



Strategy for the Elimination of Sexual Harassment and Gender-based Violence in the Workplace in Zimbabwe

2021-2025



**Spotlight
Initiative**

Initiated by the European Union and the United Nations:





Strategy for The Elimination of Sexual Harassment and Gender-based Violence in the Workplace in Zimbabwe

2021-2025



**Spotlight
Initiative**

Initiated by the European Union and the United Nations:



Acknowledgements

The Strategy for the Elimination of Sexual Harassment and Gender-Based Violence in the Workplace in Zimbabwe is the product of a national consultative process. Shared leadership, guidance and active participation from a host of individuals, government stakeholders, trade unions, employer organizations, private sector organizations, civil society organizations, the donor community, the United Nations, and other key stakeholders who enriched the document at all stages of the development process.

Special thanks to the following organizations and their constituencies whose contributions have been invaluable:

- Zimbabwe Gender Commission (ZGC)
- Ministry of Public Service, Labour and Social Welfare (MPSLSW)
- Ministry of Women Affairs, Community, Small and Medium Enterprise Development (MWACSMED)
- Employers' Confederation of Zimbabwe (EMCOZ)
- Zimbabwe Congress of Trade Unions (ZCTU)
- Zimbabwe Federation of Trade Unions (ZFTU)

We also wish to acknowledge all the key informants interviewed during this process, and those who attended the validation meeting. A full list of key informants is available as Annexe 2 of this document.

A special thank you to the International Labour Organizations (ILO) for providing technical assistance to the process.

This publication has been developed under the Spotlight Initiative programme, with resources from the European Union. A special acknowledgement to the European Union for technical and financial support to the programme.

Lastly, we thank the team of Consultants who worked on this document: Ngoni Marimo, Dorcas Makaza, and Mercy Hatendi.

Foreword

It is an honour for me to present this Strategy for the Elimination of Sexual Harassment and Gender Based Violence in the Workplace in Zimbabwe, 2021 – 2025, which was developed by the Zimbabwe Gender Commission in collaboration with ILO under the Spotlight Initiative.

The development of the Strategy is in line with the broad function of Zimbabwe Gender Commission (ZGC), which revolves around promoting, protecting, enforcing and advancing gender equality in Zimbabwe as provided for by the Constitution.

The Strategy is a tool to guide operations of the public and private sector organizations in fighting against gender based violence (GBV) and sexual harassment at the workplace. The objectives of this strategy are to, among others:

- Increase reporting of GBV and sexual harassment cases in the workplace,
- Improve knowledge on forms of GBV and sexual harassment in the workplace,
- Raise awareness on GBV and sexual harassment among employers and employees,
- Facilitate the development of anti-GBV and sexual harassment policies at company, sectoral and national levels,
- Facilitate skills training and capacity-building for institutions and organizations advocating for the elimination of GBV and sexual harassment at the workplace,
- Influence promulgation of a legal instrument that criminalise sexual harassment,
- Encourage ratification by Zimbabwe of the ILO C190 on violence and harassment in the workplace.

In the process of carrying out its mandate, the Commission discovered that gender based violence in general and sexual harassment in particular were common problems in the Zimbabwean workplace. Indeed the number of cases relating to GBV and sexual harassment at the workplace which have been handled by the Commission and other responsible institutions including arms of government and non-state-actors, points to the fact that the problem is rampant in Zimbabwe. There are also various research papers and untold individual experiences, which support the conclusion that GBV and sexual harassment, is a widespread cancerous scourge at the workplace in Zimbabwe.

It is against this background and in line with its constitutional mandate “of advising public and private institutions on steps to be taken to ensure gender equality” that the Commission has developed this strategy for use by government and private sector organizations in addressing GBV and sexual harassment at the workplace.

The Commission remains committed to its mandate of ensuring that provisions of gender equality in the Constitution become a lived reality for women and girls who are the main victims of GBV and sexual harassment at the workplace. The Commission will continue to collaborate with all its stakeholders in government, CSOs and development partners to eliminate GBV and sexual harassment and ensure that there is real gender equality, equity and justice in the workplace in Zimbabwe.



M.M Mukahanana – Sangarwe
Chairperson: Zimbabwe Gender Commission

Contents

Acknowledgements	1
Foreword	2
Definition of Key Terms	5
Acronyms	6
TermDefinition	5
Executive Summary	7
Strategy vision and results	7
Management, monitoring and evaluation	12
1 Introduction	12
2 Background	13
2.1 Economic environment	13
2.2 Prevalence of Gender Based Violence and Sexual Harassment in the Workplace	15
2.3 Effects of Gender Based Violence and Sexual Harassment	19
2.4 Drivers of gender based violence and sexual harassment in the workplace in Zimbabwe	21
2.5 Legal and Policy Framework	23
2.5.1 International human rights standards	23
2.5.2 African regional standards on violence and harassment	25
2.5.3 SADC regulations	26
2.5.4 Application of international and regional conventions in Zimbabwe	26
2.5.5 National laws on violence and sexual harassment	26
2.6 Good Practices in addressing GBV and sexual harassment in the workplace	29
2.7 Justification for the Strategy	30
2.8 Guiding principles	28
3 Strategy development process	31
4 Theory of Change for the Strategy	32
4.1 Problem analysis	32
4.2 Theory of Change	32
4.2.1 Assumptions	32
5 Results framework for the Strategy	33
5.1Key result areas	33
6 Implementation strategy	35
6.1 Outcome 1:	35
6.1.1 Output 1.1:	37
6.1.2 Strategies for Output 1	37
6.1.3 Output 1.2:	38
6.1.4 Strategies for Output 1.2	38
6.2 Outcome 2:	39
6.2.1 Output 2.1	40
6.2.2 Strategies for Output 2.1	40
6.2.3 Output 2.2:	41
6.2.4 Strategies for Output 2.2	41
6.2.5 Output 2.3	41
6.2.6 Strategies for Output 2.3	42
7 Implementation Approaches	45
8 Supportive pillars	46
8.1 Programme management	46
8.2 Monitoring and Evaluation	46
8.3 Stakeholder analysis	47
Annex 2: Detailed Implementation Plan	48
Annex 2: List of Stakeholders Consulted	61

List of Figures

Figure 1: Prevalence of forms of gender based violence and sexual harassment in Zimbabwe	15
Figure 2: Problem analysis of sexual harassment in the workplace	32
Figure 3: Theory of Change for the sexual harassment strategy	33
Figure 4: Results for the sexual harassment and gender based violence strategy	34

List of Tables

Table 1: Forms of gender based violence and harassment in Zimbabwe	15
Table 2: Effects of GBV and sexual harassment on the victim and organization	20
Table 3: Outputs of the sexual harassment strategy	34
Table 4: Summary of strategies for the sexual harassment strategy	43

Definition of Key Terms

Term & Definition

Cyber violence - This is online abuse that includes a diversity of tactics and malicious behaviours such as cyber stalking and harassment, sharing embarrassing or cruel content about a person, impersonation, gender-based slurs, 'slut-shaming', unsolicited pornography, 'sextortion', rape and death threats, doxing, electronic surveillance to the non-consensual use of photography (or 'revenge porn') and violent threats.

Cyber harassment - This is making a request, suggestion or proposal which is obscene, lewd, lascivious or indecent; or threatening to inflict injury or physical harm to the person or property of another person using news media and web-based technology to carry out harassment, such as unwanted emails, text messages, and posting on social network sites such as Facebook.

Cyber stalking - This refers to wilful, malicious, and repeated use of electronic communication to harass another person and makes a threat with the intent to instil reasonable fear in that person for his/her safety or to a member of that person's immediate family.

Corporates - Corporates in this strategy refer to both the private and public sectors, including public service.

Gender Based Violence - Violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

Gender based violence and harassment - 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.

Sexual harassment - Unwelcome sexually determined behaviour in both horizontal and vertical relationships, including in employment (including the informal employment sector), education, receipt of goods and services, sporting activities, and property transactions; and that unwelcome sexually determined behaviour includes (whether directly or by implication) physical conduct and advances; a demand or request for sexual favours; sexually coloured remarks; displaying sexually explicit pictures, posters or graffiti; and any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

Sextortion - Sextortion is where women/men are asked to provide sexual favours in return for job positions, medical care, services and contracts.

Gender based violence and harassment in the workplace - A range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

World of Work - Refers to groups that have been historically marginalised due to status or lack thereof in each setting. These groups face discrimination on the various grounds laid out in international and regional instruments.

Workplace - Includes private and public spaces, places accessed for breaks and ablution facilities for paid workers, employer-provided accommodation, commuting to and from work, work trips, social events, training and work related-communications including virtual communication

Acronyms

CBA	Collective bargaining agreements
CEACR	The Committee of Experts on the Application of Conventions and Recommendations
CEDAW	The Convention on the Elimination of all Forms of Discrimination against Women
CSOs	Civil Society Organizations
CZI	Confederation of Zimbabwe Industries
COSATU	Congress of South African Trade Unions
EMCOZ	Employers Confederation of Zimbabwe
FAMWZ	Federation of African Media Women Zimbabwe
GBV	Gender Based Violence
ILO	The International Labour Organization
LMIS	The Zimbabwe Labour Market Information System
M&E	Monitoring and Evaluation
NEC	National Employment Council
NGOs	Non-Governmental Organizations
SADC	Southern African Development Community
ZCTU	Zimbabwe Congress of Trade Unions
ZFTU	Zimbabwe Federation of Trade Unions
ZGC	The Zimbabwe Gender Commission
ZIMSTAT	Zimbabwe Statistics Agency
MPSLSW	Ministry of Public Service, Labour and Social Welfare
ZNCC	Zimbabwe National Chamber of Commerce

Executive Summary

This strategy seeks to protect workers and other persons in the world of work including employers, against sexual harassment and gender based violence (GBV) as defined by national law and practice, as well as any working persons irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer [ILO Convention, No. 190].¹

More emphasis will focus on protection of females in the workplace in the categories outlined above. Research has established that women in the workplace are disproportionately affected by sexual harassment and GBV in the workplace than men.

It applies to all sectors, whether private or public, with focus on the formal economy, and whether in urban or rural areas, and with incidents in the world of work referring to those occurring in the course of, linked with or arising out of work¹.

Strategy vision and results

This strategy is a first generation strategy on gender based violence and sexual harassment in Zimbabwe. The vision and impact for the strategy are:

Vision: A Zimbabwean workplace that is free from sexual harassment and gender based violence. While this is the ultimate vision of the strategy, this first generation strategy aims to create an environment that will lead to a reduction of gender based violence and harassment in the Zimbabwean workplace.:

Impact: The anticipated impact of the strategy will be reduced incidences of sexual harassment and gender based violence in the Zimbabwean workplace

- The strategy will achieve its impact through two main outcomes **increased reporting of gender based violence and sexual harassment cases in the workplace; and, improved support for survivors of, adjudication and timely completion of reported gender based violence and harassment cases.**

Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace

- **Intermediate outcome 1.1:** Women have improved confidence to report gender based violence and sexual harassment incidences
- **Intermediate outcome 1.2:** Changing male attitudes and perception towards women's physical appearance, gender based violence and sexual harassment cases

Outcome 2: Improved support for survivors of, adjudication and timely completion of reported gender based violence and harassment cases

- **Intermediate outcome 2.1:** A legal and policy framework at national and corporate level that provides adequate provisions for protection of survivors of violence and sexual harassment
- **Intermediate outcome 2.2:** Increased availability of victim friendly support systems at corporate and national level

¹ILO(2018) Situational study on Violence and harassment in the workplace in Zimbabwe

Each outcome is supported by several outputs as presented below.

Outcome	Output
Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace	Output 1.1: Improved knowledge of forms of GBV and sexual harassment and reporting mechanisms among men and women Output 1.2: Improved capacity of private sector to develop and put in place mechanisms to address GBV and sexual harassment in the workplace
Outcome 2: Improved adjudication and timely completion of reported gender based violence and sexual harassment cases	Output 2.1: Draft legislation that provides adequate provisions for adjudicating GBV and sexual harassment cases in the workplace are submitted to Cabinet for approval Output 2.2: The ILO Convention C190 is ratified in Zimbabwe Output 2.3: Improved capacity of judiciary, law and order sectors, labour officers, Government and Zimbabwe Gender Commission in handling gender based violence and sexual harassment cases that occur in the workplace

Theory of Change

Based on the problem analysis and to achieve a decrease in cases of GBV and sexual harassment in the workplace, the strategy has to put in place a process that aims to increase reporting by enhancing knowledge of GBV and sexual harassment, strengthening protections for women (as the main victims) and men (victims) in the workplace, and achieving justice for victims. These causal pathways are as follows:

Causal pathway 1: If harmful social and gender norms are addressed, and knowledge of GBV and sexual harassment in the workplace increased, with corporates providing protection of victims, Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a reduction in their incidences in the workplace.

Causal pathway 2: If labour market information systems (LMIS), corporate policies and systems for addressing GBV and sexual harassment in the workplace are gender sensitive, and corporates enforce accountability and take action against perpetrators, Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a decrease in the incidences of GBV and sexual harassment in the workplace.

Causal pathway 3: If national policies and legislation provide adequate protections for victims of GBV and sexual harassment in the workplace, including punitive measures for perpetrators, Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a decrease in the incidences of GBV and sexual harassment in the workplace.

Implementation strategy

The framework for this strategy is informed by the principles reflected in the ILO Convention No. 190 and Recommendation No. 206,² partial application of a combination of the social ecologic and McDonald's models for addressing gender based violence and sexual harassment^{2,1}, and selective and adjusted adoption of best practises obtained from literature review on what has been proven to work in addressing GBV and sexual harassment in the workplace.

² Convention No. 190, Recommendation No. 206 and the accompanying Resolution - Eliminating Violence and Harassment in the World of Work, ILO 2019.

^{2,1}McDonald, P., Charlesworth, S. & Graham, T. (2015) "Developing a framework of effective prevention and response strategies in workplace sexual harassment", in Asia Pacific Journal of Human Resources, 53(1), 41–58

The strategy is operationalised through a set of strategies for each output and within the conceptual framework. The table below provides details of the strategies for each output. These strategies are further developed into specific activities as detailed in Annex 1.

Outcomes	Outputs	Strategies
Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace	Output 1.1 Improved knowledge on forms of GBV and sexual harassment and reporting mechanisms among men and women	Strategy 1.1.1: Increase education and awareness campaigns on gender based violence and sexual harassment for employees.
		Strategy 1.1.2: Mainstream content on GBV and sexual harassment in the workplace into the training curriculum for all sectors at all levels of education, including vocational training, in line with national law and circumstances.
		Strategy 1.1.3: Create and facilitate inter-organisational dialogue platforms on workplace GBV and sexual harassment at a wider scale to include the community e.g. [meetings supporting GBV and harassment efforts beyond the workplace])
		Strategy 1.1.4: Support media engagement to promote responsible reporting on GBV and sexual harassment especially towards victims of GBV and sexual harassment in the workplace guidelines.
		Strategy 1.1.5:: Develop, implement and disseminate public awareness-raising campaign materials in various local languages including sign language such as braille, language of those of the migrant workers residing in the country, that convey the unacceptability of GBV and sexual harassment, , address discriminatory attitudes and prevent stigmatization of people with disabilities (PWDs), survivors, complainants, witnesses and whistle-blowers.
		Strategy 1.1.6: Strengthen linkages with broader gender equality and GBV programmes operating at community level for the inclusion of sexual harassment in the workplace in the training and awareness activities.
	Output 1.2: Improved capacity of private sector to develop and put in place mechanisms to address gender based violence and sexual harassment in the workplace.	Strategy 1.1.7: Strengthen male gender transformational interventions including the training, mentorship and support for gender champions in the workplace.
		Strategy 1.1.8: Develop proactive strategies to recruit and promote women into senior and managerial positions in the workplace to address the unequal power relations between men and women that perpetuate sexual harassment and GBV in the workplace.
		Strategy 1.2.1: Facilitate the development of workplace policy at national, sectoral and company levels (including the relevant structures and code of conduct) on GBV and sexual harassment by all organisations in consultation with workers and their representatives.
		Strategy 1.2.2: Implement supportive mechanisms to ensure operationalisation of institutional/organisational policies, as well as enforcing national laws and regulations regarding violence and harassment in the world of work, through various means (e.g. inspections, audits, accreditation, inducements (e.g. funding, awards), developing and implementing accountability mechanisms for employers).
		Strategy 1.2.3. Facilitate organisational and community mobilization for active participation in addressing violence and harassment through linkages with community based GBV and gender equality programmes, e.g. community dialogues, and meetings.
		Strategy 1.2.4: Facilitate skills training and capacity-building for institutions and organisations advocating for gender equality and the elimination of gender based violence against women.

