appraisal, while others are blacklisted or harassed. Because they lack awareness of their rights, victims often do not know what steps to take (especially those who are illiterate). This situation exists not only in developing countries, but is still an issue in many European countries. In Germany, 50% of those experiencing harassment either did not know where to report incidents, or did not report

these for fear of losing their jobs.<sup>9</sup> Research done in the garment industry in Bangladesh demonstrates that 81% of the workers had no knowledge of the role and function of Anti-Harassment Committees, meaning that even if they wanted to report incidents, they do not know where or how.<sup>10</sup>

On a more positive note, in companies where trade unions are active, less sexual harassment is reported on average, according to the Better Work programme of the ILO and IFC. Apparently, due to the presence of trade unions, workers feel safer and more secure to express the problems they face through surveys.<sup>11</sup>

### **Immigrant farm workers in the United States (US)**

Hundreds of thousands of immigrant workers (men, women, young girls, and especially indigenous workers) in the US work in fields, packing houses, and other agricultural workplaces where they face a significant risk of various forms of violence and harassment. Exactly how prevalent this violence and harassment among farm workers is, is difficult to determine since the sector is characterised by a high number of seasonal, migrant, and often illegal workers. [Human Rights Watch](#) has identified sexual violence and harassment as an important concern in the agricultural workplace. These issues are often fostered by a severe imbalance of power between employers and supervisors and their low-wage, immigrant workers. “Victims frequently face systemic barriers—exacerbated by their status as farm workers and often as unauthorised workers—to reporting these abuses and bringing perpetrators to justice.” The farm workers often do not speak enough English to understand their rights or to defend themselves when abuse occurs. Many times they also have to depend on their employers for housing and transportation, which makes them even more vulnerable. Farm workers who do push back against abuse, or who report incidents to management, say “they suffer forms of retaliation like getting fewer hours, more abusive treatment, or, worst of all, losing their jobs altogether”. Their perpetrators (often foremen, supervisors, farm labour contractors, company owners) often threaten to call immigration or fire them and their entire household.

### **Lack of reporting**

In general, there is a lack of reporting and evidence, which may lead us to think that such problems do not occur. Victims of violence and harassment are reluctant to report abuse, out of fear of retribution and the threat of damaging their reputation, position, job security, and payment.<sup>12</sup> They feel shame, doubt their self-worth, and blame themselves for what happened.<sup>13</sup> For LGBTQI workers especially, the existing stigma and hostile environment in regard to their sexual orientation, further discourages victims from reporting abuse. Similarly, for migrant communities such as the Mexican workers in the US, harassment is an extremely sensitive topic to

discuss openly. “Indigenous peoples typically have experienced discrimination in their home countries, they distrust governments and authorities even more than other unauthorised workers”.<sup>14</sup>

### **Violence and harassment in the maquiladoras in Mexico<sup>15</sup>**

Violence and harassment and discrimination are endemic problems in assembly plants (maquilas) throughout Central America. In Mexico, many young women (between 16-24 years old) migrate from rural areas to maquilas, hoping to find a better life. More than 4500 maquiladoras employ some 1.3 million workers; 75% of them are young women. Factory work can offer women an avenue to escape poverty. Being far from home in isolated places, workers run enormous risks. Poverty is the defining feature of life for those working in and living around the maquiladoras.

The working conditions are tough; the intensity of international competition puts pressure on factories to reduce costs and increase productivity. This situation leads to low salaries, withholding of wages, unsafe and illegal working conditions, unstable job contracts, excessive working hours, and illegal restrictions on freedom of association. Violations against health and safety regulations, as well as pregnancy-related discrimination (e.g. the obligation to undergo a pregnancy test when applying for a job) are normal working conditions for women in the maquiladoras. Situations occur where women choose to wear diapers because of restrictions on toilet visits. In addition, temperatures can often exceed 30 degrees Celsius. The risk of infections and medical complications particularly apply to pregnant and menstruating women. Sexual harassment and assault are a serious societal problem; 46% of women employed in the formal economy suffer some type of sexual harassment. To make things worse, workers have little awareness about their rights. One worker said that she thought that being sexually harassed by both her supervisors and her peers was “just part of being a female working at the maquila”. Finally, transportation is often unsafe, so that hundreds of women working in maquiladoras have been murdered on their way home from work. Extreme overtime increases risks during transportation when women return from work late in the evening.<sup>16</sup>

### 3. Why should you prevent violence and harassment at work?

Violence and harassment in the world of work is a human rights violation. It is a threat to the dignity, security, health, and wellbeing of everyone involved. Abuses of human rights have an impact on employees and employers, their families, communities, economies, and society as a whole. It also harms the reputation of your company.

The private sector has a responsibility to provide decent work, first of all, for ethical and legal reasons. Investing in the protection of human rights in your business and in your supply chain also reduces risks and costs to your business and builds a strong business case, particularly for the following reasons:<sup>17</sup>

#### Your company's brand image and reputation

A poor public image caused by violence and harassment in the workplace influences consumer buying habits and erodes your relationship with other stakeholders. Bad publicity has negative consequences for business continuity and contributes to difficulties in recruiting and retaining staff. More than ever before, companies are being challenged to ensure credible and coherent communication with a wider range of stakeholders. This challenge is even more important in light of technological developments that facilitate access to information. Because all companies value and strive for a positive brand reputation, it is imperative for them to seriously invest in due diligence and take responsibility for protecting human rights. This includes preventing violence and harassment in the workplace.

*Uber scandals, including allegations of sexual harassment by senior staff and drivers, have resulted in 56% of respondents refusing to use Uber services.<sup>18</sup> The Dutch ASN Bank decided to remove Heineken from its sustainable equity fund after allegations of sexual harassment of beer promotion girls hired by the company in the Democratic Republic of Congo.<sup>19</sup>*

#### Reduced costs

In addition to causing physical and emotional harm, violence and harassment can have direct financial repercussions for your company as a direct result of victim illness and absenteeism,<sup>20</sup> high employee turnover, workplace accidents, disability, or even death. Moreover, there are also costs for recruiting new staff. Indirect costs are related to the decrease in the victim's ability to function and/or perform their work (e.g. lower productivity), which in turn also means a decrease in the quality of work and timely production. Violence and harassment at work can also include the destruction of property. Court cases or compensation orders related to violence can divert and drain an enterprise's budget, and can lead to higher insurance premiums. If cases are lost or result in financial settlements, there can be direct and major financial implications.

