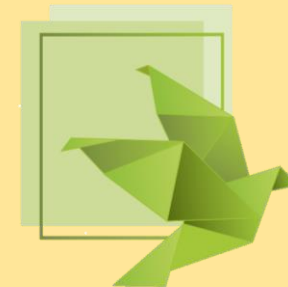




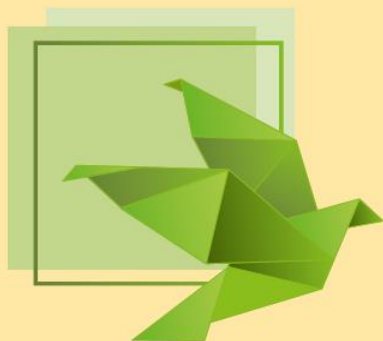
International  
Labour  
Organization



International  
Labour  
Office  
Geneva

Report V (2)

Ending violence  
and harassment  
in the world of work



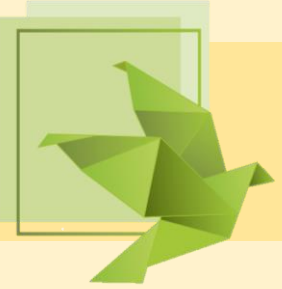
International  
Labour  
Conference

107th Session, 2018

# Ending violence and harassment in the world of work

Proposed Conclusions with a view to  
possible International Labour Standards

# Why new standards on violence and harassment in the world of work?



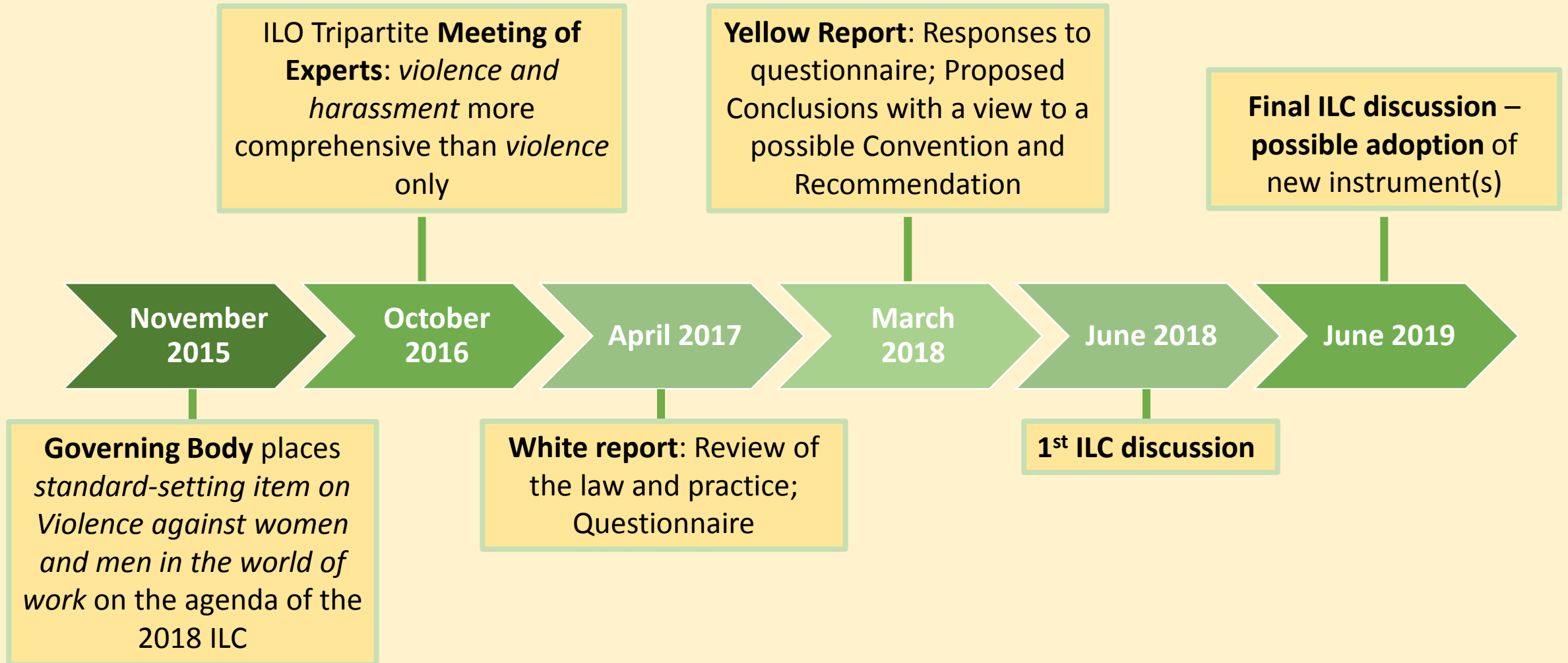
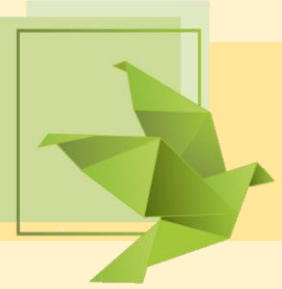
## *Consequences/Impact*