Outcomes	Outputs	Strategies
		Strategy 1.2.5: Integrating the initiative for addressing gender based violence and sexual harassment into the other established corporate laws / procedures / regulations, such as occupational safety and health (OSH), e.g. OSH risk assessment to include violence and harassment. Strategy 1.2.6: Support tripartite partners to include workplace gender based violence and sexual harassment in sectoral dialogues, e.g. Collective Bargaining Agreements (CBAs) and NEC policies. Strategy 1.2.7: Public and Private sector to allocate a quota from corporate social responsibility as resources to engage in activities that contribute towards the reduction of sexual harassment and gender based violence in the workplace and the community they serve.
Outcome 2: Improved support for survivors of, adjudication and timely completion of reported gender based violence and sexual harassment	Output 2.1: A legislative framework that provides adequate provisions for adjudicating gender based violence and sexual harassment cases in the workplace	Strategy 2.1.1: Develop and submit for approval a law on GBV and sexual harassment in the workplace that adopts provisions of ILO Convention No. 190 and outlines criminal, civil and administrative remedies. Strategy 2.1.2: Harmonise the legal processes and procedures in the labour law system to respond effectively to GBV and sexual harassment. Strategy 2.1.3: Ensure that corporate policies provide easy access to appropriate and effective remedies that provide a safe, fair and effective (victim friendly) reporting and dispute resolution mechanisms and procedures in cases of GBV and sexual harassment in the workplace. [Details on the development and implementation of the policies and procedures at cooperate level are under output 1.2] Strategy 2.1.4: Facilitate extension of response mechanisms for survivors of GBV and sexual harassment to include tertiary interventions including rehabilitation.
	Output 2.2: The ILO Convention No. 190 is ratified and domesticated in Zimbabwe.	Strategy 2.2.1: Advocate for Zimbabwe to ratify ILO Convention No. 190 on violence and harassment in the workplace Strategy 2.2.2: Undertake procedures for the domestication of ILO Convention No. 190 on violence and harassment in the workplace and sensitize the public on the ratification. Strategy 2.2.3: Implement supportive mechanisms to roll out the ILO Convention No. 190 on violence and harassment
	Output 2.3 Improved capacity of judiciary and law and order enforcement institutions to handle violence and sexual harassment cases	Strategy 2.3.1: Facilitate the development, implementation and dissemination of as appropriate, gender-responsive guidelines and training programmes to assist judges, labour inspectors, police officers, prosecutors and other public officials in fulfilling their mandate regarding gender based violence and sexual harassment in the world of work. Strategy 2.3.2: Support key independent institutions, such as the Zimbabwe Gender Commission, to investigate gender based violence and sexual harassment cases and (monitor) oversee implementation of workplace policies.

Implementation approaches

The strategy will ensure all stakeholders are included in the planning of activities, implementation, and performance review. In working with stakeholders, the strategy will aim at building on existing initiatives at corporate level and ensure all interventions are premised on gender analyses to determine appropriate entry points and activities.

While this strategy aims to be inclusive and recognizes that nobody is immune, it also recognizes the disproportionate burden on women. It therefore takes on a gender-sensitive approach with emphasis on women empowerment for gender-balance.

Internationally, there is a strong and growing link between initiatives to prevent workplace harassment and initiatives to respond to family gender based violence and gender based harassment in other settings³. The strategy recommends exploration of such linked interventions.

The strategy upholds rights-based approaches, considering that violence and harassment is a breach of rights. Further, it also recognizes the women empowerment agenda as a means towards addressing the problem, given how it disproportionately affects women.

Management, monitoring and evaluation

A robust national coordination and accountability structure that strives for a dynamic public sector, civil society, and private and public sector and targets groups representation and participation at national and decentralized levels that will coordinate the four pillars under which this strategy is organized.

The implementation of the strategy will be coordinated and managed by a committee comprising representation from:

- Trade Unions
- Employer organizations
- Business units
- Health sector,
- Social services,
- Law enforcement,
- Legal units,

It is necessary to establish a mechanism through which there is coordination, assurance of participation and inclusion in the strategy monitoring, given how the strategy transcends across different sectors, which have a role to play at various levels of its implementation. It is of importance to avoid establishing this process as a parallel strategy.

Against this background, the coordination and management of this strategy will primarily utilize existing structures and fora, and have a steering committee, specifically tasked to oversee the implementation.

As reflected earlier, one of the challenges with gender based violence and sexual harassment in the workplace is the uncertainty over its prevalence due to low reporting and inconsistent or limited data to measure it. It is therefore important that a robust M&E framework and plan be put in place, as the operational plan for this strategy is developed.

³ LITERATURE SCAN of international best practice about preventing and responding to workplace sexual harassment. Ministry of Women, March 2019 (p44) (which country?)

1 Introduction

This strategy seeks to protect workers and other persons in the world of work including employers against sexual harassment and gender based violence in the workplace, as defined by national law and practice, as well as any working persons irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer [ILO Convention No. 190].¹ More emphasis will focus on protection of females in the workplace in the categories outlined above. Research has established that women in the workplace are disproportionately affected by sexual harassment and GBV in the workplace than men⁴.

It applies to all sectors, whether private or public, with focus on the formal economy, and whether in urban or rural areas, and with incidents in the world of work referring to those occurring in the course of, linked with or arising out of work⁵.

Beyond gender based violence and harassment that occurs within the work settings, domestic violence can affect employment, productivity as well as health and safety. Governments, employers' and workers' organizations and labour market institutions can help, complemented with other measures, to recognize, respond to and address the impact of domestic violence.

⁴ILO(2018) Situational study on Violence and harassment in the workplace in Zimbabwe

⁵This is in line with Article 2 of the Hours of Work (Industry) Convention, 1919 (No.1) which stipulates that employees are to work for a maximum of 48 hours per week out of a 168-hour week.

2 Background

The world of work is the realm in which most individuals make a living and spend most of their time. The working person spends about 30 per cent of their time at work, which is the same amount of time spent in their homes.⁵ The workplace needs to be a conducive environment for everyone to enjoy work. This conducive environment can partly be created by the non-discrimination of workers on the grounds of race, sex, gender, disability, political affiliation, HIV and health status, religion, culture, socio-economic status, to mention a few. As women increasingly assert their rights in the workplace, reports of sexual harassment and violence against women in the workplace have become more pronounced. Women are accessing positions of authority and making decisions in the workplace, thus breaking the glass ceiling. Where women are in leadership positions, has, to a certain extent, created an environment conducive for women to report cases of sexual harassment and harassment in the workplace. Zimbabwe has its own reports against executives such as the Zimra case and the recent allegations against the Vice President, which led to his immediate resignation.

In the recent past global movements such the #METoo and #AidToo campaigns have raised awareness to the need for the world of work to address sexual harassment. In 2018, the ILO enacted a Convention specifically on violence and harassment in the workplace and its Recommendation 206. This Convention, which Zimbabwe has not yet ratified, provides a global legal framework for curbing violence and sexual harassment in the workplace.

2.1 Economic environment

There is a co-relation between the prevalence of sexual harassment in the workplace and the economic status in Zimbabwe. According to the Labour Force and Child Labour Survey (LFCLS) of 2019, while the economy is on a recovery path, it remains fragile and is characterised by hyperinflation and dominance of informal employment. Zimbabwe has an unemployment rate of 16 per cent, with men at 16 per cent compared to women at 17 per cent⁶. While the unemployment rate is at 16 per cent, the quality of employment is a major challenge with 76 per cent of those employed are in the informal economy. The majority (84.3 per cent) of the employed persons do not have any field of specialisation.

Nineteen per cent of the employed population are in precarious employment^{7,8}. Of the 25 per cent in the formal sector, men comprise the majority. The proportion of women in middle and senior management is about half (33.7 per cent) of their male counterparts (66.3 per cent). Furthermore, the share of women in wage employment in the non-agriculture sector was 43 per cent. This clearly shows that females are disproportionately located at the lower levels of the employment strata where work is indecent, irregular, low paying, insecure with higher exposure to poverty and earnings risk⁹. Women are also vulnerable to gender based violence and harassment due to job insecurity given the precarious nature of employment. A study conducted by the Industrial Psychology Consultants (IPC) revealed that women, mostly single mothers are vulnerable to sexual harassment, as they are in dire need to keep their jobs to support the family¹⁰. The pressure that comes with balancing care work and work life for women also places them in compromising situations in the workplace, which results in sexual harassment.

Between 2015 and 2020, Zimbabwe experienced mixed economic performance. In 2015, the country experienced deflation through the introduction of a multi-currency system to curb hyperinflation. Annual inflation reached its lowest level of -3.29 per cent in October 2015. In 2016, the bond note was introduced as a surrogate local currency. Its introduction led to excess money supply and currency speculative behaviour, as the foreign currency black market thrived. A combination of these issues led to the re-emergence of hyperinflation.

⁶ ZIMSAT (2019) Labour Force and Child Labour Survey.

⁷ ZIMSAT (2019) Labour Force and Child Labour Survey.

⁸ Persons in precarious employment are those whose contract of employment whether verbal or written is of a relatively short duration or whose contract can be terminated on short notice.

⁹ WLSA (2019) Impact of the changing socio-economic and political situation on women and gender inequality in Zimbabwe

¹⁰ IPC situation study on Sexual harassment in the workplace, 2018

Inflation increased to more than 300 per cent by October 2018. To stabilise inflation, the Government of Zimbabwe introduced a local currency and adopted a foreign exchange auction system in 2020. These interventions were credited with stabilising inflation rates, although it still remained high, as year on year inflation was at 214.99 per cent in November 2020¹¹.

Despite these positive steps, industrial output has been shrinking. It was estimated that industrial capacity utilisation would be 27 per cent in 2020, down from 34 per cent in 2019¹². Such levels of productivity reduce viability and competitiveness of local industry making importation of goods more attractive (in terms of cost and quality) for retailers and consumers. A huge net importation bill has affected the balance of payments for the country pushing exchange rate driven inflation. Mining output, another major contributor to the country's Gross Domestic Product (GDP), has also been on the decline with gold output estimated at 20 tonnes in 2020 representing a 6 year low¹³.

Poverty levels are increasing with those in extreme poverty in their highest levels since 1990.

Recognising that poverty is one of the key drivers of gender-based violence, poverty levels in Zimbabwe has increased over the years. In 1990, an estimated 25 per cent of the population (2.6million people) were poor. Of these, 7 per cent (slightly more than 700,000) were determined to be extremely poor. Since then poverty has been steadily increasing in the country. Between 2011/12 and 2017, the proportion living in extreme poverty increased from 22.5 per cent to 29.3 per cent. An estimated 70.5 per cent of the population was living in poverty in 2017 compared to 70.5 per cent in 2011/12. The proportion of the rural population that is poor was more than double that of urban areas (76.9 per cent compared to 30.4 per cent)¹⁴. A more recent study shows that extreme poverty has significantly increased since 2017¹⁵. Extreme poverty rose from 29.4 per cent in 2017 to 38 per cent in 2019. This meant about 4.5 million Zimbabweans were living in extreme poverty. The number of people in general poverty rose from 8 million to 8.9 million in the same period¹⁶. Although in absolute terms, extreme poverty increased far more in rural than in urban areas (increase of 1.1 million compared to 327,000 in rural and urban areas respectively). In relative terms urban poverty rose at a much faster pace (150 per cent) than in rural areas (18.6 per cent) during the period 2017-2019.

¹¹ Zimstat (2020) November 2020 Inflation Figures

¹² *ibid*

¹³ *ibid*

¹⁴ ZIMSTAT (218) Poverty, Income, Consumption and Expenditure Survey (PICES).

¹⁵ ZIMSTAT and World Bank (2020) Zimbabwe Poverty Update: 2017-2019.

¹⁶ ZIMSTAT and World Bank (2020) Zimbabwe Poverty Update: 2017-2019.

2.2 Prevalence of Gender Based Violence and Sexual Harassment in the Workplace

Gender based violence and sexual harassment in the workplace takes many forms and is a problem in the Zimbabwean workplace. However, a dearth of reliable national data undermines understanding of its extent in the world of work. Consultations undertaken as part of the development of this strategy show that gender based violence and sexual harassment takes various forms in the country. A summary of these forms are presented in Table 1.

Gender based violence	Sexual harassment
• Threats of loss of employment • General threats in the workplace • Workplace bullying • Gender discrimination in promotions and placements • Emotional abuse (intimidation, threats, demeaning words) • Silent violence • Stalking • Manipulation • Victimisation/shaming • Superiority complex	• Sextortion, touching, unwelcome advances • Sexual advances both verbal and physical abuse • SMS, phone calling • Sexually subjective comments • Indecent exposure (pornography, women's dressing) • Forced sex – Rape

Table 1: Forms of gender based violence and harassment in Zimbabwe

Source: Interviews with stakeholders

The most common form of gender based violence reported in interviews and other studies is sexual harassment^{17,18}. One study found that 48 per cent of females in newsrooms had experienced some form of sexual abuse¹⁹. Another by the ILO (2017) found that of those that experienced some form of violence and harassment in the workplace, over 90 per cent had experienced sexual harassment (See Figure 1).

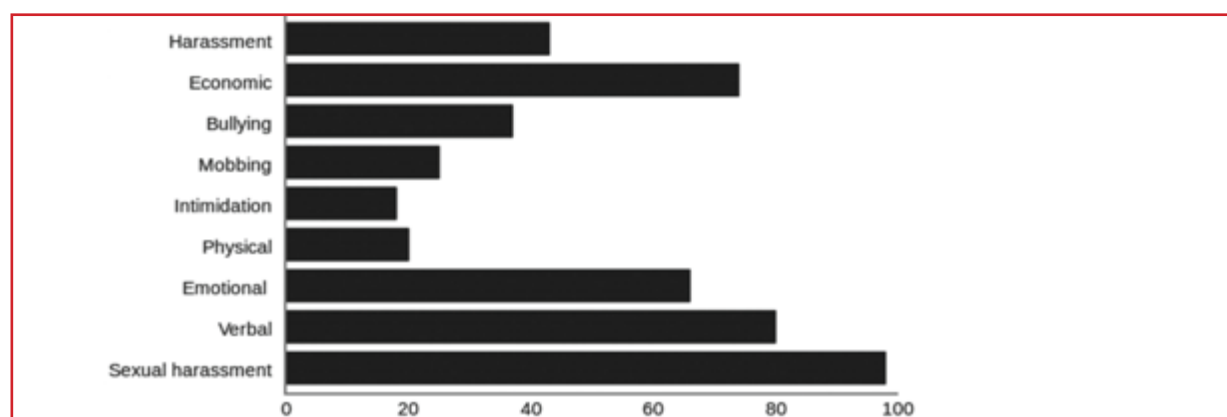


Figure 1: Prevalence of forms of gender based violence and sexual harassment in Zimbabwe

Source: ILO (2018) Sexual Harassment in Zimbabwean Workplaces Survey Report

¹⁷ Radu S. W., Chekera Y. T. (2014) Power, Patriarchy and Gender Discrimination in Zimbabwean Newsrooms. Report prepared for the Media Monitoring Project.

¹⁸ Radu S. W., Chekera Y. T. (2014) Power, Patriarchy and Gender Discrimination in Zimbabwean Newsrooms. Report prepared for the Media Monitoring Project.

¹⁹ KII Ministry of Women Affairs, Community, Small and Enterprise Development

While these surveys provide useful insights into the extent and nature of gender based violence in the workplace, they fail to provide a national picture undermining efforts to address the issue. The Zimbabwe Labour Market Information System (LMIS) although fully functional also fails to capture gender based violence and harassment in the workplace. While, its occurrence is well known, it remains a silent issue. Respondents to the situational analysis ahead of this strategy development indicated that the silence is due to fear of victimisation.²⁰ The workplace is often male dominated, with women mainly concentrated in lower level jobs and men occupying decision-making positions. Victims are afraid to report to a male superior. Victims are also afraid of the patriarchal notions that tend to blame the woman for the sexual assault. This patriarchal notion includes husbands and male relatives of the victim resulting in divorce and woman shaming. Women also lack the confidence and self-esteem to report due to lack of knowledge of their rights and the disciplinary handling procedures within the workplace²¹.

There is a cyclical relationship between sexual harassment and other forms of gender based violence.

First, sexual harassment occurs in both vertical and horizontal forms. The vertical form refers to situations in which one is a superior and the other a subordinate. The horizontal form is when both parties are at the same level within the workplace. It has been noted that the most common form of sexual harassment is the vertical form occurring mainly in the form of a quid pro quo. The quid pro quo is influenced by use of power and coercion. Gender discrimination in the workplace that relegates women to junior positions strengthens the power imbalance between men and women in the workplace. This in turn increases vulnerability of women to quid pro quo arrangements, such as sextortion because their progression is based on the benevolence of men. Sextortion is the most common quid pro quo arrangement where men force women to provide sexual favours in exchange for career progression or favourable working conditions. A study conducted by the Transparency International Zimbabwe (TIZ) revealed that in COVID-19 sextortion was being perpetrated by members of the security forces in exchange for women obtaining permission to travel, to go to work and obtain health care services.