*Research shows the economic costs associated with violence and harassment are at 1.5 trillion USD, equivalent to 2% of the world's gross domestic product (GDP).<sup>21</sup>*

*Workplace harassment costs the garment sector in Cambodia \$89 million each year in lost productivity due to staff turnover and absenteeism.<sup>22</sup>*

*A study in Peru found that violence costs companies \$6.7 billion per year in lost productivity and associated organisational costs.<sup>23</sup>*

*A 2014 KPMG report estimated that the cost of gender-based violence (in general) in South Africa includes "health, justice, and other service costs, lost earnings, lost revenues, lost taxes, and second-generation costs, which are the cost of children witnessing and living with violence, such as increased juvenile and adult crime." Although these numbers do not refer to violence in the workplace in particular, it is clear that cost of violence for society is high.*



### Lower turnover of employees

Workers, supervisors, and managers with high workplace satisfaction have less workplace conflict and tension. This satisfaction also reduces absenteeism and workers leaving the company permanently. Companies committed to ensuring a safe and happy workplace have higher staff loyalty, motivated workers, decreased absenteeism, and a higher quality of work, all of which improve the supply and value of your products.

*“According to research by TNO, harassment by supervisors and colleagues in The Netherlands have resulted in an estimated average of seven days of absenteeism per victim.”<sup>24</sup>*

*In Papua New Guinea, IFC has estimated a staff loss of an average of 11 workdays per year due to GBV.<sup>25</sup>*

### Increasing business productivity, profitability and innovation

A safe working environment leads to lower employee turnover and absenteeism and contributes to higher productivity. This situation could positively influence your profitability. It also has an impact on the openness and creativity in the workplace, nurturing innovation and knowledge-building.

### Sustainable Development Goals

Last but not least, by ending violence and harassment in the world of work, you will help contribute to the concrete establishment of the internationally agreed upon UN goals, in particular, Sustainable Development Goal (SDG) 5 on gender equality and SDG 8 on decent work and inclusive growth.

### Why investing in ending violence and harassment in the workplace is a smart thing to do for Unilever<sup>26</sup>

Unilever is very clear about its vision: Doing business in a new way – one that delivers growth by serving society and the planet. This includes improving safety for women and girls in the tea industry, where women are often subjected to violence and harassment. They are denied their rights through inadequate (or non-existent) grievance mechanisms and a lack of safe spaces. Unilever invests in the prevention of harassment because:

1. It is the “human” thing to do, the intelligent and proper thing to do;
2. It drives productivity and builds resilient value chains;
3. It strengthens the implementation of principles in certification related to labour conditions and worker rights;
4. It enhances the company’s reputation and helps to retain women in the workforce.



## 4. What is Convention 190?

The International Labour Organisation (ILO) is a tripartite body of the United Nations, with representatives from governments, employers and workers. It was established 100 years ago to set labour standards and protect workers' rights. In 2015, the ILO agreed to initiate tripartite discussions on a new global labour standard to deal with workplace violence and harassment. The #MeToo movement of 2017 boosted the urgency around the call to action. This movement helped bring to light just how pervasive and damaging harassment at work is.

The discussion in the public sphere made it clear that no country and no industry is immune to it. During the 108th International Labour Conference, the standard-setting Committee discussed for a second and final time the proposed new Convention to end violence and harassment in the world of work. While there was broad support for the Convention, negotiations were challenging for ideological reasons. Contentious issues, like the definitions of violence and harassment, including domestic violence and harassment, high-risk occupations, and the scope of the workplace were also difficult to establish. A coalition of companies (such as L'Oréal, BBDO, BNP Paribas, Kering and Sodexo) supported the Convention publicly.

On June 21, 2019, the ILO voted overwhelmingly (over 90% of all votes) to adopt a [Convention on the Elimination of Violence and Harassment in the World of Work](#). The Recommendation – which

lays out additional guidelines and, unlike the Convention, is not a legally-binding instrument – was also adopted with only a marginally smaller majority.

The treaty is broad and inclusive in its scope. It includes many categories of workers: formal and informal, urban and rural, with or without contracts. Moreover, it is applicable wherever people find themselves in the course of doing their job. This means that corporate employees, as well as factory or farm workers throughout global supply chains are included, as are the informal (home-based domestic) workers.

The ILO Convention also protects those being interviewed for jobs, job seekers, or those working as interns, trainees, or apprentices. The Convention applies to any place workers spend time throughout the course of the working day. It covers violence and harassment occurring in the workplace, places where a worker is paid, takes a rest or meal break, or uses sanitary, washing, or changing facilities; work-related trips, travel, training, events, or social activities; work-related communications (including information and communication technologies), in employer-provided accommodation; and when commuting to and from work. It also includes online workspaces.



## 5. How can governments and employers act to prevent and eliminate violence and harassment at work?

### What does the Convention say about government responsibilities?

The adoption of C190 makes it very clear that there is now a globally recognised minimum standard of prevention and protection. This is an important step in the paper process. However, nothing changes on a practical level until it has been ratified by two of the ILO's Member States and adopted into their national laws. Uruguay and Fiji, as ILO Member States, ratified the C190 as the first countries. Argentina, Finland, and Spain have also committed to ratifying it.<sup>27</sup>

Once a government ratifies the Convention, they have one year to “get their house in order” and create the necessary changes in legislation to comply with the Convention's stipulations.

Some countries might not require any new legislation if their laws already cover all the areas outlined in the Convention. In such cases, existing laws will only need to be strengthened or gaps filled. Currently, a third of all countries have no legislation prohibiting workplace sexual harassment.<sup>28</sup> In these countries, brand new laws will be needed. This process usually takes more time to put into place. However, often not only the creation of new laws is needed, but a large-scale shift in social norms and perceptions. That can take years, if not decades.

#### Ratifications needed

The legally binding Convention now needs to be ratified by as many individual states as possible. The European Union should lead in stimulating and facilitating EU Member States to ratify the Convention. The EU can assist by providing practical and technical assistance, for example through social dialogue. It can organise learning events to share experiences and best practices. At European level, it can establish (social media) campaigns to break the taboo of talking about violence and harassment at work.

Brands, together with labour unions, employers' organisations, and NGOs, can also put pressure on national governments and on the EU to speed up this ratification process. [#RatifyILO190](#) was a central demand of the [Global 16 Days Campaign](#) that aimed to mobilise women across movements, to collectively take action for advancing the ratification and implementation of the newly adopted ILO instruments Violence and Harassment Convention, 2019 (C190) and Violence and Harassment Recommendation, 2019 (R206). This movement will continue its advocacy work, together with a variety of stakeholders.