- Violation of human rights
- Incompatible with decent work
- Affects productivity and enterprise reputation
- Hampers effective functioning of labour markets

## *Gaps*

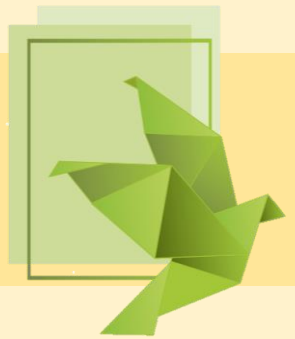
- No internationally-agreed definition of violence and harassment
- No international guidance on how to address it

# The process to date



# Form of the instrument(s)

## Responses



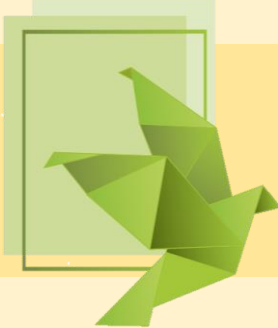
Q#2: “If [the ILC adopts (an) instrument(s)], should the instrument or instruments take the form of: (a) a Convention? (b) a Recommendation? (c) a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?”

TOTAL	Governments	Employers	Workers
Convention	2	1	9
Recommendation	30	11	5
Convention and Recommendation	48	4	164
Other	5	10	0
<b>TOTAL</b>	<b>85</b>	<b>26</b>	<b>178</b>
N/A	0	2	0
Blank	0	1	1

*\* A reply was classified as “other” when it was neither clearly affirmative nor negative, or where the idea expressed was different from the one proposed in the question.*

# Form of the instrument(s)

## Europe and Central Asia



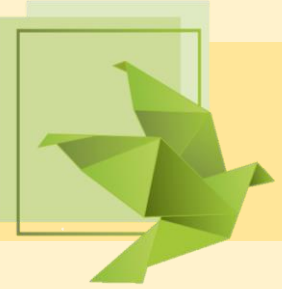
Q#2: “If [the ILC adopts (an) instrument(s)], should the instrument or instruments take the form of: (a) a Convention? (b) a Recommendation? (c) a Convention supplemented by a Recommendation, as two separate instruments or a single instrument comprising binding and non-binding provisions?”

EUROPE AND CENTRAL ASIA	CONVENTION	RECOMMENDATION	CONVENTION SUPPLEMENTED BY A RECOMMENDATION	OTHER*
GOVERNMENTS	Montenegro	Austria Bulgaria Cyprus Czech Republic Denmark Estonia Germany Iceland Latvia Norway Poland Spain	Belgium Finland France Greece Hungary Israel Italy Lithuania Luxembourg Malta Portugal Romania Slovenia Turkey Ukraine United Kingdom	Netherlands Russian Federation Sweden Switzerland
	TOTAL: 1	TOTAL: 12	TOTAL: 16	TOTAL: 4

*\* A reply was classified as “other” when it was neither clearly affirmative nor negative, or where the idea expressed was different from the one proposed in the question.*

# Proposed Conclusions

## Key points



- Complementarity between Convention and Recommendation
- Definitions and scope
- Gender-based violence
- Inclusive, integrated and gender-responsive approach
- Prevention and protection measures
- Support and guidance