Secondly, where such advances or requests are rebuffed, violence usually ensues as punishment. This is usually in the form of verbal and emotional abuse (relocation, demotion, and deprivation of some rights at work), threats of job loss or mobbing. Victimisation may occur if the woman goes on to report. Punishments serve as an important measure to intimidate prospective victims into submission and silence, which allows violence to perpetuate²².

Radu and Chekera (2014) demonstrate the cyclical nature of violence and harassment through examples in Zimbabwe newsrooms. Tendayi (2019) also demonstrates varying ways that violence can also lead to sexual harassment and vice-versa and that punishment is used as a means to ensure sexual harassment continues, especially in sectors or corporates where it is institutionalised (see below). Demonstration of power by those in positions of authority in a way that intimidates those without creates fertile ground for sexual harassment, as victims are unlikely to report²³.

Women are the majority of gender based violence and sexual harassment victims in the workplace. Those on the shop floor, in internships and in institutions of higher learning are the most vulnerable. Gender based violence and sexual harassment have their roots in socially constructed gender roles and the power of men over women that is ascribed to these roles through defining what is feminine and what is masculine. These gender roles lead to discrimination in the workplace based on gender with leadership positions being reserved for men, as their position in society is to lead with women following. This power imbalance between men and women leads to women being the most vulnerable to gender based violence and sexual harassment. For example, the IPC study noted that women are the victims of sexual harassment in the workplace. ILO (2018), which notes that gender based violence and sexual harassment remains a problem for women, also corroborates this.

²⁰ KII Women's Coalition of Zimbabwe

²¹ KII Women's Coalition of Zimbabwe

²² TIZ (2020) Gender and Corruption Study

²³ Female Students Network Trust (FSNT) (2015) National Baseline Survey Report on Sexual Harassment in Tertiary Institutions in Zimbabwe

However, male victims are also apparent but available evidence in Zimbabwe shows this is still lower than that for females^{24,25}.

Young women interns were reported to be the most vulnerable, as they lack job security, require a good performance review to graduate in their educational programmes or secure full time employment. Responses in Box 1 demonstrate a sense of powerlessness among young women interns to address gender based violence and sexual harassment because of the precarious nature of their employment

Box 1: Voices of young interns on gender based violence and harassment in the workplace

“I was afraid they would not believe me or I would fail during my assessment as I was an intern reporter” – **Respondent.**

“Well, I was told I was too young and soft to be a journalist because I was quiet and fresh from college. One day my diary which was a potential lead story was taken away from me because it was too big for an intern, let alone a young woman” – **Respondent.**

“We are under pressure from the universities to meet targets on stories. So, I have to do what enables me to meet the targets. To get a story written I have four people in newsrooms asking for sexual favours”. “Otherwise I am made to fail” – **Narration of experience from one respondent.**

Source: Radu and Chekera (2014); interviews with stakeholders during strategy development consultations.

While no national data exists on incidences of sexual harassment in higher education institutions, young female students were reportedly most vulnerable to sexual harassment by mainly male lecturers. One study of a State University in Zimbabwe revealed that male lecturers also perpetrate sexual harassment on female employees²⁶. Lecturers’ power and influence in higher institutions draws from several advantages: (1) ability to determine progression through university/colleges and career; and (2) ability to provide resources for sustenance for those that cannot meet the cost of living at higher institutions. The main excuse is that the female victims are often blamed to have initiated such a relationship with male lecturers, hence the under reporting on it. These sources of power and influence are emboldened by inadequate support for female students, in such cases by the higher education institutions.

Not all gender based violence and harassment is forced but its beginnings are hallmarks of sexual harassment. The situation analysis undertaken as part of the strategy development process observed that relationships do form from beginnings that are premised on GBV and sexual harassment. Superiors may take advantage of the vulnerability of their junior staff due to personal information they may be privy to during the course of work to propose love and intimacy. The junior staff may accept because they fear losing benefits they may be receiving from the senior staff in support of their predicament. While from the outside, the relationship may be construed as that of consenting adults, but the foundation of the relationship is premised on a superior taking advantage of a junior member of staff. Tendayi (2019:38) provides further real life examples of these cases but highlights the difficulty in classifying them as GBV and sexual harassment.

²⁴ Female Students Network Trust (FSNT) (2015) National Baseline Survey Report on Sexual Harassment in Tertiary Institutions in Zimbabwe

²⁵ Female Students Network Trust (FSNT) (2015) National Baseline Survey Report on Sexual Harassment in Tertiary Institutions in Zimbabwe

²⁶ B. Mapuranga, B. Musodza & T. Tom Sexual Harassment at a State University in Zimbabwe, Development Country Studies Vol 5, No 12 2015 accessed online www.234682432.pdf (core.ac.uk)

Gender based violence and sexual harassment in Zimbabwe is across all workplaces but is more prevalent in specific sectors. While gender based violence and sexual harassment is reported in all sectors of the Zimbabwean economy, a 2018 ILO Situational Analysis to determine its prevalence researched on the sectors listed below and identified that workers in these sectors were the most vulnerable to violence and harassment in the workplace²⁷:

1. hotel and catering/tourism sector;
2. domestic workers;
3. journalists/media practitioners;
4. mining; commercial;
5. agriculture; and
6. banking sectors.

Job insecurity, long hours of work and some particular places of work were determined as heightening vulnerability of workers in these sectors.

Gender based violence and sexual harassment are institutionalised in some sectors. Worryingly, evidence from the 2018 ILO Situational Analysis suggests that GBV and sexual harassment is institutionalised in some sectors. Signs of institutionalisation are confirmed by the extent of GBV and sexual harassment, frequency of occurrence and how often it is reported and acted upon. The banking, education and media sector were continuously mentioned as the worst affected sectors, in this regard. In the media sector, 64 per cent of the respondents from newsrooms of a study by Radu and Chekera (2014) noted that gender discrimination was so rampant that it occurred either more than a week to more than once a day. Further, 92 per cent of the respondents of this study noted gender discrimination was a problem in newsrooms. Despite the recognition of the problem, only 24 per cent of victims reported the cases. In the banking sector, anecdotal evidence revealed that gender discrimination is a source of sexual harassment in the workplace. There were incidence of young women been singled out during recruitment, the singular aim to sexually harass them once in the position. In tertiary institutions, a study on one of the universities noted that ‘sexual harassment by male university lecturers of their female counterparts, secretaries and other administrative staff is a fact of campus life and that the silencing thereof is part of the reason for the historical invisibility of the problem ..’²⁸ Further, that 90 per cent of the victims of sexual harassment amongst university staff are female employees.²⁹ Gender discrimination serves to create a “boys’ club” with women getting special roles after obliging to sexual favours or when an attractive female is needed to bring in advertisers.

It is this “boys’ club” that facilitates the institutionalisation of gender discrimination in newsrooms. For example, limited reporting of cases of gender-based violence were because the “boys’ club” would ensure that either the case is not heard, or that systemic victimisation or mobbing of the victim would ensue to silence them (see Box 3). This is a clear example of institutionalisation of gender discrimination in the workplace. The authors further note that “the problem with institutionalisation or normalisation of gender discrimination is that media workers may dismiss some of it as part of acceptable newsroom culture”. Once a culture of discrimination develops, dismantling it requires a strong legal environment for recourse, which is a challenge in Zimbabwe as shall be discussed later.

²⁷ ILO (2018) Situational Analysis on Violence and Harassment in the World of Work in Zimbabwe. Report prepared for the ILO Country Office for Zimbabwe and Namibia

²⁸ B. Mapuranga, B. Musodza & T. Tom Sexual Harassment at a State University in Zimbabwe , Development Country Studies Vol 5, No 12 2015 accessed online www.234682432.pdf (core.ac.uk)

²⁹ B. Mapuranga, B. Musodza & T. Tom Sexual Harassment at a State University in Zimbabwe , Development Country Studies Vol 5, No 12 2015 accessed online www.234682432.pdf (core.ac.uk)

Box 2: Institutionalisation of sexual harassment in practice

A female journalist had managed to make a formal complaint, to the human resources office, of incidences of sexual harassment which she had faced. Unfortunately, instead of getting recourse, she was faced by an onslaught of bullying and harassment in the newsroom. The perpetrator engaged other male colleagues to continuously harass the female journalist until she opted to quit the media house. Unfortunately, due to the nature of the fraternity, its domination and ownership by males and the fact that she had made a formal complaint at her former employment was shared with other media houses and counterparts. Thus, she was unable to get employment anywhere else and this had long term psychological effects on her.

Source: ILO (2018) Situational analysis on violence and harassment in the world of work in Zimbabwe: Report prepared for the ILO Country Office for Zimbabwe and Namibia

While no specific studies have been conducted for the banking sector, it was reported that male dominance in management positions fosters gender discrimination and ultimately, sexual harassment in the form of sextortion. There were several anecdotal examples provided during consultations on GBV and sexual harassment in the workplace. Further studies may be needed to fully grasp its extent in the sector.

Sexual Harassment and Gender Based Violence and COVID-19: The world of work is changing, as the availability of online collaborative platforms increase. Stay-at-home orders to mitigate the spread of COVID-19 have increased the pace of using these platforms leading to new forms of GBV and sexual harassment. The world of work has extended to cyber space, where people can conduct business online. The increased evolution of technology has seen more use of mechanisation and less use of the human resource in the workplace. The COVID-19 pandemic demanded that people work from home and engage using various e-platforms. Although the concept of working from home was an already growing phenomenon in developed countries, the majority of workers were still located in offices and industrial sites. This increased access of people to technology, who then spent most of their time on gadgets communicating. Various forms of abuse have concomitantly emerged labelled as online abuse.

Online abuse includes a diversity of tactics and malicious behaviour's such as cyber stalking and harassment, sharing embarrassing or cruel content about a person, impersonation, gender-based slurs, 'slut-shaming', unsolicited pornography, 'sextortion', rape and death threats, doxing, electronic surveillance to the non-consensual use of photography (or 'revenge porn') and violent threats³⁰. The sending of sexually oriented SMS is also a form of cyber violence. Zimbabwe has the Cyber Security Bill, which has incorporated online sexual exploitation and abuse as an offense. However, the extent still falls short of the standards set in Convention No. 190.

2.3 Effects of Gender Based Violence and Sexual Harassment

Evidence shows that GBV and sexual harassment have consequences for the victim and organization beyond the act itself. The effects of GBV and sexual harassment in the workplace may be social, financial, physical and even psychological. The balance in a survivor's life is totally disturbed. Additionally, the employer/organization where the harassment occurred, also suffers. A research themed "Who can I tell? What should I do? Sexual harassment in the media", conducted by the Federation of African Media Women Zimbabwe.

³⁰ See Definition of terms.

(FAMWZ) in conjunction with the Zimbabwe Union of Journalists produced the following table (Table 2), as the effects of both vertical and horizontal sexual harassment in the workplace.

Table 2

Victim	Organization
Social - Increased absenteeism because of the fear of the harassment being repeated - Being objectified and humiliated by scrutiny and gossip - Having one's personal life offered up for public scrutiny- the victim becomes the "accused" and his or her dress, lifestyle, and private life often comes under attack - Weakening of support networks, or being ostracized from professional or academic circles as friends, colleagues, or family distance themselves from the person being harassed. - Becoming publicly sexualized (i.e. groups of people "evaluate" the victim to establish if he or she is "worth" the sexual attention or the risk to the harasser's career) - Psychological stress and deterioration of one's health. - Shame and guilt - If there is a belief that others are favoured because they play along then other male staff may be tempted to indulge in the same type of behaviour if that appears to be "the rules of the game" in the workplace. Financial - Decreased work performance as a result of stress conditions - Resigning because of the fear of the harassment being repeated and/or as a result of stress - Defamation of character and reputation - Loss of trust in environments similar to where the harassment occurred - Loss of references/recommendations - Victimisation- e.g. being overlooked for promotion. This can hold back their career development and personal growth Physical - Fatigue and loss of motivation Psychological - Loss of trust in the types of people that occupy similar positions as the harasser or his or her colleagues, especially in cases when they are not supportive - Difficulties or stress on peer relationships, or relationships with other colleagues - Extreme stress upon personal relationship with significant others, sometimes resulting in divorce - Loss of confidence and self-esteem. - Most women experience it as insulting behaviour that undermines their self-confidence and thus also their personal effectiveness. - Men or women who observe harassment going unchecked may lose trust in their superiors and may feel threatened by the situation	- Increased team conflict. - The knowledge that harassment might be permitted can undermine ethical standards and discipline in the organization in general, as staff lose respect for, and trust in, their superiors who indulge in, or turn a blind eye to, or treat sexual harassment with laxity. - If the problem is ignored or not treated properly, the company's image can suffer. - The organization may lose valuable staff and therefore revenue. Many women would rather resign than go through the unpleasantness of a confrontation. - However, the costs of bad decisions that arise from harassment are difficult to quantify. These include costs of appointing people because of their looks or compliance with quid pro quo demands, rather than skills and competence. - Legal costs in defending sexual harassment allegations - Financial costs in paying legal damages against sexual harassment cases

Source: Adapted from Zimbabwe Union of Journalists and Federation of African Media Women Zimbabwe (2012) "Who can I tell? What should I do? Sexual harassment in the media research and additions from the situational analysis report

2.4 Drivers of gender based violence and sexual harassment in the workplace in Zimbabwe

The unstable economic environment has created a conducive atmosphere for increased incidents of sexual harassment and GBV in the workplace. Amongst the reported incidents, it is indicative that high level male employers are perpetrating sexual harassment in the workplace. Notable cases are the Zimbabwe Revenue (ZIMRA) executives cases, the Confederation of Zimbabwe Industries (CZI) CEO case and allegations against the Vice President of Zimbabwe³¹.

Between 2015 and 2020, Zimbabwe experienced mixed economic performance. Annual inflation reached its lowest level of -3.29 per cent in October 2015. In 2016, the bond note was introduced as a surrogate local currency. To stabilise inflation, the Government introduced a local currency and adopted a foreign exchange auction system in 2020. These interventions were credited with stabilising inflation rates although it still remained high as year-on-year inflation was at 214.99 per cent in November 2020³².

Despite, these positive steps, industrial output has been shrinking. It was estimated that industrial capacity utilisation will be 27 per cent in 2020 down from 34 per cent in 2019³³. Such levels of productivity reduce viability and competitiveness of the local industry making importation of goods more attractive (in terms of cost and quality) for retailers and consumers. A huge net importation bill has affected balance of payments for the country pushing exchange rate driven inflation. Mining output, another major contributor to the country's Gross Domestic Product (GDP), has also been on the decline with gold output estimated at 20 tonnes in 2020 representing a 6 year low³⁴. This has resulted in the closure of industry and massive layoff of workers over the years. Women have found themselves exposed to unethical mechanisms to be retained at work. Sexual harassment has been one of those mechanisms used on women.

Patriarchy is a major cause of sexual harassment in the workplace. In Zimbabwe, power of men over women in the workplace is worsened by high unemployment, economic challenges and poverty. Men are considered as superior to women whose role spans the public and private domain. Women on the other hand are limited to the private domain with limited contributions in the public domain. This is based on the view that women are weak and inadequately equipped to handle the challenges of the public sphere. These patriarchal notions have found their way into the workplace with women allocated tasks that are viewed as less challenging. Such views and actions reinforce the power and influence of men over women, leading to men taking advantage of this position of power to sexually exploit female counterparts. Because women have a narrow and difficult path to management positions in places of workplace, positions of power workplace are dominated by males. The power of males over women and its exploitation by the latter for sexual harassment is more apparent in the Zimbabwean context of high unemployment and poverty. Threats of loss of employment and the difficulty of getting re-employed lead to women tolerating sexual harassment, as they fear losing their jobs and the income security it brings. This was reported as common in Zimbabwean workplaces.

Cultural and social norms can lead to behaviours that tolerate sexual harassment while some norms makes it difficult to distinguish sexual harassment. Relational totems were noted as a major driver of sexual harassment in the workplace. In the Zimbabwean culture, non-kinsman relationships are defined by one's totem. These relational totems can form relations from "wife", "husband", "uncle", "aunt", "nephew", "niece", "brother" and to "sister". Although these relationships do not supersede kinsman relationships, they do determine the behaviour of certain individuals in the workplace.

³¹ Zimbabwe Union of Journalists and Federation of African Media Women Zimbabwe (2012) "Who can I tell? What should I do? Sexual harassment in the media research.

³² Zimstat (2020) November 2020 Inflation Figures.

³³ ibid

³⁴ ibid

This happens in two way such as: the relational totems leading to unwelcome gestures that include sexual harassment and other more severe forms of gender based violence; and the relationship masking forms of sexual harassment in the workplace, as sexually oriented gestures and actions are brushed aside as acceptable workplace bunter based on the relational totems.

Social norms that regard remarks about women's bodies and sexuality as "boys" banter make such forms of sexual harassment acceptable in all environments, including the workplace. Overtime, such remarks can lead to sexual advances³⁶. Two organizations that participated in the Situational analysis noted that the most frequent sexual harassment cases that their committees handled were to do with sexually oriented remarks of women by men. It demonstrated how the normalisation of such behaviour had led to acceptance. While this has always happened, reporting increased after awareness raising.