The new international law establishes clear roles and responsibilities for states and employers for keeping all workers safe from violence and harassment. State actors are responsible for regulatory framework obligations on human rights. Governments have a role in promoting the fact that societal change and legislation needs to be complemented by comprehensive policies and practical measures that tackle root causes of violence and harassment in the workplace.

Governments that ratify the convention commit to adopting an inclusive, integrated, and gender-responsive approach to violence and harassment, which includes:

- Legislation prohibiting all forms of violence and harassment;
- Relevant policies ensuring that the problems of violence and harassment are adequately addressed;
- Comprehensive strategies to implement measures which prevent and combat the issues;
- Mechanisms for establishing and strengthening the enforcement of the laws;
- Access to remedies and support for survivors;
- Sanctions for perpetrators;
- Development of tools, guidance, education, training, as well as measures for consciousness raising;
- Effective ways of investigating cases and inspecting the world of work.

#### Implications of the Convention 190 for The Netherlands<sup>29</sup>

The Netherlands has not yet ratified C190. Although Dutch law is designed to protect employees, there is room for improvement in terms of safety and support for independent and vulnerable groups (migrants, women, LGBTQI). Added value to existing Dutch regulations consists of:

- Provision of a single legal basis for all employees in the Netherlands, including the growing number of people working in the informal sector and/or as self-employed/freelance worker. This growing population needs systematic protection beyond the existing Labour laws (“Arbowet”).
- A single, confidential point of contact for reporting intimidation incidents. Violence and harassment should be reported to the police. Dutch law applies to these situations. However, intimidation is much more difficult.
- Ratification might increase the participation of women in the labour force.
- Last but not least, the Convention can also support the Dutch government in its ambition to make supply chains more responsible.

## What does the Convention say about employers' responsibilities?

The new ILO Convention sets an internationally recognised benchmark, which will result in a level playing field for businesses to demand higher standards for protection and preventive measures for all workers. The Convention guides ratifying governments to legally require employers to take certain actions. The Convention stipulates that governments should require employers to:

- Adopt a **workplace policy** on violence and harassment. The Recommendations accompanying the Convention include additional guidance on what should be included, such as measures to protect whistle blowers and information on complaint filing procedures.
- **Identify hazards and risks** for violence and harassment. One way in which a company can do this is by ensuring that their [human rights due diligence](#) fully integrates gender considerations, as outlined in the new report from the Office of the United Nations High Commissioner for Human Rights (OHCHR), [Gender Dimensions of the Guiding Principles on Business and Human Rights](#). Companies need to take violence and harassment and the accompanying psychosocial risks into account in their occupational safety and health management.
- **Take measures to prevent and control** them.
- **Provide information and training** to workers about risks, prevention and protection, and their rights and responsibilities.

Provisions for dealing with access to remedies and dispute resolution mechanisms should be accessible at workplace level (on assuring confidentiality and protection for whistle-blowers, etc). Specific references should be added regarding the need to deal with the impact in the workplace of domestic violence and harassment. Stipulations regarding workplace harassment by third parties should also be addressed in appropriate laws.

How this Convention can be applied specifically for different businesses will depend on the country and type of business in question.



## 6. What can you do to prevent and eliminate violence and harassment at work?

Your company has a responsibility to protect workers from violence and harassment and to address these difficult issues in the workplace. How can you create an environment where violence and harassment are addressed, and then eliminated, from the workplace?

Dealing with issues of violence and harassment requires two kinds of action. We need to consider what steps can be taken, but also, what areas need to be investigated and examined. These two dimensions are presented in the following table (page 21). The concrete measures that you should take into consideration are pointed out in the intersection of these two dimensions and are presented in such way these can guide your company in taking important steps to prevent and eliminate violence and harassment.<sup>30</sup>

You are recommended to take the following steps:

- **PREVENT** violence and harassment from happening
- **BE ALERT** to signs of violence and harassment
- **ACT** in an appropriate way to help the survivors and punish, rehabilitate the perpetrators
- **MONITOR** your daily adherence to your own policy
- **LEARN** from previous incidents, in order to continuously improve your anti-violence and harassment strategies

In each of these steps, the following five domains should be considered:



### Policy & governance

The starting point to preventing and eliminating violence and harassment is to address it when it occurs. It is also important to safeguard your business interests in a clearly written and unequivocal policy document, which includes a firm statement by your management. This policy should guide the companies in your subsidiaries and first suppliers on how to prevent, be alert, act, monitor, and learn. In addition, it should be applicable to management, employees, clients, and anyone who has a relationship with the company.

This policy should be in line with local legislation. For this reason, it is highly recommended to consult with local lawyers and other local experts, specialised networks, industry associations, and embassies in order to get a better understanding of the local contexts and the main risks for your company. Employee participation in policy design, implementation, and monitoring will increase the level of acceptance and the effectiveness of your policy and build trust. Based on your risks, impact and gap assessment, you will be able to define your sphere of influence and decide how to mitigate these risks.

### SODEXO-IUF: A Joint Commitment on preventing sexual harassment

Sodexo, a French food services and facilities management company with a workforce of 425,000 workers, jointly with the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers' Associations (IUF), developed measures to address sexual harassment. A Joint Commitment was agreed to in 2018, committing the company to zero-tolerance for sexual harassment. The Joint Commitment states that sexual harassment is an offence which can lead to disciplinary action, including dismissal from the company. Sodexo provides training for all staff on this policy and their related responsibilities. The Commitment also included a clause in Sodexo's Supplier Code of Conduct, prohibiting sexual harassment and requiring the company to inform its subcontractors and suppliers of this policy and to use its influence to resolve cases of sexual harassment. IUF has produced a guidebook for trade unions, "[Zero tolerance for sexual harassment at Sodexo](#)", setting out action to take to implement the agreement.