# Definitions and scope



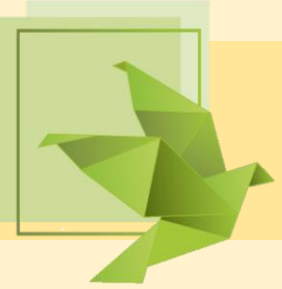
## Violence and harassment

- a continuum of unacceptable behaviours and practices, or threats thereof
- single occurrence or repeated
- aim or effect of causing physical, psychological, sexual or economic harm
- includes gender-based violence

## World of work

- the workplace, including public and private spaces where they are a place of work
- where the worker is paid or takes a rest break or a meal
- commuting to and from work
- work-related trips or travel, training, events or social activities
- through work-related communications enabled by information and communication technologies

# Definitions and scope



## Worker

Persons in all sectors, both in the **formal and informal economy**, and whether in **urban or rural areas**, including:

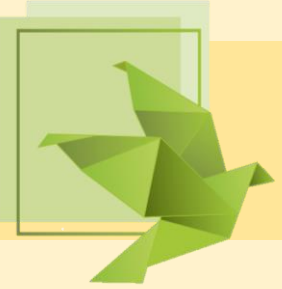
- persons **in any employment or occupation**, irrespective of their contractual status
- **persons in training**, including interns and apprentices;
- **laid-off and suspended** workers
- **Volunteers**
- **jobseekers** and **job applicants**

## Employer

Any person or entity that **engages workers either directly or indirectly**

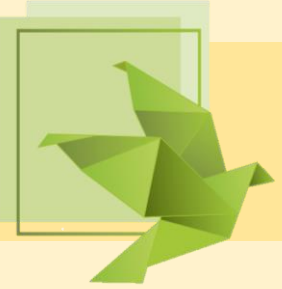


# Gender-based violence



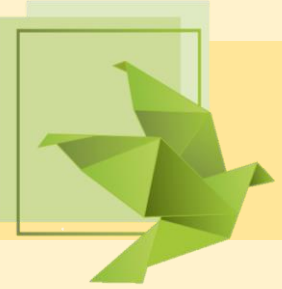
- Definition
  - violence and harassment that is directed at persons because of their sex or gender, or that affects persons of a particular sex or gender disproportionately
- Relevant to the world of work when it impacts the workplace
- Specific measures
  - access specialized dispute resolution mechanisms, support and services
- Domestic violence

# Integrated approach



To effectively address all forms of violence and harassment in the world of work, it is important to apply **multiple approaches, instruments and perspectives**, such as labour, occupational safety and health, equality and non-discrimination law and criminal law.

# Prevention

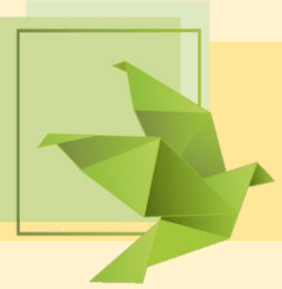


Members to take measures, including:

- Identify sectors, occupations and work arrangements
  - in which workers are more exposed to violence and harassment
  - in consultation with employers' and workers' organizations
  - ensure these workers effectively protected
- Adopt laws and regulations requiring employers to take steps for prevention
  - identify hazards and risks
  - adopt policies
  - provide information and training

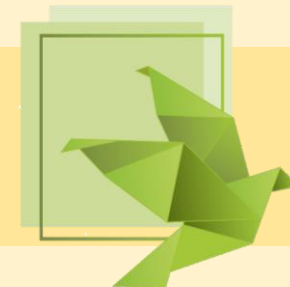
Proposed Conclusions, points 11, 12, 23 and 24

# Protection



- Complaint/investigation/dispute resolution mechanisms
  - workplace level and external to the workplace
- Courts or tribunals
- Effective remedies
  - reinstatement
  - compensation for material and non-material damages
  - legal fees and costs
- Sanctions
- Right to remove self in case of imminent and serious danger to life or health
- Empowerment of labour inspectors
- Mitigate effects of domestic violence

# Support and guidance



- Address violence and harassment in relevant national policies
  - Example: OSH, equality and non-discrimination and migration policies
- Guidance, resources, training and other tools
  - For employers, workers and enforcement authorities
- Awareness-raising campaigns
- Programmes addressing factors leading to violence and harassment
- Codes of practice, workplace policies and risk assessment tools

Proposed Conclusions, points 14 and 36