The norms of what makes a good wife or woman lead to limited reporting of sexual harassment when it occurs. For example, the notion that **"a man will not do anything unless you invite him through your behaviour"** means that the woman had some moral shortcomings that led to sexual advances happening. These morale shortcomings would be a departure from the expectation of an ideal wife or woman and thus reporting the sexual harassment will have negative repercussions for the woman in the home or community. Another is the dressing mode expected of a 'good' woman, whether married or not. This was a contentious issue which generated heated discussions with respondents. All men and some women interviewed highlighted revealing dressing, miniskirts, short blouses, and tight clothing, were leading to increased sexual harassment of women in the workplace. A section of the respondents highlighted that because of the competition for employment and the need for employment security, women were dressing scantily in order to enter into sexual relations with men who would secure their employment and career advancement. Others were of the view that defining how women should dress reflected men exercising their power over women. The fact that both men and women in a majority of cases agreed on this being a problem reflects the risks faced by women perceived to have departed from the expected behaviour of an ideal woman.

Fear of victimisation and victim shaming leads to limited reporting. Cases of gender based violence go unreported due to fear of victimisation and loss of employment. Support systems are still very weak in the workplace regarding workers who report gender based violence and sexual harassment. The few women who have reported have not received justice because attitudes towards reporting are still negative. This is also stemming from a legal framework that does not comprehensively address the concept of sexual harassment and gender based violence in the workplace from definition to remedial action. Unfortunately this leads to limited reporting by victims with weaknesses in the justice system helping sexual harassment to continue unabated.

Gender insensitive policies expose women to abuse. Women are not a homogenous group resulting in them being exposed to multiple layers of discrimination because of intersectional nature of GBV. For instance, women of child bearing age when performing their reproductive roles, such as pregnancy, breastfeeding and caring for young children are discriminated against when it comes to promotions. They are often regarded as unreliable and not able to take up decision making positions. Anecdotal evidence reveals that pregnant women have been discriminated against in getting jobs or promotion, leading to some resigning.

Gender insensitive policies expose women to abuse. The Public Service Commission has scrapped the benefit of breastfeeding mothers to be accompanied by a helper during out of duty station work. Women have lost jobs during maternity leave. Some organizations' policies provide an option to breastfeeding mothers to waiver their right. This indirectly puts pressure on women to stop breastfeeding early, in order to secure their jobs. This is some form of emotional, psychological and economic abuse of women. Zimbabwe has not ratified the Maternity Leave Convention No. 183 of 2000. Although the labour laws provide for maternity and breastfeeding, they remain inadequate to provide for the care-giving roles of women, as stated in the Convention.

³⁶ Interview with a respondent during the situation analysis.

For example, workplaces should provide care facilities to enable women and men to perform care-giving roles at the workplace such as designated private spaces for lactating mothers to breast feed or pump milk, safe play areas for children after school or in the event of a care emergency. A good practise was noted with Lafarge Zimbabwe (Limited) who have constructed state of the art lactation rooms and a play area within the work premises for the children of their employees.

Role of Collective Bargaining Agreements (CBA) provide the most comprehensive means through which to respond to issues of gender based violence and sexual harassment. The Labour Act, in line with international labour standards, provides that the scope of CBAs may include mechanisms for the prevention and resolution of gender based violence and sexual harassment. However, for some sectors like the tourism and mining representatives spoken to during the situational analysis conducted by the ILO in 2018, there were no finalised documents which specifically prevented and responded to gender based violence and sexual harassment. This indicated that despite the provisions within the Labour Act on gender based violence and sexual harassment at work, these were being omitted from discussions on CBAs.

2.5 Legal and Policy Framework

This section details the findings of an assessment of the international, regional and local legal and policy frameworks on gender based violence and sexual harassment.

2.5.1 International human rights standards

The United Nations and regional treaty systems have recognized gender based violence and sexual harassment as a human rights abuse against people. Founding treaties like the UN Declaration on Human Rights, International Covenant of Civil and Political Rights and the International Covenant on Social and Economic Rights uphold the principles of human dignity, non-discrimination, equality of treatment between men and women in political, social, economic and cultural life. In Article 12 of the International Covenant on Economic, Social and Cultural Rights, there is the right to work and the right to favourable conditions of work. The Universal Declaration of Human Rights (UDHR, 1948), to which Zimbabwe is party, extends the rights to life, liberty, health and education, amongst others, to all human beings. Article 23 of the UDHR speaks to the right to work, non-discrimination, entitlement to equal pay for equal work and freedom of association. Therefore, the right to work and favourable working conditions includes equality and non-discrimination in the workplace.

GBV and sexual harassment have been proven to be prevalent amongst women more than men, thus there is a specific focus on GBV against women. The CEDAW Recommendation No. 19 interprets the term discrimination to include gender based violence:

‘...violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence..’

This means violence against women extends to include other forms of violence like sexual harassment. It also widens the scope of violence from private to the public sphere. This recognises acts of violence that occur in the workplace. The Declaration on the Elimination of Violence against Women acknowledges that the root cause of violence against women is the subordinate status of women in society.

‘violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men...’

The World of Work is one such environment in which unequal power relations between men and women are manifested. Violence acts like assaults, verbal abuse, insults, economic abuse and harassment against women are some of the incidents. These international standards provide an important starting point in drafting national legislation that prohibits violence and harassment.

The General Assembly Resolution 48/104 on the Declaration on the Elimination of Violence against Women defines violence against women to include sexual harassment, which is prohibited at work, in educational institutions, and elsewhere (Art. 2(b)), and encourages development of penal, civil or other administrative sanctions, as well as preventative approaches to eliminate violence against women (Art. 4(d-f)). The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) directs States Parties to take appropriate measures to eliminate discrimination against women in all fields, specifically including equality under law, in governance and politics, the workplace, education, healthcare, and in other areas of public and social life. (Arts. 7-16). It also addresses the issue of sexual harassment in the workplace in its General Recommendations (12, 19, 35) and the necessity of Member States to take all appropriate measures to hinder the practice. The Beijing Platform for Action, para. 178, recognizes sexual harassment as a form of violence against women and as a form of discrimination, and calls on multiple actors including government, employers, unions, and civil society to ensure that governments enact and enforce laws on sexual harassment and that employers develop anti-harassment policies and prevention strategies.

Prior to 2019, there was no specific treaty on violence and harassment in the workplace, although the ILO Committee of Experts on the Application of Conventions and Recommendations confirmed that sexual harassment is a form of sex discrimination covered by the Discrimination (Employment and Occupation) Convention, 1958 (No. 111). Other ILO conventions that seek to promote gender equality and equality of treatment, opportunity and non-discrimination for both women and men workers are: the Equal Remuneration Convention, 1951 (No. 100); the Convention on Human Resources Development, 1975 (No. 142); the Convention on Workers with Family Responsibilities, 1981 (No. 156) and its accompanying Recommendation No. 165; the Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Recommendation concerning HIV and AIDS in the world of work, 2010 (No. 200) and the Maternity Protection Convention, 2000 (No. 183).

The above, and many of the labour standards address violence and harassment in a non-specific way but allude to protection which can be inferred in three ways:

-
- (i) the idea of protection against injury and harmful working practices, which is central to the standards, and would cover situations in which violence and harassment is present.
 - (ii) References to forms of violence and harassment at work in ILO Conventions and Recommendations, such as maternity harassment,
 - (iii) The Committee of Experts on the Application of Conventions and Recommendations, (CEACR), interpretation of some standards as covering certain manifestations of violence and harassment;
-

In the second instance, the references only cover certain groups and occupations, therefore the standards only refer to certain types of violence or harassment or protections against violence and harassment only apply to vulnerable groups of workers (such as the disabled or migrant workers).

These human rights standards have been used over the years to protect from violence and harassment in the workplace. This has faced challenges in the absence of a solid definition on violence and harassment in the workplace. The world of work practise has been to apply violence in the workplace in the form of physical and verbal violence. Sexual, emotional and psychological forms of violence have often been undermined. The scope of application has also been limited to just the physical working environment, yet the world of work is revolving to various work spaces outside the ordinary physical office and office hours. In the Covid-19 pandemic era, the lockdown regulations saw all workers operating from home. It also increased use of technology as a method of working. The workplace, therefore, is much broader to also extend to cyber space.

Other ILO non-core Conventions have been criticised to refer to specific groups of workers, in terms of violence and harassment. A prime example is the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204), which targets the protection of the rights of informal workers. Another example is Article 5 of the Domestic Workers' Convention, 2011 (No. 189), which enjoins Member States to protect domestic workers from violence and harassment in the workplace. In the same vein, the Occupational Safety and Health Convention, 1981 (No. 155) and the Occupational Health Services Convention, 1985 (No.161), outline in general how members can eradicate violence and harassment by protecting workers' health in the workplace. All these Conventions do not have express definitions of violence and harassment in the workplace.

The ILO Violence and Harassment Convention, 2019 (No. 190) changed this discussion as it addresses the issues of violence and harassment in the workplace specifically. The Convention's preamble acknowledges that issues related to violence and harassment at work disproportionately impact women and girls and places a responsibility on State Parties to the Convention to pursue a policy of "zero tolerance to violence and harassment." More importantly, the Convention provides universal definitions of the terms: "violence and harassment" and "gender-based violence" in the world of work. This definition of violence and harassment in the world of work includes not just physical, but also the psychological and sexual aspects.

The protections provided under the Convention apply to a wide range of employment arrangements. In keeping with the general requirement to "respect, promote and realize the right of everyone to a world of work free from violence and harassment, the text outlines a set of core principles to guide State Parties. The Convention also sets out standards for how governments should protect people from violence and harassment in the world of work, as well as enforcement mechanisms and remedies for victims. The Convention will enter into force on 25 June 2021.

Box 3: Key definitions in ILO Convention 190 on violence and harassment in the workplace

Workplace: includes private and public spaces, places accessed for breaks and ablution facilities for paid workers, employer-provided accommodation, commuting to and from work, work trips, social events, training and work related-communications including virtual communication.

Violence and Harassment in the workplace: A range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

Gender Based Violence and Harassment: "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.

2.5.2 African regional standards on violence and harassment

Articles 12-13 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa obligates State Parties to take appropriate measures to:

- Eliminate all forms of discrimination against women and guarantee equal opportunity and access in the sphere of education and training;
- Protect women from all forms of abuse (including sexual harassment);
- Ensure transparency in recruitment, promotion and dismissal of women, and combat and punish sexual harassment in education and the workplace. (See: Articles 12-13)

2.5.3 SADC regulations

The SADC Protocol on Gender and Development, in Article 22, requires that States Parties enact legislative provisions, and adopt and implement policies, strategies, and programmes which define and prohibit sexual harassment in all spheres, and provide deterrent sanctions for perpetrators. Unique to this Protocol is the measure that Disciplinary Bodies should ensure that there is equal composition of men and women when adjudicating over sexual harassment cases³⁷.

2.5.4 Application of international and regional conventions in Zimbabwe

Zimbabwe operates a dualist system of law. This means the general law operates parallel with customary laws. The dualist theory argues that international law and domestic law are two separate legal systems. This means international law has no direct application at domestic law unless it is approved by a parliamentary process and incorporated into national law. However, Zimbabwe is a Member State of the ILO thus she is automatically bound by the 8 core ILO Conventions even in the absence of ratification. For the ILO Convention No. 190 and its general Recommendation No. 206 to become law in Zimbabwe, they need to be signed, ratified and domesticated into Zimbabwe national laws. However, Zimbabwe has an express provision on ratification and domestication of international treaties. Section 34 of the Constitution of Zimbabwe provides that “The State must ensure that all international conventions, treaties and agreements to which Zimbabwe is a party are incorporated into domestic law”. This means that domestication of international instruments is provided for in national objectives that should influence the development of the Sexual Harassment Policy and the law-making process. For example, the International Treaties Bill (2019) and Ratification, Domestication and Implementation of Human Rights Agreements in Zimbabwe³⁸ seek to promote uniformity in ratification, domestication and implementation of human rights agreements, under which the ‘violence and sexual harassment’ as rights issues fall.

2.5.5 National laws on violence and sexual harassment

Gender based violence and sexual harassment are legislated against in Zimbabwe. The provisions on sexual harassment are contained in a combination of legislation, ranging from administrative laws, penal codes and labour legislation, to specialized domestic violence laws.

In terms of UN Handbook for Zimbabwe meets the following standards;

- Sexual harassment is defined in the Labour Act and Public Service Act.
- A Protection order can be provided in a case of sexual harassment in the workplace
- One can seek administrative and civil remedies against perpetrators of sexual harassment in the workplace.
- Sexual harassment can be addressed in both public and private spheres.
- Recognises that harassment occurs in vertical and horizontal power relationships

The legislation on sexual harassment is mostly gender neutral, allowing for prosecution of sexual harassment of both men and women. Sexual harassment is not criminalised and does not attract criminal sanctions for perpetrators. The laws do not recognise that sexual harassment is a violation of women rights with health and safety consequences.

³⁷Article 22 ,SADC Protocol on Gender and Development

³⁸ Prepared by Mushayavanhu D & Mutangi T (November 2013) for Ministry responsible for Justice, Legal and Parliamentary Affairs/UNDP (Unpublished).

The Bill of Rights in the Constitution of Zimbabwe enshrine labour rights, which promote freedom from compulsory labour, equality and non-discrimination, freedom of assembly and association and freedom of profession, trade or occupation. Section 65 of the Constitution goes further to provide for the right to collective bargaining, to strike, equal remuneration for similar work, fully paid maternity leave and “fair and safe labour practices”.³⁹ Fair and safe labour practices suggest workplaces that are free from violence and harassment. Only administrative and violence laws recognise sexual harassment as violence in the workplace. The major laws are; Labour Act and the Public Service Act as read with the Public Service Regulations of 2000.

The Labour Act refers to sexual harassment as an unfair labour practise. The provision specifically says unwelcome sexually-determined behaviour are unfair labour practices.⁴⁰ Section 4 of the Public Service Regulations, (SI 1 of 2000) addresses the issue of sexual harassment as ‘discourteous behaviour’ (defined as rude, impolite or ill-mannered) during duty. The Regulations recognise sexual harassment as an act of misconduct under the First Schedule. That Schedule provides that ‘improper, threatening, insubordinate, or discourteous behaviour, including sexual harassment, during duty towards any member of the Public Service’ is ‘an act of misconduct’. However, the Regulations do not list or outline actual types of behaviour which amount to or which may be included in the category of sexually harassing conduct.⁴² All these definitions fall short of the standard set in ILO Convention No. 190. The Domestic Violence Act defines violence to cover both the private and public sphere. This means violence in the workplace is classified as an act of domestic violence. An act of domestic violence covers all forms of violence against women. This includes physical, psychological, verbal, economic, sexual, threats, intimidation, stalking to mention a few⁴³.

In practise, there has been an inconsistency in applying protection orders to violence in the workplace. The reason has been largely that labour law practise emphasises that internal remedies be dealt with first. Further, it is not clear if the degree of the relationship between workers or worker and employee can be classified as domestic, especially if it occurs in and out of a home setting. Under the Labour Act, victims of sexual harassment in the workplace have administrative recourse but must apply for leave of the Labour Court to institute other proceedings against a perpetrator of sexual harassment.

In the last two years, the judiciary has become more aware of sexual harassment in the workplace and the need to interrogate disciplinary hearings and decisions by National Employment Councils (NECs) that come before them. The Zimbabwe Gender Commission (ZGC) evoked its investigative role into the alleged sexual harassment cases of three female Department of Immigration employees by two males who were in senior management positions in 2018 and 2019. THE ZGC found the managers guilty of sexual harassment and submitted its findings and recommendations to the Minister of Women’s Affairs, Small and Medium Enterprise Development. This is a noteworthy victory but what is unsatisfactory in the chain of reporting is the non-criminalisation of sexual harassment in the workplace resulting in perpetrators to continue preying on other employees as there is no deterrent, such as dismissal from work.

The University of Zimbabwe’s Code of Conduct defines sexual harassment as “unwarranted conduct of a sexual nature that affects the dignity of men and women at work. It includes physical, verbal and non-verbal conduct that is sexually coloured, offensive, intrusive, degrading or intimidating.” Matsikidze (2017) posits that those Zimbabwean universities which have developed workplace codes of conduct do not have adequate mechanisms, such as investigating committees and counselling services, dedicated to sexual harassment matters. The only punishment meted out to perpetrators is dismissal from employment.

³⁹ Madhuku, 2015

⁴⁰ S8(e) and (f)

⁴¹

⁴² S3 Domestic Violence Act

More penalties need to be included in tertiary institutions' regulations and codes to effectively discourage would-be offenders. The Ministry of Higher and Tertiary Education noted the increase of sexual harassment in tertiary institutions. The Ministry is in the process of developing a national sexual harassment policy in tertiary institutions.