Your policy (code of conducts, contracts, corporate social responsibility strategy) needs to be clear on:

- The *definitions* of what you mean by 'violence and harassment in the workplace'—this includes which behaviours (e.g. intimidation, bullying, etc.) the management considers inappropriate and unacceptable in the workplace. It should also clearly show what compliance with local law and international standards entails. These definitions should be written in concrete, understandable language, translated and easily accessible for all employees;
- Your commitment to provide *trainings* and establish *anti-harassment committees*;
- The importance of being alert *and reporting* incidents;
- *What to do* when incidents occur, including a list of mechanisms for responding to cases of harassment/ violence and harassment, guidance on handling complaints, and contact points for reporting any incidents;
- *The roles and responsibilities* of managers, staff, and suppliers
- The responsibilities of *brands, buyers, and retailers* to ensure sustainable production, such as lead time, style changes, price adjustments, changes in environmental legislation, etc. (as in a two-way code of conduct);
- *The consequences* for violent acts, including the commitment to provide support services to victims (developing procedures for resolving complaints, establishing a confidential counsellor to assist employees who seek help, assuring that no reprisals will be taken against employees who report) and the disciplinary actions and sanctions required (such actions should be proportional to

the severity of the violence and harassment and serious cases need to be reported to the police).

### Promising practices<sup>31</sup>

CARE Australia, learning from its collaboration with private sector, has demonstrated a number of promising practices. These include:

- Ensure *formalised governance approaches* and policies and define these policies in consultation with employees. This gives an opportunity to build empowering policies and an effective complaint mechanism.
- Organise *staff training* to build skills and capabilities.
- Identify individual workplace *champions of change* (including women and men) or key influential figures to promote cultures of change and more equitable working conditions. Build their knowledge and improve attitudes towards harassment. Individual leaders can have a significant impact if they engage in preventing sexual harassment in the right ways. They need to be visible and take a proactive stance by ensuring an organisation's public 'commitment' against sexual harassment, by building more gender inclusive spaces and playing a role in building knowledge and perceptions regarding what's appropriate.
- Partner with *human rights and women's groups* to develop messaging and test prevention messages.
- Ensure management and *leadership commitment* to promote more inclusive cultures and norms. If leadership commitment is perceived to be lacking in the workplace, all effort can easily fail.
- Leadership must also be engaged in broader efforts to create more diverse workplaces, promote women's leadership, policy dissemination and training, and incorporate a broad set of tools including *comprehensive trainings and multi-faceted approaches* to influencing workplace norms and encouraging employees to report sexual harassment.

Consider including provisions in your policy showing that you will recruit women into higher positions. Studies show that increasing diversity by including more women in management and executive roles introduces leadership behaviours that are critical to company performance. This creates a working environment which promotes innovation, helps employees to connect with one another, and builds a supportive atmosphere.<sup>32</sup>

One selection criterion for management positions should be a demonstrable understanding of the prevention and elimination of violence and harassment.

It is important that you provide your workers with space to practice their right to freedom of association. In addition, you can consider introducing anti-harassment committees, dispute settlement bodies, and/ or confidential helplines for workers. Also, consider

appointing an internal (female) confidante—someone who employees feel they can trust and talk to easily. This person may be the cleaner, or another fellow employee. Victims often feel more comfortable speaking with a peer, rather than their supervisor. Especially women are much more likely to report cases of (sexual) abuse or violence and harassment if the confidante is a woman.

Finally, have a policy for monitoring, learning and evaluation in place to make sure that you are constantly improving your policy and governance structure.

### JJH Textiles: Zero-tolerance policy and women in management

The Dutch company JJH Textile, owned by Han and Sally Hamer, had a textile factory in Bangladesh and an ecological dyeing factory in India. What did the directors specifically do to combat violence and harassment and discrimination in the workplace? "We consciously intended to turn our textile factory in Bangladesh into a 99% female-driven company within three years. Women who show that they want to grow further are given opportunities. As long as there is a lack of qualified female executives being trained, the company will continue to work with male executives. Sexual harassment will not be tolerated under any circumstances.

Already at enlistment, we are clear about this policy by including a clause in the contract that sexual harassment or violence and harassment will result in dismissal on the spot. It is no exception that supervisors expect sexual favours from their subordinates, as was the case with a sales manager who -with obvious intentions- told a young girl that she had to work at night. The perpetrator denied, but there was no doubt about the matter as the girl had recorded the conversation on her phone. More than half a dozen male executives have been fired in recent years for that reason. In the case of dismissal on grounds of abuse, the staff is called together to disclose the reason why the offender is dismissed. The security personnel are also trained to act against aggressive behaviour in the workplace."



### Awareness

Invest in good communication! Do not reduce your policy to a paper exercise. Ensure that ALL your employees and suppliers are fully aware of, and understand, your company policies and procedures, their rights and obligations, how to prevent risks themselves (e.g. do not enter any location where you feel threatened or use a buddy system). Also make sure everyone sees the importance of having a workers' committee and monitoring incidences.

Managers will more readily support the implementation of your policies if they are aware of the impact of violence and harassment on aspects such as productivity, retention rates, and the quality of production.

### Survivors often do not know their rights

Sorayda Liliana Gonzalez (48) from Guatemala, member of the labour union CGTG, was once a victim of violence and harassment. She is convinced that education is important to raise awareness of sexual intimidation in the workplace. “You need an environment in which there is room for discussion about it. Victims of sexual violence and harassment at work are often not aware of their rights, and lack the knowledge and the means to make their voices heard.”

## Competencies

Being aware of violence and harassment is a crucial preliminary step. However, this awareness does not automatically mean that managers, supervisors, or employees feel as though they have the necessary skills to address situations of violence and harassment. Your managers and supervisors have the responsibility to ensure that the workplace is safe and free from violence and harassment. They must contribute to a culture of respect and trust, which requires a deep and nuanced understanding of violence and harassment in the workplace. Also, they must also know they have the capacity to act.

### Fair Wear Violence Prevention programme<sup>33</sup>

The Fair Wear (FW) Violence Prevention Programme in export-oriented garment factories in India and Bangladesh supported the setting up of factory anti-harassment committees and helplines. FWF and local stakeholders developed initiatives in the following ways: With and within factories, providing training and support for management, supervisors, and workers to prevent sexual harassment. Practical support was provided to set up and train the anti-harassment committees required by national legislation.

- At community level with locally provided training programmes, workers’ helplines, and support from local workers’ organisations and NGOs.
- With brands to ensure their purchasing practices do not increase or create verbal, physical, or sexual abuse in the workplace. These practices include demands for unreasonably high production targets.

FWF aims to eventually include new requirements to reduce sexual harassment in the verification process for all its brand members.