There are cases that have been argued in the high courts, supreme courts and constitutional court on violence and harassment in the workplace. The case of **Blessing Mashapaidze vs St Anne's hospital** outlines how the labour justice system is not favourable to survivors of violence and harassment in the workplace.

Box 4: Case 1, Blessing Mashapaidze vs St Annes Hospital

Box 4: Case 1, Blessing Mashapaidze vs St Annes Hospital

Blessing Mashapiadze was a ward manager at St Anne's Hospital. She was dismissed from work after her manager found out she was HIV positive and she had omitted to state that in the medical form, upon commencing employment. Blessing appealed against the decision of the disciplinary hearing citing that it was an unfair dismissal. She has a right not to disclose her health status. The NEC for Welfare and Educational Institutions dismissed her appeal. The NEC relied on Section 8 of Schedule 4 of the Employment Code of Conduct, which penalises a failure by an employee to disclose their medical status when undergoing a medical examination at the instance of the employer. Blessing took the matter to the Labour Court. Whilst it was pending in the Labour Court, she filed a Constitutional Case citing violation of her right not to have a health condition (HIV) disclosed in the workplace, right to dignity, right to privacy not to be subjected to physical a psychological torture, cruel, inhuman and degrading treatment and right to work. The Constitutional Court ruled in her favour. She was awarded constitutional damages, in the sum of \$30 000 to compensate her for the violation of her privacy and dignity and causing the applicant to suffer inhuman and degrading treatment. The court also ordered the NEC provision unconstitutional as it violates fundamental rights of workers and St Anne's to remove such requirements from employers, as a measure to secure employment. The court highlighted that the practice by St Anne's amounts to discrimination of a worker on the grounds of HIV infection.

Box 5: Case 2, Mbatha vs CZI

Box 5: Case 2, Mbatha vs CZI

Rita Mbatha faced sexual harassment in the workplace from her boss, Zizhou. Zizhou made several sexual advancements towards her until she decided to report the matter to the Labour Court in 2017. She lost the case and appealed to the Supreme Court. The Supreme Court ruled in her favour and ordered that CZI pay damages for unfair dismissal, in the sum of her salary since 2003 and interest at the prescribed rate. In total, CZI had to pay USD40 800 within 30 days of the judgement. Rita Mbatha had also applied for punitive damages citing that CZI actions had negatively impacted on her marriage and personal health. This part of the claim was dismissed. Mbatha, however continues to pursue her claim.

These two cases are both landmark rulings in the world of work against gender based violence and sexual harassment in the workplace. What is common amongst the two cases is that women were the victims, women had to go through the cumbersome and lengthy processes of the court system to get justice. During their quest for justice, they were unemployed and spent most of their money on legal fees.

The court responsible for labour matters dismissed their appeals. The two women only found recourse at the superior courts. They got recourse not based on reference to unfair labour practises (sexual harassment and discrimination) but based on civil claims of damages and allegations of human rights abuses. This reflects on how the labour laws and labour court lack strong gender based violence and sexual harassment provisions that outline the implications of such on women's rights and punish the perpetrators appropriately. An opportunity lies with the Sexual Harassment Bill that the Ministry of Women Affairs is working on. However, it is imperative that ILO Convention No.190 be ratified in Zimbabwe, so that it is domesticated in the Sexual Harassment Bill.

2.6 Good Practices in addressing GBV and sexual harassment in the workplace

This section seeks to highlight the good practices from other jurisdictions on sexual harassment matters. The focus will be mainly on what other countries are doing to broaden conversations on curbing workplace sexual harassment. Most of the good practices lean heavily on legislation enacted by governments to address sexual harassment in the world of work.

Criminalization of sexual harassment leads to reduction of incidences. There are several countries that have criminalized sexual harassment in the workplace. Rwanda is a prime example of a country with such an emerging good practice. Workplace violence and harassment is prohibited in both labour law and criminal law.⁴³ Canadian labour and anti-discrimination law, that is, the Canadian Human Rights Act ⁴⁴also prohibit workplace violence and harassment, providing for the right to a workplace free from sexual harassment. Another example is Malta's Employment and Industrial Relations Act and other laws ⁴⁵of Malta, which also criminalise violence and harassment in the workplace. The French Labour Code provides a stellar example of how survivors of sexual harassment ought to be protected. Not only does it shift the burden of proof to the respondent, but it also criminalises retaliation against those who have testified or reported, and outlines disciplinary and criminal sanctions clearly.

Tanzania is another example where there is an emerging good practice in sexual harassment matters, as the law was amended to give criminal sanctions to perpetrators and at the same time, provide for compensation to the victim without the need to institute a separate civil claim. The culture of silence surrounding sexual harassment cases is usually a result of survivors fearing victimization from employers or from their social settings. To reduce victimization and to eradicate complainants' isolation, reporting to the police provides neutral ground for survivors. Police are often the first port of call for victims when an incident occurs. Criminalizing sexual harassment can make reporting conducive for survivors. In the United States of America, class actions can be brought before the courts by interested parties. In Australia, Sweden and Israel, trade unions can bring claims on behalf of their members⁴⁶.

Treating sexual harassment as a human rights violation enhances attention to the issues. Sexual harassment is treated as a human rights violation in some countries. This is a positive move as it enables sexual harassment to be treated more seriously and demands effective remedies. Bosnia and Herzegovina have gone as far as prohibiting sexual harassment based on protected grounds, that is, non-discrimination of women and gender-based violence. Other countries have chosen to address sexual harassment in their national human rights legislation. Examples are the Canadian Human Rights Act of 1985, Fiji's Human Rights Commission Act of 1999 and New Zealand's Human Rights Act of 1993. Workplace harassment is specifically dealt with in these statutes. The statutes apply to harassment in a range of contexts, including education and housing, but refer to workplace harassment. India's famous Vishaka case was based in part on human rights ground, particularly the right to equality.

Holding employers accountable to incidents of sexual harassment in the workplace has been effective in reducing such acts in some countries. In Sweden, through its Equal Opportunities Act, a system is in place where employers must submit an annual report regarding the action taken by the said employer on sexual harassment matters. This only applies to employers with more than ten employees. In a similar vein, Finland and India mandate that every employee should not be subjected to sexual harassment. Closely related to these accountability measures, the Government of Israel compels every employer to prevent sexual harassment by developing a grievance procedure that is efficient, while Belize calls for an immediate response by the employer to sexual harassment reports. The employer is expected to deal with a sexual harassment matter without delay.

⁴³ Law Regulating Labour Law No. 13/2009 and Penal Code of 2012, of Rwanda).

⁴⁴ (RSC, 1985, c. H-6) and Canada Labour Code (RSC, 1985, c. L-2)

⁴⁵ , No. XXII of 2002 (as amended in 2004); Criminal Code, Chapter 9 of the Laws of Malta; and Equal Treatment in Employment Regulations, Subsidiary Legislation 452.95, Legal Notice 461 of 2004 (as amended in 2007),

⁴⁶ ILO, 2016

There are jurisdictions where employers, as well as perpetrators may be held liable for sexual harassment unless the employer shows that they did everything that was reasonably expected to prevent the harassment. In the United States Supreme Court case of EEOC v. Sage Realty Corp, it was held that an employer who had mandated his female employees to wear revealing clothing and subjecting them to unwelcome comments and attention was liable for sexual harassment incidences. Similarly, the Philippines Anti-sexual Harassment Act of 1995 specifically states that if an employer fails to take immediate action to investigate a sexual harassment complaint, the employer will be liable for the acts so reported.

Sexual harassment sensitization in the workplace increases awareness and knowledge among workers leading to reduced incidences and increased reporting when it occurs. In many countries, government, civil society organizations and the private sector work together to train citizens on violence and sexual harassment. Literature such as pamphlets and books are issued. Sri Lanka, South Africa and Canada conduct gender sensitisation programmes and training on sexual harassment.⁴⁷ Workers' unions, for example, COSATU in South Africa, also train their members by conducting workshops which raise awareness on sexual harassment. Furthermore, non-governmental organizations usually engage with communities to ensure prevention of sexual harassment in the workplace, as well as educating them on their rights and the law that is in place to protect those rights (ILO, 2018). A good example is South Africa's Sexual Harassment Education Programme (SHEP), a non-governmental organization that conducts sessions to sensitize citizens about sexual harassment. They also provide guidance and counselling, at the same time lobbying for changes in national policy regarding sexual harassment.

Ensuring sexual harassment becomes part of Collective Bargaining Agreements (CBAs) enhances accountability by the tripartite partners. Since women are most vulnerable to sexual harassment, it is often the case that good practices in combating it borrow heavily from those that address GBV. Some employers select one member of staff to act as a counsellor for victims of sexual harassment in the workplace.⁴⁸ This individual may be a health professional or a human resources officer. The Netherlands makes it compulsory that all firms employing more than 35 people should have an in-house counsellor to handle complaints and offer counselling and support⁴⁹. A company in Japan has opted to employ outside counsellors, as it might be difficult for complainants to report sexual harassment to counsellors who might have their own prejudices and reservations within the organization⁵⁰. In Italy, there is a company, Zanussi, that has a collective bargaining agreement that allows two counsellors to counsel and support complainants. One counsellor is provided by management and the other by a trade union. Australia's Flinders University has taken an extra step to ensure that counsellors come from a wide range of occupations and fields of study to ensure that survivors of sexual harassment complaints are catered for⁵¹.

2.7 Justification for the Strategy

While violence and sexual harassment occur in the Zimbabwean workplace, social and cultural norms that perpetuate it in the workplace, combined with inadequate provisions in workplace policies and national legislation to protect victims, encourages the silence surrounding this problem. The effects of sexual harassment have grave consequences on gender equality in the workplace in addition to the violation of rights of women who are the main victims. Sexual harassment is an exercise of power and influence of men over women in the home and at the workplace. This power and influence is worsened by the discrimination of women in the workplace, which relegates women to lower positions with little influence on workplace policies and their implementation.

Despite sexual harassment being an issue, there has been no coordinated effort to address it including a homogenous framework to guide workplace responses.

⁴⁷ ILO, 2018.

This has made addressing sexual harassment ad hoc and the investment to address it inadequate, leading to incapacities of key institutions to support and oversee actions towards addressing it.

This strategy therefore aims to provide a framework for the Country to both harmonise implementation of sexual harassment measures, and guide investments aimed at addressing the issue.

2.8 Guiding principles

The guiding principles for this strategy are as follows:

- 1) Ensure a do-no-harm approach that ensures that interventions are gender sensitive and do not introduce secondary negative effects for women;
- 2) Women, as the main victims of workplace gender based violence and harassment, should be at the centre of all interventions;
- 3) Align interventions with broader gender equality and gender based violence strategies of the Country;
- 4) Meet human rights standards in the implementation of interventions; and
- 5) Engage multi-stakeholders that incorporate and accommodate the tripartite partners in the roll of the strategy.

3 Strategy Development Process

The strategy was developed using the multi-stage participatory process that engaged all stakeholders that will be charged with implementing it. The first stage involved conducting a situational analysis of gender based violence and harassment in the workplace. The situational analysis involved a review of documents and interviewing key informants from Government, trade unions, employers, national employment councils, civil society organizations and workers from different sectors [See Annex 2]. The situational analysis also conducted a comprehensive legal assessment of Zimbabwe's compliance to international and regional standards on violence and harassment in the workplace with regards to its current laws and policies. Due to the COVID-19 pandemic and the stay at home requirements, the assessment was through virtual individual discussions. These virtual meetings covered a broad range of stakeholders as noted in Annex 2.

The strategy development team proceeded to develop the draft strategy using information from the situational analysis and then circulated it to all the stakeholders for review.

Thereafter, a one day virtual validation meeting was held with all stakeholders to further review the strategy and ensure the proposed framework and strategies responded to the context of sexual harassment in the workplace. The strategy was revised further after the validation meeting to incorporate all stakeholder concerns.

⁴⁸ McCann D Sexual harassment at work: national and international responses 2005 ILO conditions of work and employees employment series No. 2 p 54

⁴⁹ European Industrial Relations Report, No. 289, 1998, p. 15.

⁵⁰ "Zanussi pioneers worker participation", in European Industrial Relations Review, No. 292, May 1998, p. 14.

⁵¹ www.Flinders.edu.au/ppmanual/EqualOpportunity/sexharass.html

4 Theory of Change for the Strategy

This section presents the theory of change for the strategy.

4.1 Problem analysis

Figure 2 provides a summary of the causality for high prevalence of sexual harassment in the workplace in Zimbabwe. Underlying problems for sexual harassment are systemic and driven by community based social and gender norms formed through, among others, cultural values and principles that define the expectations from women and men and the associated sanctions and benefits for this behaviour. Inadequate systems, policies and laws at corporate and national level to address sexual harassment in the workplace and female poverty, exacerbate the influence of gender and social norms on sexual harassment. Unfortunately, the current labour market information system fails to capture prevalence of sexual harassment in the workplace. In the absence of statistical evidence, sexual harassment remains a silent issue with limited incentives to put in place a framework to address it. These key drivers are critical for addressing sexual harassment in the workplace in Zimbabwe.

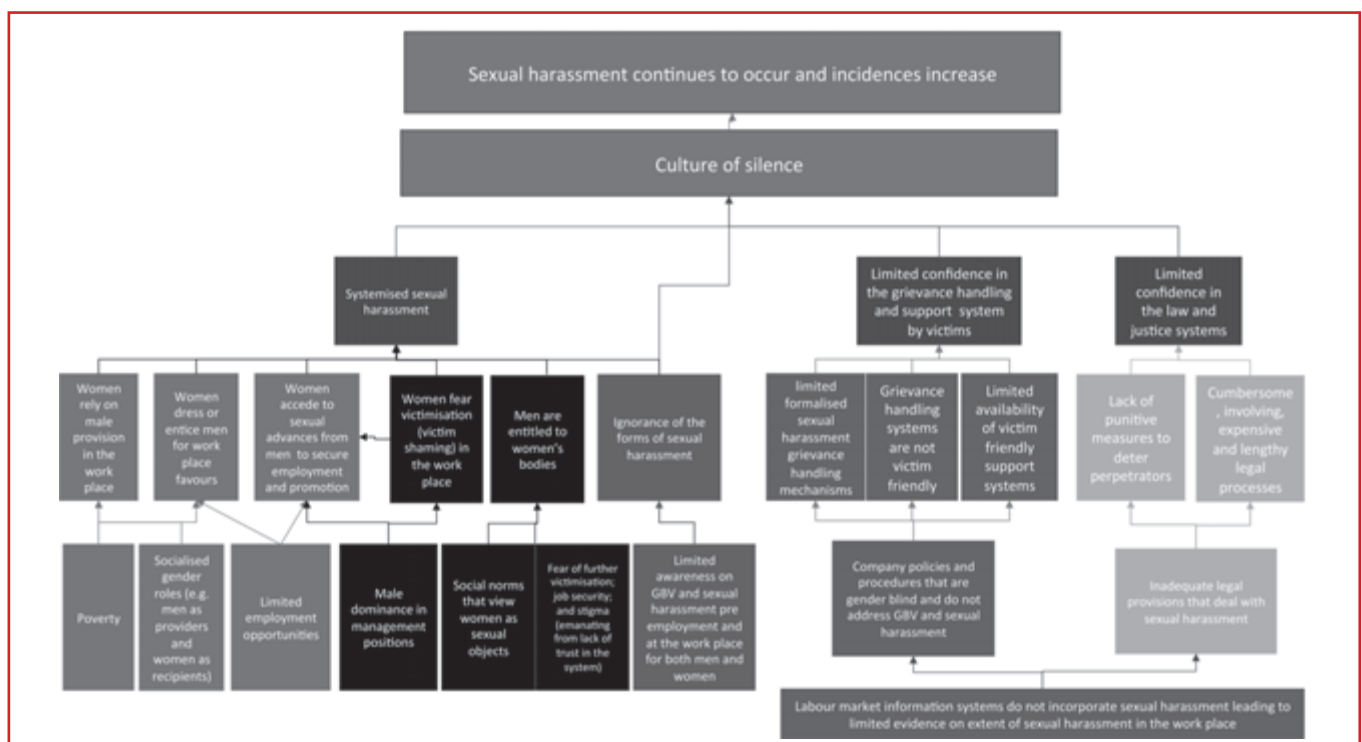


Figure 2: Problem analysis of sexual harassment in the workplace

4.2 Theory of Change

Based on the problem analysis and to achieve a decrease in cases of GBV and sexual harassment in the workplace, the strategy has to put in place a process that aims to increase reporting by enhancing knowledge of GBV and sexual harassment, strengthening protections for women (as the main victims) and men (also victims) in the workplace, and achieving justice for the victims. These causal pathways are as follows:

Causal pathway 1: If harmful social and gender norms are addressed and knowledge of GBV and sexual harassment in the workplace increased Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a reduction in their incidences in the workplace.

Causal pathway 2: If labour market information systems (LMIS), corporate policies and systems for addressing GBV and sexual harassment in the workplace are gender sensitive Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a decrease in the incidences of GBV and sexual harassment in the workplace.

Causal pathway 3: If national policies and legislation provide adequate protections for victims of GBV and sexual harassment in the workplace, including punitive measures for perpetrators, Then reporting of cases of GBV and sexual harassment in the workplace will increase leading to a decrease in the incidences of GBV and sexual harassment in the workplace.



Figure 3 summarises the Theory of Change.

4.2.1 Assumptions

The Theory of Change is supported by the following assumptions:

- there is adequate funding to implement the strategy;
- there is political will and a conducive environment exists to implement the strategy; and
- COVID-19 induced lockdowns will disappear with an effective vaccine regime. Thus these lockdowns will have limited impact on implementing the strategy.

5 Results Framework for The Strategy

This strategy is a first generation strategy on sexual harassment in Zimbabwe. The vision for the strategy is:

- **Vision:** A Zimbabwean workplace that is free from sexual harassment and gender based violence. While this is the ultimate vision of the strategy, this first generation strategy aims to create an environment that will lead to a reduction of gender based violence and harassment in the Zimbabwean workplace. Hence the anticipated impact of the strategy will be:
- **Impact:** Reduced incidences of sexual harassment and gender based violence in the Zimbabwean workplace

5.1 Key result areas

The results of the strategy (illustrated in Figure 4) shall be as follows:

Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace

- Intermediate outcome 1.1: Women have improved confidence to report gender based violence and sexual harassment incidences
- Intermediate outcome 1.2: Changing male attitudes towards women's bodies, gender based violence and sexual harassment

Outcome 2: Improved support for survivors of, adjudication and timely completion of reported gender based violence and harassment cases.

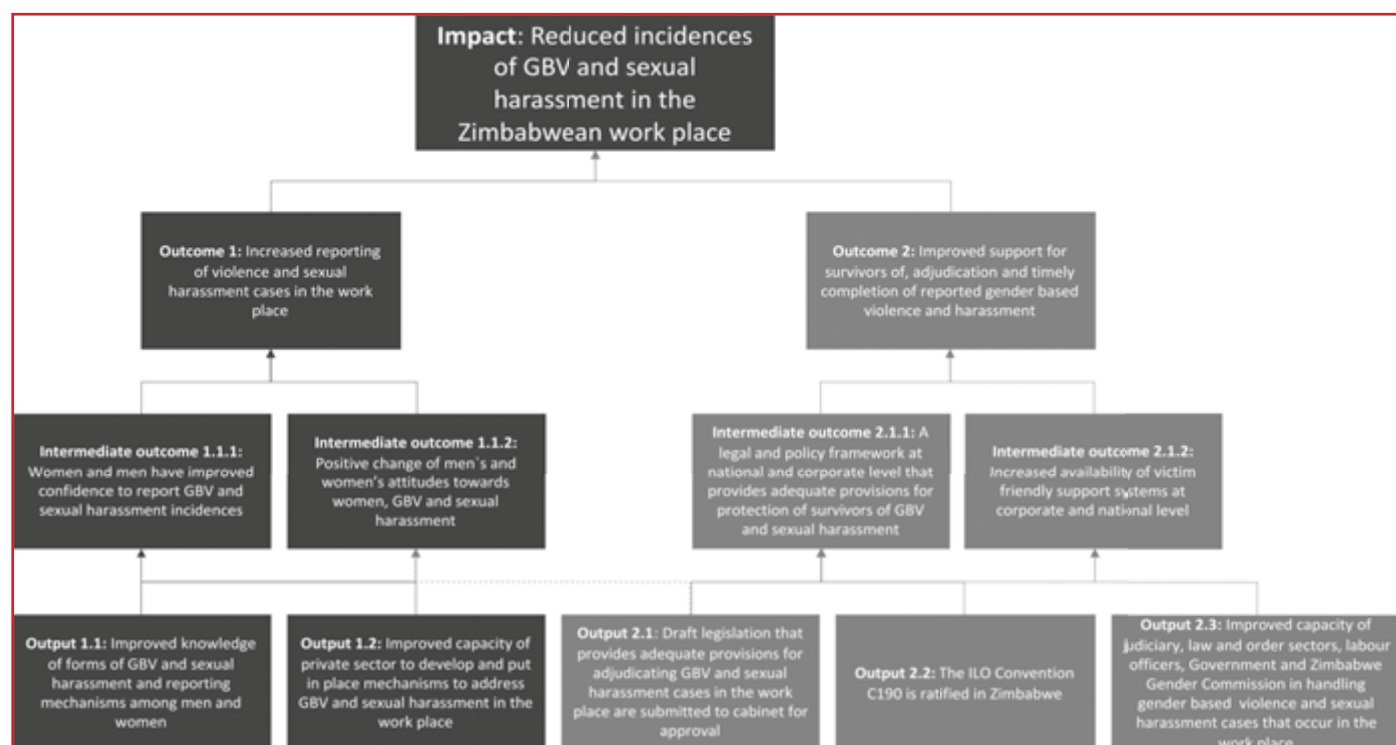
- Intermediate outcome 2.1: A legal and policy framework at national and corporate level that provides adequate provisions for protection of survivors of gender based violence and sexual harassment
- Intermediate outcome 2.2: Increased availability of victim friendly support systems at corporate and national level

The outputs are presented below

Table : Outputs of the sexual harassment strategy

Outcome	Output
• Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace	• Output 1.1: Improved knowledge on forms of GBV and sexual harassment and reporting mechanisms among men and women • Output 1.2: Improved capacity of private sector to develop and put in place mechanisms to address GBV and sexual harassment in the workplace
• Outcome 2: Improved adjudication and timely completion of reported gender based violence and sexual harassment cases	• Output 2.1: Draft legislation that provides adequate provisions for adjudicating GBV and sexual harassment cases in the workplace are submitted to Cabinet for approval • Output 2.2: The ILO Convention C190 is ratified in Zimbabwe • Output 2.3: Improved capacity of judiciary, law and order sectors, labour officers, Government and Zimbabwe Gender Commission in handling gender based violence and sexual harassment cases that occur in the workplace

Figure 4: Results for the sexual harassment and gender based violence strategy



6 Implementation Strategy

The framework for this strategy is informed at a high level by the principles reflected in the ILO Convention No.190 and Recommendations No.206,⁵² partial application of a combination of the social ecological and McDonald's models for addressing violence and harassment, and selective and adjusted adoption of best practises obtained from the literature review on what has been done elsewhere.

The social ecological model has become the widely accepted theoretical and programming model by international practitioners addressing violence against women.⁵³ The model highlights the need for strategies to operate right across the social spectrum, ideally in a coordinated way, with multi-stakeholder engagement and assuming of responsibilities at more than one level. The spectrum influencing incidence of violence and harassment can be considered to consist of the individual (knowledge, attitudes and behaviours), interpersonal (families, friends, social networks), community (relationships between organizations), Organizational (organizations and social institutions) and then policy/enabling environment (national, sub-national laws) levels.⁵⁴

While this is a workplace strategy, gender based violence and sexual harassment are primarily driven by gender and social norms formed in the home and the community. A holistic strategy is therefore required to effectively address gender based violence and sexual harassment in the workplace. To address aspects of community and family drivers of gender based violence and harassment, the strategy will collaborate with gender equality and gender based violence programmes for the mainstreaming of sexual harassment in their activities.

McDonald's model for addressing sexual harassment considers as primary: prevention; secondary: intervention (immediate responses after an incident of sexual harassment has occurred) and tertiary intervention (long-term recovery responses).⁵⁵ Therefore, these will be a special focus of the strategy (see Section 6.2).

6.1 Outcome 1: Increased Reporting of Gender Based Violence and Sexual Harassment Cases in the Workplace

As noted earlier, low level of reporting of the cases of gender based violence and sexual harassment in the workplace is one of the major challenges in addressing the problem. Findings from the assessment suggest that the actual prevalence is not known owing to low levels of reporting, but anecdotal evidence suggests that it is happening. For instance, the media sector reported that 48 per cent of female journalists had experienced some form of harassment at some point, yet 83 per cent never reported.⁵⁶ While these cannot be taken as a national estimate, they do reflect some objective measure of the existence of the problem, at least for a specific sub-group.

Reporting is necessary for reasons including the following:

- For each given case to be managed;
 - For raising awareness among others; and
 - To establish whether and how much change results from implementation of the strategy interventions.
- Several factors influence the reporting of cases including the following:

⁵²Convention 190, Recommendation 206 and the accompanying Resolution - Eliminating Violence and Harassment in the World of Work, ILO 2019.

⁵³Michau, L., Horn, J., Bank, A., Dutt, M., & Zimmerman, C. (2015). Prevention of violence against women and girls: lessons from practice. *The Lancet*, 385(9978), 1672-1684.

⁵⁴LITERATURE SCAN of international best practice about preventing and responding to workplace sexual harassment. Ministry of Women, March 2019 (p22)

⁵⁵What Works? Preventing & Responding to Sexual Harassment in the Workplace – A Rapid Review of Evidence. Campbell and Chinnery, CARE Australia, November 2018.

⁵⁶Situational Analysis on Violence and Sexual Harassment in the world of work in Zimbabwe – Report, ILO 2020

Knowledge:

- Survivors need to be aware of what constitutes sexual harassment for them to recognize it.
- Secondly, they should also be knowledgeable on the procedures that one should take in reporting, once an incident has occurred, including the range of options available, such as external support services, and what action to take if they face challenges, as they report.

Confidence in the system:

- Survivors should also be confident in the system being able to manage their cases when they occur and are reported.

Organizational grievance procedures are the most common mechanism through which employee rights are enacted for cases of sexual harassment. However, a substantial body of evidence suggests that procedures for raising and responding to a complaint of sexual harassment are often ineffective, largely because of a lack of trust between staff and management.⁵⁷ It has been learnt that employees often perceive grievance processes to be:⁵⁸

- adversarial and hostile
- lacking confidentiality
- risky in terms of isolation or reprisal from the workgroup, and
- likely to fall on deaf ears

It is therefore important for the strategy to ensure that the design of interventions to be put in place pay attention to these potential barriers. In addition to making the system victim friendly, there should also be alternative ways to get redress for survivors that are not restricted to internal procedures which the employees need to be aware of. The option for external channels is particularly important considering that a huge complement of the workforce in the country is in small businesses such that perpetrators may be the business owners. Furthermore, the systems should also cater for perpetration by third parties, such as clients and customers, apart from potential perpetration by colleagues.

Intermediate outcome 1.1.1: Women have improved confidence to report gender based violence and sexual harassment incidences

While gender based violence and harassment affect both men and women, women are more vulnerable hence the emphasis on women. Both the international Convention No. 190 and findings from the situational audit undertaken as part of this Strategy development process in 2020 acknowledge that women disproportionately experience violence and harassment, more so for sexual harassment. The situational analysis further notes that women reporting cases often face challenges due to the dominance of men in the workplaces, particularly the leadership and management positions that would be responsible for addressing the violence and harassment cases.^{58b}

The strategy will cater for everyone but applying gender sensitivity and reflecting consciousness on both how the problem disproportionately affects women and how the system for responding to reported cases may present gendered challenges. Getting more women to report should result in an overall increase in reporting.

The strategy will aim to promote interventions that work towards improving knowledge and confidence in the system as a way to ultimately promote reporting. More details on strategies for building the conducive system for effectively addressing gender based violence and harassment at national level are outlined under Outcome 2. Outcome 1 and corresponding intermediate outcomes and outputs focus on the individual and organizational levels.

⁵⁷ LITERATURE SCAN of international best practice about preventing and responding to workplace sexual harassment. Ministry of Women, March 2019 (p20, p28)

⁵⁸ McDonald, P., Charlesworth, S. & Graham, T. (2015) "Developing a framework of effective prevention and response strategies in workplace sexual harassment", in Asia Pacific Journal of Human Resources, 53(1), 41–58

^{58b} Current document

Intermediate outcome 1.1.2: Positive change of men's attitudes towards women, gender based violence and sexual harassment

Attitude of men towards women, gender based violence and harassment was identified as one of the driving factors. Acceptance of this as a social norm, in turn sustains the persistence of the attitudes and acts of gender based violence and harassment.

It is expected that a positive attitude towards women would be associated with less likelihood of perpetrating gender based violence and harassment towards them, and more positive handling of reported cases. This should lead to a more conducive environment for reporting.

Women also need to change from acceptance of gender based violence and sexual harassment as a norm but to perceive it as a problem worth addressing.

On the other hand, it is also general knowledge that while men are less likely to experience gender-based violence and harassment, being male can also present a barrier to reporting, partly due to the social norms on perception of manhood. The strategy interventions, therefore, encourage and support reporting by men.

6.1.1 Output 1.1: Improved knowledge on forms of gender based violence and sexual harassment and reporting mechanisms among men and women

Improved knowledge on forms of gender based violence and harassment and understanding of the corresponding reporting mechanisms is expected to lead to increased confidence to report (intermediate outcome 1.1.1) that will then ultimately lead to improvement in reporting (outcome 1). It is also expected that better awareness will lead to better attitudes towards gender based violence and harassment as an unacceptable problem (intermediate outcome 1.1.2), hence worth being reported and addressed once it occurs, including for men.

Findings from the assessment indicate that there are many forms of gender based violence and harassment occurring in the workplaces. Some forms are readily and commonly recognized, while others tend to be hidden. The assessment reports that some forms are not recognized either because of knowledge gaps on what constitutes violence and harassment or because of socio-cultural beliefs that normalize it.

This strategy, therefore, aims at establishing strategies for improving knowledge about the various forms of gender based violence and sexual harassment, and secondly, the reporting mechanisms. While women are generally more affected than men, it is important for this knowledge to be shared and raised among both men and women since men are not immune and secondly, for them to be able to provide the support needed. In addition, it is also noted that perpetrators may be ignorant at least on some of forms of harassment.

6.1.2 Strategies for Output 1

The following are strategies for Output 1, "Improved knowledge of forms of gender based violence and sexual harassment and reporting mechanisms among men and women":

- **Strategy 1.1.1:** Increase education and awareness campaigns on gender based violence and sexual harassment for employees.
- **Strategy 1.1.2:** Mainstream content on GBV and sexual harassment in the workplace into the training curriculum for all sectors at all levels of education, including vocational training, in line with national law and circumstances.
- **Strategy 1.1.3:** Create and facilitate inter-organizational dialogue platforms on workplace GBV and sexual harassment at a wider scale to include the community e.g. [meetings supporting GBV and harassment efforts beyond the workplace]
- **Strategy 1.1.4:** Support media engagement to promote responsible reporting on GBV and sexual harassment, especially towards victims of GBV and sexual harassment in the workplace guidelines.

Strategy 1.1.5: Develop, **implement** and disseminate public awareness-raising campaign materials in **various local languages, including sign language such as braille, language** of those of the migrant workers residing in the country, that convey the unacceptability of GBV and sexual harassment, address discriminatory attitudes and prevent stigmatization of people with disabilities (PWDs), survivors, complainants, witnesses and whistle-blowers.

- **Strategy 1.1.6:** Strengthen linkages with broader gender equality and GBV programmes operating at community level for the inclusion of sexual harassment in the workplace in the training and awareness activities.
- **Strategy 1.1.7:** Strengthen male gender transformational interventions including the training, mentorship and support for gender champions in the workplace.
- **Strategy 1.1.8:** Develop proactive strategies to recruit and promote women into senior and managerial positions in the workplace to address the unequal power relations between men and women that perpetuate sexual harassment and GBV in the workplace.

6.1.3 Output 1.2: Improved capacity of all sectors to develop and put in place mechanisms to address gender based violence and sexual harassment in the workplace.

It is expected that the government shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable.⁵⁹ Along with this requirement, government, through the relevant entities should also provide the guidance and support necessary for the organizations to achieve this. Under the Convention No. 190, the state in consultation with representative employers' and workers' organizations shall seek to ensure that employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment. Findings from the assessment revealed that a significant number of organizations are not doing much, if at all, to address violence and harassment in the workplace, and others organization with no organizational policies in place at all.

Feldblum and Lipnic (2016) argue that while most countries have laws encouraging or requiring employers to have sexual prevention policies in place, very few focus on the need for employers to foster a positive organizational culture where harassment is not tolerated, and where respect and civility are promoted.⁶⁰ It is therefore of paramount importance that comprehensive guidance is provided to ensure that organizations have the capacity to put in place mechanisms that facilitate such an environment.

Efforts to facilitate this could include advocacy, provision of training guidance, general policy content outline, toolkits for self-assessment and guidance on implementation. Training guidance could include outline of the training content, targeted training specific for management for example, gender-specific training, training techniques, among others, and also customized to address sectors specific issues.

6.1.4 Strategies for Output 1.2

- **Strategy 1.2.1:** Facilitate the development of workplace policy at national, sectoral and company levels (including the relevant structures and code of conduct) on GBV and sexual harassment by all organizations in consultation with workers and their representatives.