Training can strengthen a manager’s ability to improve their communication skills, handle unrealistic targets, cope with workloads, and work pressure. Critical reflection among middle-managers and line supervisors is important, as is dialogue with employees. Training managers and supervisors on motivational techniques to encourage workers and increase productivity can lead to improved efficiency, productivity, performance, and the retention of workers. It is also important for management staff to build their skills in addressing incidents when they occur, to know how to investigate and document the process with reports, and how to minimise the suffering of the victim.

Training the management and workers on how to set up anti-harassment committees (run by the workers themselves) and how to organise (with gender forums, for example) can be done in collaboration with local NGOs and/or unions. In workplaces with hundreds of workers, peer-to-peer training has proven to be an effective mode of teaching. Where violence and harassment against women is prevalent, you should also invest in engaging men as role models to lead conversations with other men about interpersonal violence and harassment and its root causes.<sup>34</sup>

### Building trust, awareness, practical skills and coaching

Verité, a global non-profit organisation, provides a programme that focuses on building trust, awareness, practical skills, and coaching. It equips factory managers, supervisors, workers, and NGOs with the tools and knowledge required to improve workplace conditions. Verité also provides training to increase the knowledge and skills of employees regarding their rights and duties, labour laws, harassment, reproductive health, and financial self-sufficiency. The organisation demonstrates that workplace rights can be improved by collaborative efforts which involve the workers, factories, global brands, and local NGOs. Verité has learned that long-term gains require an increase in respect, dialogue, and commitment.

## Processes

In order to implement your policies, it is important to develop clear processes and put them in writing. They should outline the steps needed, firstly to create more consciousness about violence and harassment, and then to prevent it, report it, take action, monitor the systems, and finally, to build knowledge. This all starts with a fair and transparent system for the recruitment, contracting, salary payment, and promotion of workers in your company. It also entails providing clarity regarding the steps to take if someone becomes a victim, as well as ensuring a correct follow-up on complaints and their consequences for the victim and the perpetrator. Also, make sure you remain alert by regularly assessing various signals which might indicate forms of violence and harassment in

your workplace (physical illness, sick leave, unexplainable accidents, absence of training, and so on).

Management needs to communicate frequently with existing local trade unions—or employee representatives in the absence of unions—to identify risks and discuss cases of harassment together, as well as to create a positive environment. You can also jointly develop and negotiate clauses in collective bargaining agreements (for example, on topics such as childcare facilities, clean toilets, hygienic conditions and maternity benefits) or integrate anti-violence and harassment issues in your broader labour strategies (for example, by making sure that sexual harassment is a part of all occupational and health initiatives). Furthermore, if cases of violence and harassment are reported, cooperate with workers' representatives or unions as independent middlemen to handle complaints. See to it that the unions or worker representatives are promptly informed, so that they are able help the victim file a complaint and are available to oversee the procedure.<sup>35</sup>

### **An important role for trade unions in Benin and Indonesia**

Trade unions are playing an increasing role in preventing violence and harassment and providing support to victims. “Employees who face violence or harassment at work can go to a centre for advice and mediation,” says trade union leader Noel Chadare from Benin. “We invite both parties, employer and employee, for an interview. Everyone can tell their story and a mediator explains what everyone’s rights and duties are. In consultation, short-term arrangements can be made. A lawsuit is expensive and time consuming. If the abuse continues, the victim may still, of course, choose the legal path.” The Indonesian trade union for garment workers, Garteks, has created a training about gender issues for their workers. This training addresses their rights as workers. One example of a training topic is the importance of female workers’ safety and well-being, especially when they are pregnant or menstruating. CNV Internationaal and Garteks also support the training of women factory workers in order to make their position stronger and to enable them to stand up for their rights.





Your staff will need a set of tools to implement your policy and processes.

The following communication tools can raise awareness among your employees:

- Organise an official policy launch at a complete staff meeting.
- Inform new staff of your policy as a part of their induction.
- Provide training and information sessions for all employees to make sure that they are aware of and understand what their rights are, and how to prevent risks themselves.
- Have communication materials (e.g. posters) visible in the workplace to show that violence and harassment will not be tolerated (display your policy on notice boards and posters and/or distribute brochures).
- Organise safe spaces, such as with a counsellor, where employees can ask questions or express concerns.

Television and radio can be a company ally for bringing about change, by challenging commonly held gender norms about what behaviour is acceptable or typical. As an executive or international company owner, your leverage enables you to influence companies in your supply chain and the industry as a whole. By publicly stating, for example, that everyone is entitled to a safe workplace and that this attitude is also in your own business interest, you expose people to a different point-of-view and create a counter-narrative.<sup>36</sup> Your position gives you an opportunity to advocate the elimination of violence and harassment at national and international level. Through sector frameworks, your company can also work with governments and advocate for strong protection for workers as mandated through the new ILO Convention.

Consider workplace *design interventions*, such as workplace lay-out, locks or physical barriers, lighting, and electronic surveillance. When using signs, helpline stickers, or any other communication posters, make sure they have clear symbols, given that illiteracy rates among workers are often high. Also remove offensive (pornographic/showing nudity) materials, such as calendars. Organising safe transportation is also recommended.

If incidents occur, make sure that you have functioning *hotlines* to report these. Create *safe locations* to care for and treat victims and designate other locations to remand the perpetrators into custody.

Lastly, to ensure that managers and supervisors comply with your policy, it is important to regularly *monitor and evaluate* the effectiveness of the existing mechanisms for preventing and handling harassment and abuse (prevention, alertness and action). Identifying and monitoring the frequency of abuse is a precarious job. In order to monitor violence and harassment, you may consider various tools such as surveys, consultations, and research activities as a part of your due diligence as well as conducting regular factory audits. You can monitor the inappropriate use of computer technology with special software. For more in-depth

discussions with staff, there are NGOs that support companies in facilitating a dialogue by using various participatory techniques to assess life and job satisfaction. This is especially useful in regions with high illiteracy rates. Gathering stories can be used to monitor and can also play a part in your external communication strategy, by informing the public of the progress and your company's ongoing dedication to the process. Training sessions and the functioning of your governance instruments can all be regularly evaluated.

### Horticulture in East Africa<sup>37</sup>

Over half of the flowers bought in Europe or the US are produced in Africa, mainly in Kenya and Ethiopia. The number of people, especially women (about 70% of the workers), working in this sector has been growing. In Kenya alone, more than 2 million people have a job in horticulture. According to Women Working Worldwide, the pressure in this sector is high (especially on special days, such as Valentine's Day) to produce a supply of fresh and high-quality flowers. The farms have to deal with very tight deadlines, impacting the well-being of workers.