⁵⁹ Convention 190, Recommendation 206 and the accompanying Resolution - Eliminating Violence and Harassment in the World of Work, ILO 2019.

⁶⁰ U.S. Equal Employment Opportunity Commission: Washington. Feldblum and Lipnic, 2016..

- **Strategy 1.2.2:** Implement supportive mechanisms to ensure operationalisation of institutional/organizational policies, as well as enforcing national laws and regulations regarding violence and harassment in the world of work, through various means (e.g. inspections, audits, accreditation, inducements (e.g. funding, awards), developing and implementing accountability mechanisms for employers).
- **Strategy 1.2.3:** Facilitate organizational and community mobilization for active participation in addressing gender based violence and harassment through linkages with community based GBV and gender equality programmes, e.g. community dialogues, and meetings.
- **Strategy 1.2.4:** Facilitate skills training and capacity-building for institutions and organizations advocating for gender equality and the elimination of gender based violence against women.
- **Strategy 1.2.5:** Integrating the initiative for addressing violence and sexual harassment into the other established corporate laws / procedures / regulations such as occupational safety and health (OSH), e.g. OSH risk assessment to include violence and harassment.
- **Strategy 1.2.6:** Support tripartite partners to include workplace gender based violence and sexual harassment in sectoral dialogues, e.g. Collective Bargaining Agreements (CBAs) and NEC policies.
- **Strategy 1.2.7:** Public and Private sector to allocate a quota from corporate social responsibility as resources to engage in activities that contribute towards the reduction of sexual harassment and gender based violence in the workplace and the community they serve.

6.2 Outcome 2: Improved support for survivors of, adjudication and timely completion of reported gender based violence and sexual harassment

Beyond primary prevention of violence and sexual harassment, secondary and tertiary intervention is also of major importance. Preventive efforts are expected to limit the occurrence, but equally important is that all cases should be effectively and efficiently managed. Results of a meta-review of the Nordic countries noted that in order for policies and legislation to remain relevant and efficient, the following were important:

- recognition of the types of harassment covered also including verbal,
- protection of and support for the survivor and to address third party harassment,
- scope, to cover cyber harassment in addition to that which occurs in physical environments,
- level of sanctions and penalties, and
- duration of legal procedures and the burden of proof for incidents.⁶¹

The ILO Convention No. 190 acknowledges that, “violence and harassment in the world of work affects a person’s psychological, physical and sexual health, dignity, and family and social environment”. In addition, it also recognizes that violence and harassment also affect the quality of public and private services, and may prevent persons, particularly women, from accessing, and remaining and advancing in the labour market”.

A secondary intervention that involves an immediate response after sexual harassment has occurred with the aim to prevent further perpetration and deal with short-term consequences such as victimisation of those at risk. It is primarily the responsibility of employers but requires the corresponding legislative support and that of other external entities such as the Zimbabwe Gender Commission and Labour Unions.

⁶¹ LITERATURE SCAN of international best practice about preventing and responding to workplace sexual harassment. Ministry of Women in Norway, March 2019 (p20, p28)

Tertiary prevention takes a further step of addressing the longer-term consequences of victimisation (e.g. through providing ongoing counselling for survivors) and the provision of specialised sex offender treatment and management to the perpetrator to minimise the possibility of re-offending (ACAS 2018). Tertiary interventions are relevant to sexual harassment considering the significant negative psychological, health and job-related consequences that targets have been found to experience, often persisting long after the incidents.¹¹

This outcome will be achieved through two intermediate outcomes.

Intermediate outcome 2.1: A legal and policy framework at national and corporate level that provides adequate provisions for protection of survivors of gender based violence and sexual harassment

Intermediate outcome 2.2: Increased availability of victim friendly support systems at corporate and national level - Efforts towards achieving this include setting up the relevant structures at both corporate and national level. Procedural fairness can be embodied in broader systems whose elements may include; multiple reporting channels; flexibility in the formality of procedure; timely investigations; the option to access mediation; safe processes that manage the fear of and potential for retaliation; commensurate sanctions; and acknowledgement of an evidence deficit in formal investigations.⁶²

6.2.1 Output 2.1 – Legislation with adequate provisions for addressing GBV and harassment

As mentioned earlier in this document, currently, provisions on sexual harassment are contained in a combination of legislation that include: administrative laws, penal codes and labour legislation and specialized domestic violence laws. However, sexual harassment is not criminalised and does not attract criminal sanctions for perpetrators. In addition, the laws do not recognise that sexual harassment is a violation of women's rights with health and safety consequences. Gender based violence is also not well articulated in the current laws as a workplace version of abuse. The Government and other key stakeholders will therefore review, develop and harmonise laws and policies that incorporate the necessary legal provisions on GBV and sexual harassment that are in the ILO Convention No. 190. The legislation will also include the appropriate criminal, civil and administrative remedies that facilitate addressing violence, GBV and sexual harassment in the workplace effectively and holistically. The new legislation will be disseminated to the relevant stakeholders, institutions, private sector and communities, at large.

6.2.2 Strategies for Output 2.1

The following are strategies for Output 1.2, "Draft legislation that provides adequate provisions for adjudicating gender based violence and sexual harassment cases in the workplace are submitted to Cabinet for approval":

- **Strategy 2.1.1:** Develop and submit for approval a law on GBV and sexual harassment in the workplace that adopts provisions of ILO Convention No. 190 and outlines criminal, civil and administrative remedies.
- **Strategy 2.1.2:** Harmonise the legal processes and procedures in the labour law system to respond effectively to GBV and sexual harassment.

⁵² Australian Human Rights Commission. (2008). Effectively preventing and responding to sexual harassment: A Code of Practice for Employers, Sydney, Australia: Australian Human Rights Commission. Retrieved from https://www.humanrights.gov.au/sites/default/files/content/sexualharassment/employers_code/COP2008.pdf

- **Strategy 2.1.3:** Ensure that corporate policies provide easy access to appropriate and effective remedies that provide a safe, fair and effective (victim friendly) reporting and dispute resolution mechanisms and procedures in cases of GBV and sexual harassment in the workplace.
- **Strategy 2.1.4:** Facilitate extension of response mechanisms for survivors of GBV and sexual harassment to include tertiary interventions including rehabilitation.
- **Strategy 2.1.5:** Advocate for the inclusion of sexual harassment in the workplace as a variable for data collection in national databases, like ZIMSTATS and the Labour Market Information system. This will establish prevalence rate and inform interventions to reduce cases.

6.2.3 Output 2.2: The ILO Convention No. 190 is ratified and domesticated in Zimbabwe

Ratification of the ILO Convention No. 190 will create a conducive environment and accelerate review, alignment and implementation of the laws that address violence and harassment in the workplace. The State will have to therefore sign, ratify and domesticate the ILO Convention No. 190 and its general Recommendation No. 206 to become law. The State will maximise on its prevailing advantage that is in the Constitution of Zimbabwe which has an express provision on ratification and domestication of international treaties, conventions and agreements to incorporate them into domestic law. This implies that the domestication of the Convention No. 190 will influence and expedite the development of laws and policies related to GBV and sexual harassment in the workplace in the country.

6.2.4 Strategies for Output 2.2

In line with the expected procedures for formal ratification of Conventions; it includes communicating to the Director-General of the International Labour Organization for registration. Expression of zero tolerance for GBV and sexual harassment by the government will reflect the strong political will which is expected to be supported at the corporate level, and ultimately by individuals.

- **Strategy 2.2.1** Advocate for Zimbabwe to ratify ILO Convention No. 190 on Violence and Harassment in the Workplace.
- **Strategy 2.2.2** Undertake procedures for the domestication of ILO Convention No. 190 on Violence and Harassment in the Workplace and sensitize public on the ratification.
- **Strategy 2.2.3** Implement supportive mechanisms to roll out the ILO Convention No. 190 on Violence and Harassment.

6.2.5 Output 2.3: Improved capacity of judiciary, law and order sectors, labour officers, Government and Zimbabwe Gender Commission in handling gender based violence and sexual harassment cases that occur in the workplace

The situational analysis indicated that there is limited capacity of Government institutions, private sector, CSOs and others to respond and address responses to violence and harassment in the workplace. In instances where attempts have been made, the response has not been holistic and coordinated. This resulted in victims not reporting their cases and in cases that were reported, the perpetrators not prosecuted thus denying the victims of their human rights to access justice. It is expected that the State and relevant stakeholders will develop gender sensitive guidelines; design and implement training programmes for the judiciary and law and order sectors and labour officers to enable them to respond and address gender based violence and harassment in the Country's workplace.

6.2.6 Strategies for Output 2.3

The strategies for Output 2.3 are presented below:

- **Strategy 2.3.1** Facilitate the development, implementation and dissemination of, as appropriate, gender-responsive guidelines and training programmes to assist judges, labour inspectors labour officers, police officers, prosecutors and other public officials in fulfilling their mandate regarding gender based violence and sexual harassment in the world of work.
- **Strategy 2.3.2:** Support key independent institutions, such as the Zimbabwe Gender Commission, to investigate gender based violence and sexual harassment cases and monitor, as well as oversee implementation of workplace policies.

Government and Public Agencies	Employers	Trade Unions	Employees	NGO-Entities with specific related focus	Professional Training Institutes
- Ministry of labour - Ministry of women's affairs, gender - Judiciary - Law and Order Enforcement Agencies - Ministry for tertiary education - Zimbabwe Gender Commission	- Private sector - Business Owners - Public Service Commission - State Owned Enterprises	- Apex Board - Sector-specific trade unions - ZCTU	- Private sector - Various business sectors as recognized in the country economy - Government	- Local organisations working on labour and or gender - International organisation working on labour or gender (e.g. ILO) - UN Agencies	- Training colleges and universities for professionals in various sectors - Polytechnics, colleges

A summary of the strategies for all outputs is presented in Table 5 while Annex 1 presents the detailed implementation plan with activities.

Table 4: Summary of strategies for the sexual harassment strategy

Outcomes	Outputs	Strategies
Outcome 1: Increased reporting of gender based violence and sexual harassment cases in the workplace	Output 1.1: Improved knowledge on forms of GBV and sexual harassment and reporting mechanisms among men and women	Strategy 1.1.1: Increase education and awareness campaigns on gender based violence and sexual harassment for employees.
		Strategy 1.1.2: Mainstream content on GBV and sexual harassment in the workplace into the training curriculum for all sectors at all levels of education, including vocational training, in line with national law and circumstances.
		Strategy 1.1.3: Create and facilitate inter-organisational dialogue platforms on workplace GBV & sexual harassment at a wider scale to include the community e.g. [meetings supporting GBV and harassment efforts beyond the workplace])
		Strategy 1.1.4: Support media engagement to promote responsible reporting on GBV and sexual harassment especially towards victims of GBV and sexual harassment in the workplace guidelines.
		Strategy 1.1.5: Develop, implement and disseminate public awareness-raising campaign materials in various local languages including sign language such as braille, language of those of the migrant workers residing in the country, that convey the unacceptability of GBV and sexual harassment, , address discriminatory attitudes and prevent stigmatization of people with disabilities (PWDs), survivors, complainants, witnesses and whistle-blowers.
		Strategy 1.1.6: Strengthen linkages with broader gender equality and GBV programmes operating at community level for the inclusion of sexual harassment in the workplace in the training and awareness activities.
		Strategy 1.1.7: Strengthen male gender transformational interventions including the training, mentorship and support for gender champions in the workplace.
		Strategy 1.1.8: Develop proactive strategies to recruit and promote women into senior and managerial positions in the workplace to address the unequal power relations between men and women that perpetuate sexual harassment and GBV in the workplace.
		Strategy 1.2.1: Facilitate the development of workplace policy at national, sectoral and company levels (including the relevant structures and code of conduct) on GBV and sexual harassment by all organisations in consultation with workers and their representatives.
Output 1.2: Improved capacity of private sector to develop and put in place mechanisms to address gender based violence and sexual harassment in the workplace.		Strategy 1.2.2: Implement supportive mechanisms to ensure operationalisation of institutional/organisational policies, as well as enforcing national laws and regulations regarding gender based violence and harassment in the world of work, through various means (e.g. inspections, audits, accreditation, inducements (e.g. funding, awards), developing and implementing accountability mechanisms for employers).
		Strategy 1.2.3. Facilitate organisational and community mobilization for active participation in addressing gender based violence and harassment through linkages with community based GBV and gender equality programmes, e.g. community dialogues, and meetings.

Outcomes	Outputs	Strategies
		Strategy 1.2.5: Integrating the initiative for addressing gender based violence and sexual harassment into the other established corporate laws / procedures / regulations, such as occupational safety and health (OSH), e.g. OSH risk assessment to include violence and harassment. Strategy 1.2.6: Support tripartite partners to include workplace gender based violence and sexual harassment in sectoral dialogues, e.g. Collective Bargaining Agreements (CBAs) and NEC policies. Strategy 1.2.7: Public and Private sector to allocate a quota from corporate social responsibility as resources to engage in activities that contribute towards the reduction of sexual harassment and gender based violence in the workplace and the community they serve. Strategy 2.1.1: Develop and submit for approval a law on GBV and sexual harassment in the workplace that adopts provisions of ILO Convention No. 190 and outlines criminal, civil and administrative remedies. Strategy 2.1.2: Harmonise the legal processes and procedures in the labour law system to respond effectively to GBV and sexual harassment. Strategy 2.1.3: Ensure that corporate policies provide easy access to appropriate and effective remedies that provide a safe, fair and effective (victim friendly) reporting and dispute resolution mechanisms and procedures in cases of GBV and sexual harassment in the workplace. [Details on the development and implementation of the policies and procedures at corporate level are under output 1.2] Strategy 2.1.4: Facilitate extension of response mechanisms for survivors of GBV and sexual harassment to include tertiary interventions including rehabilitation. Strategy 2.2.1: Advocate for Zimbabwe to ratify ILO Convention No. 190 on violence and harassment in the workplace Strategy 2.2.2: Undertake procedures for the domestication of ILO Convention No. 190 on violence and harassment in the workplace and sensitize the public on the ratification. Strategy 2.2.3: Implement supportive mechanisms to roll out the ILO Convention No. 190 on violence and harassment Strategy 2.3.1: Facilitate the development, implementation and dissemination of as appropriate, gender-responsive guidelines and training programmes to assist judges, labour inspectors, police officers, prosecutors and other public officials in fulfilling their mandate regarding gender based violence and sexual harassment in the world of work. Strategy 2.3.2: Support key independent institutions, such as the Zimbabwe Gender Commission, to investigate gender based violence and sexual harassment cases and (monitor) oversee implementation of workplace policies.
Outcome 2: Improved support for survivors of, adjudication and timely completion of reported gender based violence and sexual harassment	Output 2.1: A legislative framework that provides adequate provisions for adjudicating gender based violence and sexual harassment cases in the workplace	
	Output 2.2: The ILO Convention No. 190 is ratified and domesticated in Zimbabwe.	
	Output 2.3 Improved capacity of judiciary and law and order enforcement institutions to handle violence and sexual harassment cases	

7 Implementation Approaches

The implementation approach for this strategy is informed by guidance from the ILO Convention No. 190, consistent with the planned aims for its ratification by the country.

First, the strategy will adopt a multi-sectoral approach that works with partners beyond the tripartite arrangements, including women's rights focused CSOs, the Zimbabwe Gender Commission, other arms of the State such as Parliament and the Judiciary.

Second, the Convention states that each member shall adopt, in accordance with national laws and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of gender based violence and harassment in the world of work. Such an approach should take into account gender based violence and harassment involving third parties, where applicable, and this includes the following:

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

The strategy therefore will ensure all stakeholders are included in planning of activities, implementation, and performance review. In working with stakeholders, the strategy will aim at building on existing initiatives at corporate level and ensure all interventions are premised on gender analyses to determine appropriate entry points and activities.

Third, the ILO Convention No. 190 also acknowledges that “gender-based violence and sexual harassment disproportionately affects women and girls, and recognizing that an inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work”. Therefore, while this strategy aims to be inclusive and recognizes that nobody is immune, it also recognizes the disproportionate huge burden upon women. It therefore takes a gender-sensitive approach with emphasis on women empowerment for gender-balance.

Fourth, internationally, there is a strong and growing link between initiatives to prevent workplace harassment and interventions to respond to family gender based violence and gender-based harassment in other settings. The strategy recommends exploration of such linked action.

In addition to the approaches described above, the implementation is also guided by the principles presented earlier in Section 2.8. The Strategy upholds rights-based approaches, considering that violence and harassment is a breach of rights. Further, it also recognizes the women empowerment agenda, as a means towards addressing the problem, given how it disproportionately affects women.

8 Supportive Pillars

8.1 Programme management

A robust national coordination and accountability structure that strives for dynamic public sector, civil society, private and public sector and target groups representation and participation at national and decentralized levels, will coordinate the four pillars under which this strategy is organized.