The type of work that women usually do is packing, harvesting, tending flower beds, and watering. These kinds of jobs depend on finesse, dexterity, and an attention to detail, whereas men do the heavier manual work. Women have limited access to training, which reduces their lifetime productivity and prevents them from being promoted to higher positions. Female workers face widespread sexual harassment in cut flower farms, which they often think that they have to tolerate. Managers often ask for sex in return for workplace favours, bonuses, or promotions. The sense of shame combined with the fear of losing their jobs, as well as the worry of reprisal and the lack of awareness of complaints procedures, means that many cases go unreported. According to HIVOS, the problem of sexual assault is "grave" in Kenya, but there are some positive developments. "Conditions are improving on farms that subscribe to the ideals of fair trade and do business that aims to be socially responsible. Besides organising transportation for their employees, they pay higher wages, provide a safe and healthy workplace and offer possibilities for employees to organise through worker and gender committees."

Read more about the experiences of [HIVOS](#) in the flower sector in Kenya.

### Protecting women and girls on the tea plantations in India and Kenya<sup>38</sup>

Unilever is the largest buyer of black tea in the world. They employ and work with thousands of farmers and workers on their suppliers' estates. The tea sector, like many other sectors around the world, is not exempt from violence and harassment. The sector is characterised by a high number of women occupying low-paid and low-skilled jobs, with high risks of harassment and violence. Violence and harassment affects women and girls' freedom of movement, educational opportunities, employment, leisure/ recreation, as well as their ability to safely organise politically, and their right to live free from fear, violence, and harassment, no matter where they are. Violence and harassment and gender inequality affect decent work, the health and dignity of workers, as well as the sustainability of tea production.

Unilever has established a strong human rights approach, which includes addressing gender-based violence and harassment, in every corner of the organisation. Unilever wants to go beyond respecting the UN Guiding Principles on Business and Human Rights, recognising that gender-based violence and harassment is one of the most prevalent violations of Human Rights.

Good policies and effective working grievance systems are the most basic and minimum requirements for companies. A 'zero-tolerance' policy regarding any and all forms of discrimination, including sexual harassment and violence, governs the company's operations and value chains.

Unilever's vision is to have zero incidents of sexual harassment and violence on the tea plantations it sources from. In 2013, Unilever Tea Kenya executed an independent review. The causes of abuse are complex, occur at different levels of society, and are deeply rooted in harmful social and cultural norms. Ending violence and harassment requires a systematic approach and the cooperation of various stakeholders to create the necessary transformation. For this reason, Unilever has partnered with UN Women to implement a human rights-based programme across the supply chain. Their collaboration with a range of producers, government authorities, tea associations, as well as women, youth and community groups in the tea sector, has provided an opportunity to create the [Global Women's Safety Framework in Rural Spaces](#), informed by experiences in the tea sector in India and Kenya.

The framework reflects the variety of roles the different partners can play. Jointly they succeed in identifying local solutions to safety (with the employees of the business and the community); promoting laws and policy, and then monitoring their enforcement (within the business and advocate governments), increasing the safety of spaces (i.e. safety audits on the business operations, lightening at estates, safe spaces for breastfeeding etc.), and challenging harmful social norms and attitudes within the communities of the working population, including men (e.g. organising village conversations, campaigns, and encouraging male engagement, leading them to be anti—GBV champions).



## 7. Measures to prevent, eliminate and deal with violence in the workplace

	Prevention	Be alert and take action	Monitor & Learn
<b>Policy &amp; Governance</b> 	<ul style="list-style-type: none"> <li>Clear &amp; firm <b>HR, occupational safety &amp; health policies (including contracts, code of conduct) and statement, definition of V&amp;H, procedures, norms &amp; values</b>, aligned with global &amp; local laws</li> <li>Recruit / appoint more <b>women in supervisory &amp; higher management positions</b> and adapt job/promotion evaluation performance systems</li> <li>Clearly define <b>incentives to prevent and penalties for harassment</b> for management, staff, suppliers &amp; customers</li> <li>Establish <b>unions, workers' councils, and anti-harassment, dispute settlement &amp; women committees</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Clear roles &amp; responsibilities</b> of board, managers, staff, suppliers how to be alert and take action</li> <li><b>Appoint approachable counselors</b> tasked with investigating and resolving complaints</li> <li>Clear <b>procedures outlining what to do</b> when incidents do occur and you need to take action</li> <li><b>Clear &amp; explicit procedures on dealing with a victim:</b> public apology, counseling, medical aid and/or financial compensation</li> <li><b>Clear &amp; explicit policies on dealing with a perpetrator:</b> warning, suspension, termination of employment</li> </ul>	<ul style="list-style-type: none"> <li>Establish a formal <b>policy on continuous monitoring, learning &amp; improving</b> within the company and with suppliers</li> <li><b>Evaluate roles &amp; responsibilities</b> based on analysis of incidents and actions and behaviours of stakeholders</li> <li><b>Improve governance</b> &amp; workings of unions and committees, based on your learnings</li> <li><b>Map 'hotspots'</b> where there is frequent harassment in particular areas &amp; suggest remedial action</li> </ul>
<b>Awareness</b> 	<ul style="list-style-type: none"> <li><b>Inform all stakeholders</b> about laws, policies &amp; procedures, and contact persons to file complaints</li> <li><b>Share information</b> about forms of violence, how to detect them, how to deal with a victim and perpetrator, its negative impact on a person, and why certain workers are particularly vulnerable.</li> <li><b>Provide FAQ</b> on laws and corporate policy, procedures, norms &amp; values</li> <li><b>Make managers aware</b> of negative <b>business impact</b> of violence on productivity, quality, retention, etc. and of benefits derived from eliminating harassment</li> </ul>	<ul style="list-style-type: none"> <li><b>Clear procedures &amp; contact persons</b> to file complaints yourself or on behalf of someone are known by all employees &amp; suppliers</li> <li><b>Join campaigning</b> initiatives of other stakeholders via radio/ social media/ posters</li> <li><b>Organize safe speak-outs</b> where victims or vulnerable groups can speak of their experiences (if feasible in the cultural context) and where staff can voice concerns</li> </ul>	<ul style="list-style-type: none"> <li><b>Monitor &amp; share changes in self-awareness</b> of management and staff triggered by training</li> <li><b>Monitor and share the business benefits</b> gained from less violence &amp; harassment</li> <li><b>Rallies, public events, press releases</b>, etc. to show positive effects of anti-violence strategies</li> </ul>
<b>Competencies</b> 	<ul style="list-style-type: none"> <li><b>Train managers, supervisors, employees</b> on appropriate conduct, rights &amp; responsibilities, on functioning of anti-harassment committees</li> <li><b>Encourage &amp; empower managers</b> to promote violence prevention and be a role model</li> <li><b>Train managers in positive goal setting</b>, motivation &amp; feedback skills to increase productivity &amp; quality (use effective &amp; modern training methods with discussions, presentations, plays, games, &amp; stories)</li> </ul>	<ul style="list-style-type: none"> <li>Train managers, staff &amp; union officers on how to <b>recognize harassment and eliminate violence</b> in the workplace</li> <li>Train <b>hotline staff</b> on being professional, patient, listening &amp; giving compassionate responses</li> <li>Train supervisors, managers &amp; counselors on how to <b>listen to a victim and how to handle a (suspected) perpetrator</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Monitor training participation</b> of the target audience (input) and training effectiveness (outcome) against predetermined training KPI's</li> <li><b>Improve training curriculum &amp; formats</b> together with participants and based on effect measurements</li> </ul>
<b>Processes</b> 	<ul style="list-style-type: none"> <li><b>Establish a fair &amp; transparent system</b> &amp; process for recruitment, promotion, contracting, payment of salaries</li> <li><b>Create space</b> for your employees to make use of their freedom of association</li> <li><b>Facilitate social dialogue</b> between employers, workers, representatives, government, NGOs, etc. and engage with unions</li> <li>Support employees facing <b>domestic violence and harassment</b></li> </ul>	<ul style="list-style-type: none"> <li><b>Daily assess</b> physical illness, sick leave, unexplainable accidents, tension, fights and tears at work, loss of work motivation, productivity, resignation &amp; dismissal, and missing out on training</li> <li><b>Investigate</b> all reported incidents, take accurate notes and involve appropriate stakeholders</li> <li>Have <b>interim measures</b> in place to deal with complaints, such as temporarily moving a victim or suspect from their work location; Assist the victim to make a complaint</li> <li><b>Have clarity on steps</b> to take as a victim or a witness in filing a complaint &amp; getting support</li> <li><b>Follow-up all tips and complaints</b> by clearly communicating about next steps, actions taken, and consequences for victim &amp; perpetrator</li> </ul>	<ul style="list-style-type: none"> <li><b>Regular &amp; anonymous surveys, focus group sessions &amp; audits</b> (internally &amp; with suppliers) about the incidence of violence (using data disaggregated by seks)</li> <li><b>Monitor increases in productivity &amp; quality</b> due to decreases of violence</li> <li><b>Monitor differences in use of social media</b> to unearth harassing activities (e.g. spreading of nude pictures of colleagues)</li> </ul>
<b>Tools</b> 	<ul style="list-style-type: none"> <li><b>Invest in communication tools to raise awareness:</b> official launch to present your policy, information, sessions, bill boards, make use of your leverage via radio/ tv channels, etc.</li> <li><b>Provide a secure &amp; safe physical work space</b> with good working conditions (e.g. child care facilities, clean toilets, lighted work space) &amp; safety precautions (e.g. emergency exits, etc.)</li> <li><b>Provide safe (access to public) transportation</b> and arrange group transport at night or through dangerous areas</li> <li>Create a <b>positive working atmosphere</b> in which staff feels valued &amp; safe</li> </ul>	<ul style="list-style-type: none"> <li><b>Hotlines, anonymous apps</b>, etc. to enable victims to call for help and file a complaint</li> <li>Basic <b>security cameras</b>, smart security cameras (e.g. with facial recognition capabilities), web crawlers to spot online harassment.</li> <li><b>Group dialogues</b> to enable victims to open up about harassments and the effect it has on them</li> <li><b>Safe locations</b> to hold (suspected) perpetrators in custody until law enforcement officers arrive</li> <li><b>Safe locations, medical supplies &amp; equipment</b> to care for and treat victims (first aid)</li> </ul>	<ul style="list-style-type: none"> <li><b>Anonymous, confidential surveys</b> (e.g. with mobile apps) to identify high risk situations</li> <li><b>Analyse data</b> collected via formal channels (e.g. hotlines, apps, counselors, confidential minutes of meetings, etc.)</li> </ul>

## 8. Helpful resources

- [Better Work Partnership Between the ILO and IFC](#)
- [Business Fighting Poverty Toolkit](#)
- [CNV Internationaal](#) (connected to the Dutch national trade union confederation CNV)
- [Fair Wear](#)
- [FNV Mondiaal](#) (connected to the Dutch national trade union federation FNV)
- [Gender-Based Violence and Harassment in Global Supply Chains: Resource Kit, International Training Centre ILO and Fair Wear Foundation](#)
- [Human Rights Universal Declaration and the ILO Declaration on Fundamental Principles and Rights at Work](#)
- [International Labour Organisation](#)
- [UN Women Handbook](#)

### Abbreviations

CNV	Christelijk Nationaal Vakverbond
FNV	Federatie Nederlandse Vakbeweging
FWF	Fair Wear Foundation
GBV	Gender-Based Violence
IFC	International Finance Corporation
ILO	International Labour Organisation
ITUC	International Trade Union Confederation
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers' Associations
KPI	Key Performance Indicators
LGBTQI	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex
NGO	Non-Governmental Organisation
OECD	Organisation for Economic Cooperation and Development
SME	Small and medium-sized enterprises
TNO	The Netherlands Organisation for applied scientific research
SDG	Sustainable Development Goal
US	United States

## 9. Endnotes

- 1 Adriana Cruz and Sabine Klinger (2011). [Gender-based violence and harassment in the World of Work: Overview and Selected Annotated Bibliography](#). ILO; [Background paper for discussion at the meeting of experts on violence and harassment against women and men in the world of work \(3 – 6 October 2016\)](#). ILO.
- 2 The Convention 190 to end violence and harassment in the world of work defines “violence and harassment” as behaviours, practices or threats “that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm,” and “gender-based violence and harassment” as “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. It reminds Member States that they have a responsibility to promote a “general environment of zero tolerance”.
- 3 Gender-based violence also continues to be a problem in the Indonesian garment sector. A nationwide survey done in 2016, commissioned by Indonesia’s Women’s Empowerment and Child Protection Ministry with assistance from the UN, found that one in three Indonesian women have experienced physical and or sexual violence in their lifetime. A survey run in 2017 by Perempuan Mahardika in the Cakung KBN industrial area found that from the 737 respondents, around 56.6 % of the women workers had experienced some kind of physical or mental sexual harassment. Source: [Fair Wear](#). Also see examples of allegations on: [Fashion United](#) and on [Business-human rights](#).
- 4 Source: [Thematic Brief](#) by Better Work/IFC, June 2019, p.7.
- 5 Jo Morris and Jane Pillinger, 2016. [Gender-based violence in global supply chains: Resource Kit](#). ITCILO and Fair Wear Foundation: p. 52.
- 6 [COVID-19 Impact on the value chain](#) – Conceptual paper by Clingendael and Partnering for Social Impact. June 2020; [UNWomen, April 6, 2020](#).
- 7 Source: [UN Women](#).
- 8 Although the majority of governments now prohibit violence and harassment against women in ways consistent with their international obligations, 46 countries do not legislate against domestic violence and harassment, 41 do not legislate against sexual harassment and 59 do not legislate against sexual harassment in employment. In the Middle East and North Africa, about four out of five countries lack legislation on domestic violence and harassment and on sexual harassment in employment ([UNHLP 2016: 44](#)).
- 9 In European countries, health-care employees, social services employees, teachers, municipal housing inspectors, hotel and restaurant, commerce and transport employees are often mentioned as the sectors with the highest risks (European Agency for Safety and Health at Work - European Risk Observatory Report). Employees that work in places where they handle money, valuables, or prescription drugs (e.g. cashiers, pharmacists) are in particular more vulnerable. In the Netherlands, violence and harassment against emergency staff has increased dramatically over the past few years: 75% of healthcare employees deal with violence and harassment; 73% of police officers, 44% of fire officers, and 75% of hospital staff (Source: [SIRE 2011](#)). More than 25% of the workforce in the Netherlands has been bullied at least once by co-workers or managers. In Germany, according to the [Federal Anti-Discrimination Office](#) (2015), half of the people polled had experienced some form of harassment. According to the IFC, 30–50% of women in Latin America, Japan, Malaysia, the Philippines, and South Korea, and over 70% of women in South Africa have reported experiencing some form of workplace sexual harassment. In the EU, 75% of top female managers and 74% of professional women have reported experiencing sexual harassment.
- 10 Breaking the silence: Stop the violence and harassment. Gender-based violence and harassment in the garment sector of Bangladesh: A study on cases, causes and cures. Bangladesh Centre for Workers Solidarity and FEMNET. 2020, p. 5.
- 11 Around four out of every five workers (part of the Better Work programme) stated that sexual harassment or sexual touching is a concern in their factory. Moreover, workers’ responses suggest they are comfortable in doing something about their concerns, such as seeking help from their trade union representative or from their Human Resources department. Taking such actions indicates that workers are becoming more aware of their rights and are increasingly confident about seeking help to address the issue.
- 12 Source: [Violence Against Women at the Workplace. A study performed by CNV Internationaal in four countries across four continents on violence and harassment at the work floor](#).
- 13 A 2011 Washington Post-ABC News poll in the US found that one in four women and one in ten men had experienced workplace sexual harassment; only 41% of women who had experienced harassment said they had reported it to their employers. Research of the Trades Union Congress in 2016 showed 4 out of 5 women in the UK did not report harassment to their employer. [Trades Union Congress. Still just a bit of banter? Sexual harassment in the workplace in 2016](#).
- 14 Source: [Human Rights Watch 2012](#).
- 15 Sources: [Verité 2009](#); Jo Morris and Jane Pillinger, 2016, p. 24-25; p. 38; Human Rights Watch 2012.
- 16 [COVID-19 Impact on the value chain](#) – Conceptual paper by Clingendael and Partnering for Social Impact. June 2020.
- 17 Adriana Cruz and Sabine Klinger 2011; Jo Morris and Jane Pillinger, 2016: p. 70-71. ILO and IFC 2016. Better Work; [Addressing Gender-Based Violence and Harassment](#). Emerging Good Practice for the Private sector, CDC, European Bank, IFC. 2020.
- 18 Source: [Business Insider](#).
- 19 Source: [Cdc Group](#) - p. 28.

- 20 The health effects of violence and harassment at work can present themselves in various forms, including stress, anxiety, sleep disturbances, incapacity to work, pain attacks, depression, physical emotions, headaches, stomach cramps and social isolation.
- 21 Source: [‘I know I cannot quit.’ The Prevalence and Productivity Cost of Sexual Harassment to the Cambodian Garment Industry.](#) CARE Australia. March 2017.
- 22 Source: [Cdc Group](#) - p. 29.
- 23 Source: Business Fights Poverty Toolkit 2019, p. 3.
- 24 Source: [Factsheet pesten, intimidatie en discriminatie op het werk.](#)
- 25 Source: [IFC.](#)
- 26 Source: [Unilever.](#)
- 27 Source: [ILO.](#)
- 28 Based on 2018 World bank data from 198 countries, 59 do not have legislation on the sexual harassment in employment (UN Women 2019: 24).
- 29 Source: [WO=MEN Dutch Gender Platform.](#)
- 30 BSR has developed a diagnostic tool to quickly identify a company's strengths and areas for improvement in regard to preventing and addressing violence and harassment, particularly against women.
- 31 Source: [What works? Reducing sexual harassment in the workplace. A rapid review of evidence.](#) CARE Australia. August 2018.
- 32 Source: [McKinsey & Company on the gender gap and the case for greater diversity in the workplace.](#)
- 33 Source: Fair Wear Foundation (2015). Setting up Anti-harassment committees and violence prevention systems: The experience of Fair Wear Foundation; and [gbviticilo.](#)
- 34 Source: [ILO.](#)
- 35 As emphasized in the UN Women handbook, social dialogue is crucial for women's workers voice to be heard, on issues such as long working hours and production pressures, access to toilet breaks, and the introduction of complaints systems to deal with violence and harassment and harassment at work. UN Women 2019: p. 30.
- 36 Increased access to cable television in Indian villages has increased acceptance for women working outside the home and reduced tolerance towards domestic violence and harassment (UNHLP 2016).
- 37 Jo Morris and Jane Pillinger 2016: 24-25; [Women Working Worldwide.](#)
- 38 Source: [Unliver, The UNW Global Safety Framework](#), p. 13; How business can tackle GBV in the word of work. A toolkit for action. Business Fights Poverty. p. 32-33.

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