The strategy implementation will be coordinated and managed by a committee comprising representation from the sub-categories of entities that are core stakeholders in this strategy. The subject matter of seeking to address sexual harassment in the world of work brings together entities from different disciplines including the following:

- Labour Organizations
- Health
- Social services
- Law enforcement
- Legal unit
- Employee unions from various business sectors
- Employer organizations

Considering how the strategy transcends across different sectors, each with a role to play at various levels of its implementation, it is necessary to establish a mechanism through which there is coordination, assurance of participation and inclusion in the strategy monitoring. It is however important to also limit establishing this as a parallel strategy.

Against this background, the coordination and management of this strategy will primarily use existing structures and forum, but with a steering committee specifically tasked to oversee the implementation.

The Ministry of Women Affairs, Community, Small and Medium Enterprise Development is expected to lead the coordination. As the strategy comes into effect, this entity will facilitate setting up of the steering committee with the following expectations:

- Invitation of the multiple stakeholders As the committee is expected to include all core entities, as implied from the strategy and understood by the stakeholders;
- Terms of reference for the steering committee will be drawn and adopted at the beginning of the life of the strategy which is expected to run for three years;
- The committee will establish a schedule for routine meetings such as quarterly review meetings inviting all the sectors, and probably more frequent meetings (virtual) for the core steering committee, which could be monthly.

The strategy also emphasises the importance for coordination at sub-national level, which will be expected to also use existing structures and forums. Further, operationalization and coordination for this strategy will benefit from having representation through focal persons at each “workplace”.

Further details on the strategy management will be elaborated as the operational plan for the strategy is developed.

8.2 Monitoring and Evaluation

While monitoring and evaluation (M&E) is necessary for any strategy, M&E for this strategy requires special consideration. As reflected earlier, one of the challenges with gender violence and sexual harassment in the workplace is the uncertainty over its prevalence due to low reporting and inconsistent or limited assessments to measure it. It is therefore of paramount importance that a robust M&E framework and plan be put in place as the operational plan for this strategy is developed. Without such a plan in place, it will not be possible to establish the extent of success or failure, particularly with regard to the Outcome measurements.

8.3 Stakeholder analysis

Factors influencing occurrence of gender based violence and harassment are complex and occur at various levels. The socio-ecological model has become prominent as a model for addressing violence and harassment recognizes driving factors to be at different levels with various corresponding stakeholders. Programmes done elsewhere have acknowledged that some forms of violence and harassment may be covered by criminal law; however, many may require civil remedies, educational and administrative responses. Efforts to address this comprehensively therefore needs to be multi-faceted, taking into consideration the multiple stakeholders and the roles that they could play at various levels. The ILO Convention No. 190 notes that states have an important responsibility to promote a general environment of zero tolerance to violence and harassment in order to support the prevention of such behaviours and practices, and that all actors in the world of work must refrain from, prevent and address violence and harassment. While governments are largely responsible for setting the broader policy environment for supporting nationwide anti-violence initiatives, employers are primarily responsible for establishing a safe and positive work culture, essential to preventing sexual harassment in the workplace.

The employing organizations themselves are a critical player in addressing violence and harassment in the world of work, not only for the benefit of the employees but for the organizations themselves. The ILO Convention No. 190 states that “violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity”. It therefore in the employer’s stand to adequately address violence and harassment in their places of work as it affects the bottom-line. Employers would therefore need appropriate legislation and support, in some cases, through partnerships with trade unions, government institutions, agencies and NGOs to enable them to assume primary responsibility for operationalizing their workplace responses.

The Convention No. 190 encourages states to “ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.” This also reflects the multiplicity of actors and corresponding roles to be played in the response to violence and harassment in the world of work

Against this background, the Strategy recognizes as the following groupings, not necessarily an exhaustive list but rather as examples:

Members should make an effort to collect and publish statistics on violence and harassment in the world of work, disaggregated by sex, form of violence and harassment, and sector of economic activity, including, with respect to the groups referred to in Article 6 of the Convention.

Annex 1: Detailed Implementation Plan

Output 1.1: Improved knowledge of forms of GBV and sexual harassment and reporting mechanisms among men and women

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 1.1.1: Increase education and awareness campaigns on violence and sexual harassment for employees.																				
Activity 1.1.1.1: Develop Information, Education and Communication materials (IEC) for use in the workplace																				
Activity 1.1.1.2: Hold education and sensitisation meetings of both employers and employee leadership members of workers council at each workplace.																				
Activity 1.1.1.3: Conduct regional awareness meetings for workers and employers in different sectors																				
Activity 1.1.1.4: Conduct education and sensitisation through media on a quarterly basis																				
Activity 1.1.1.4: Conduct online events (skits, drama, roadshows) to expand education and sensitisation on GBV and sexual harassment in the workplace.																				
Strategy 1.1.2: Mainstream content on GBV and sexual harassment in the workplace into the training curriculum for all sectors at all levels of education, including vocational training, in line with national law and circumstances.																				
Activity 1.1.2.1 Development of training manual for all levels (Primary, Secondary, Tertiary and Workplaces) in consultation with the relevant Ministries and Stakeholders.																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 1.1.2.2: Conduct TOT workshops for downstream training of lecturers in tertiary institutions																				
Activity 1.1.2.3: Training of lecturers in tertiary institutions on GBV and sexual harassment in the workplace																				
Activity 1.1.2.4: Support mainstreaming of GBV and sexual harassment in tertiary institutions' (including vocational colleges) curricula and those of management training institutions.																				
Strategy 1.1.3: Create and facilitate inter-organisational dialogue platforms on workplace GBV & sexual harassment at a wider scale to include the community e.g. [meetings supporting GBV and harassment efforts beyond the workplace]																				
Activity 1.1.3.1: Engagement meetings with Social Partners (EMCOZ,ZFTU,ZCTU,CZI etc)																				
Activity 1.1.3.2: Organise discussion meeting with Women rights Organisation on GBV and sexual harassment in the workplace and including GBV and sexual harassment in the work as an agenda item in the Womne's Coalition of Zimbabwe.																				
Activity 1.1.3.3: Distribution of materials and information dissemination for Lobbying and Advocacy																				
Strategy 1.1.4: Support media engagement to promote responsible reporting on GBV and sexual harassment especially towards victims of GBV and sexual harassment in the workplace guidelines.																				
Activity 1.1.4.1: Hold training workshops of journalists in print and electronic media (including e-media) on reporting on GBV and sexual harassment in the workplace																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 1.1.4.2: Provide help desk for journalists writing on GBV and sexual harassment in the workplace.																				
Activity 1.1.4.3.: Develop reporting guidelines for use by journalists in reporting GBV and sexual harassment in the workplace.																				
Strategy 1.1.5: Develop, implement and disseminate public awareness-raising campaign materials in various local languages including sign language such as braille, language of those of the migrant workers residing in the country, that convey the unacceptability of GBV and sexual harassment, address discriminatory attitudes and prevent stigmatization of people with disabilities (PWDs), survivors, complainants, witnesses and whistle-blowers.																				
Activity 1.1.5.1 Translation of IEC material into vernacular languages including Brail and Sign Language																				
Strategy 1.1.6: Strengthen linkages with broader gender equality and GBV programmes operating at community level for the inclusion of sexual harassment in the workplace in the training and awareness activities																				
Activity 1.1.6.1: Conduct community dialogues with existing structures e. g CBOs, Churches, Traditional Leaders, Trade Unions, Local Authorities on GBV and sexual harassment in the workplace.																				
Activity 1.1.6.2: Establish a coordination desk to support mainstreaming of GBV and sexual harassment in the workplace in community based gender and GBV focused activities.																				
Strategy 1.1.7: Strengthen male gender transformational interventions including the training, mentorship and support for gender champions in the workplace.																				
Activity 1.1.7.1. Training of male gender champions from various sectors																				
Activity 1.1.7.2: Establish a working group for gender champions to share experiences, lessons and seek assistance.																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 1.1.8: Develop proactive strategies to recruit and promote women into senior and managerial positions in the workplace to address the unequal power relations between men and women that perpetuate sexual harassment and GBV in the workplace.																				
Activity 1.1.8.1: Develop position paper for supporting women in leadership positions.																				
Activity 1.1.8.2: Develop materials to mainstream GBV and sexual harassment in projects/programmes building capacity of women for leadership positions.																				
Activity 1.1.8.3 Joint activities with projects/programmes building capacity of women for leadership positions.																				

Output 1.2: Improved capacity of private sector to develop and put in place mechanisms to address GBV and sexual harassment in the workplace

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 1.2.1: Facilitate the development of workplace policy at national, sectoral and company levels (including the relevant structures and code of conduct) on GBV and sexual harassment by all organisations in consultation with workers and their representatives.																				
Activity 1.2.1.1 Engagement meetings with relevant management through their works council for the development of their workplace policy																				
Activity 1.2.1.2: Develop model workplace policy to address GBV and sexual harassment in the workplace that can be adopted by corporates (including the public sector)																				
Strategy 1.2.2: Implement supportive mechanisms to ensure operationalisation of institutional/organisational policies, as well as enforcing national laws and regulations regarding violence and harassment in the world of work, through various means (e.g. inspections, audits, accreditation, inducements (e.g. funding, awards), developing and implementing accountability mechanisms for employers).																				
Activity 1.2.2.1: Train labour officers from national to district levels in the identification and investigation of GBV and sexual harassment cases and support for survivors																				
Activity 1.2.2.2: Develop an awarding system for most gender sensitive and safe workspace as part of corporate performance awards.																				
Strategy 1.2.3: Facilitate organisational and community mobilization for active participation in addressing gender based violence and harassment through linkages with community based GBV and gender equality programmes, e.g. community dialogues, and meetings.																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 1.2.3.1: Ministry of Women Affairs, Community Development, and Small and Medium Enterprises (MWACDSME) to disseminate information on GBV and sexual harassment in the workplace.																				
Additional activities under strategy 1.1.3																				
Strategy 1.2.4: Facilitate skills training and capacity-building for institutions and organisations advocating for gender equality and the elimination of gender based violence against women.																				
Activity 1.2.4.1: Skills training and capacity-building for institutions and organisations advocating for gender equality and the elimination of gender based violence against women																				
Activity 1.2.4.2: Conduct training workshops for CSOs, advocates and public service commission on GBV and sexual harassment																				
Strategy 1.2.5: Integrating the initiative for addressing violence and sexual harassment into the other established corporate laws / procedures / regulations such as occupational safety and health (OSH), e.g. OSH risk assessment to include violence and harassment.																				
Activity 1.2.5.1: Assess how GBV and sexual harassment can be integrated in OSH risk assessment and management																				
Activity 1.2.5.2: Develop model OSH policies that incorporate GBV and sexual harassment.																				
Strategy 1.2.6: Support tripartite partners to include workplace gender based violence and sexual harassment in sectoral dialogues, e.g. Collective Bargaining Agreements (CBAs) and NEC policies.																				
Activity 1.2.6.1: Lobby CBAs tripartite partners to include GBV and sexual harassment in CBAs and NEC policies																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 1.2.6.2: Provide technical support to tripartite partners to include GBV and sexual harassment in CBA and NEC policies.																				
Strategy 1.2.7 : Public and Private sector to allocate a quota from corporate social responsibility as resources to engage in activities that contribute towards the reduction of sexual harassment and gender based violence in the workplace and the community they serve.																				
Activity 1.2.7.1: Develop a business case for investment in GBV and sexual harassment in the workplace.																				
Activity 1.2.7.2: Hold meetings with executives of private and public sectors on the business case for investment in GBV and sexual harassment in the workplace.																				

Output 2.1: Draft legislation that provides adequate provisions for adjudicating GBV and sexual harassment cases in the workplace are submitted to cabinet for approval

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 2.1.1: Develop and submit for approval a law on GBV and sexual harassment in the workplace that adopts provisions of ILO Convention 190 and outlines criminal, civil and administrative remedies.																				
Activity 2.1.1.1: Revise current legislation with a view to identify gaps. (round table meetings to review)																				
Activity 2.1.1.2: Draft a position paper on gaps for presentation to relevant authorities																				
Activity 2.1.1.3: Stakeholder engagement meeting to lobby (JSC, Parliament, Ministry of Justice, Ministry of labour, Ministry on Women Affairs)																				
Activity 2.1.1.4: Review of Hansards & parliamentary legal reports on the ratification process to ascertain inclusion of input.																				
Strategy 2.1.2: Harmonise the legal processes and procedures in the labour law system to respond effectively to GBV and sexual harassment.																				
Activity 1.1.2.1: Lobby ministry of labour to initiate TNF meetings to deal with harmonisation of legal processes and procedures																				
Activity 2.1.2.2: Roll out a ratification campaign (IEC material, media engagements)																				
Activity 2.1.2.3: lobby the ministry of Labour to include provisions of the ILO convention on the section that																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
speaks to harassment in the labour act.																				
Strategy 2.1.3: Ensure that Corporate policies provide easy access to appropriate and effective remedies that provide a safe, fair and effective (victim friendly) reporting and dispute resolution mechanisms and procedures in cases of GBV and sexual harassment in the workplace. [Details on the development and implementation of the policies and procedures at corporate level are under output 1.2]																				
Activity 2.1.3.1: Develop a model corporate policy on sexual harassment																				
Activity 2.1.3.2: Training workshops for HR departments, workers committee, Executives, H&S committees)																				
Activity 2.1.3.3: ZGC to conduct ad-hoc visits to workplaces to monitor the impact of training and review of policies.																				
Strategy 2.1.4: Facilitate extension of response mechanisms for survivors of GBV and sexual harassment to include tertiary interventions including rehabilitation.																				
Activity 2.1.4.1: Develop tools and guidelines for survivor support including standard Operating Procedures for use by all stakeholders in workplace programming																				
Activity 2.1.4.2: Training of corporate focal persons on counselling and support to survivors of GBV and sexual harassment in the workplace (including ZRP victim friendly units, health staff)																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 2.1.4.3: Link the workplace programme with the referral mechanism through within the existing multi-sectoral management and response for sexual abuse in Zimbabwe.																				
Activity 2.1.4.5: Development of tools and guidelines for perpetrator counselling to avoid repeat offence.																				
Strategy 2.1.5: Advocate for the inclusion of sexual harassment in the workplace as a variable for data collection in national databases like ZIMSTATS and the Labour Market Information system mechanism. This will establish prevalence rate and inform interventions to reduce cases.																				
Activity 2.1.5.1: Review LMIS to ensure all indicators of GBV and sexual harassment in the workplace are included																				
Activity 2.1.5.2: Hold discussions with ZIMSTAT to include GBV and sexual harassment in the workplace in the women and men report																				
Activity 2.1.5.3: Train labour officers and LMIS administrators on indicators for measuring GBV and sexual harassment in the workplace.																				
Activity 2.1.5.4: Develop an M&E framework GBV and sexual harassment in the world of work																				

Output 2.2: The ILO Convention C190 is ratified in Zimbabwe

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 2.2.1: Advocate for Zimbabwe to ratify ILO Convention 190 on Violence and Harassment in the workplace																				
Activity 2.2.1.1: Develop a position paper on ILO Convention 190																				
Activity 2.2.1.2: Hold workshops with relevant Parliamentary Committees, TNF and Government for policy																				
Activity 2.2.1.3: Technical support to legislators on advocating and debating the ILO Convention C190																				
Strategy 2.2.2: Undertake procedures for the domestication of ILO Convention 190 on Violence and Harassment in the workplace and sensitize public on the ratification.																				
Activity 1.2.2: Media Awareness campaigns for the public on the shadow Bill and C190																				
Activity 1.2.3: Hold provincial consultations on the Bill and ILO C190																				
Strategy 2.2.3: Implement supportive mechanisms to roll out the ILO Convention 190 on Violence and Harassment																				
Activity 1.3.1: Establish Sexual Harassment Committees in the workplace																				
Activity 1.3.2: Support review of relevant pieces of legislation to ensure incorporation of provisions related to GBV and sexual harassment in the workplace.																				
Activity 1.3.3: Establishment of information kiosks																				
Activity 1.3.4: Training of organisation/staff on relevant legislation that address sexual harassment and GBV																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 1.3.5: Setting up hotline numbers, help desks, helpline numbers etc to support reporting of cases.																				
Output 2.3: Improved capacity of judiciary, law and order sectors, labour officers, Government and Zimbabwe Gender Commission in handling gender based violence and sexual harassment cases that occur in the workplace																				
	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Strategy 2.3.1: Facilitate the development, implementation and dissemination of as appropriate, gender-responsive guidelines and training programmes to assist judges, labour inspectors, police officers, prosecutors and other public officials in fulfilling their mandate regarding gender based violence and sexual harassment in the world of work.																				
Activity 2.3.1.1: Training workshops of judges, labour inspector, police officers, prosecutors and other public officials on sexual harassment and GBV																				
Activity 2.3.1.2: Develop SOPs on handling survivors of sexual harassment and GBV																				
Activity 2.3.1.3: Monitoring compliance of judiciary and law and order enforcement institutions to handle violence and sexual harassment cases																				
Strategy 2.3.2: Support key independent institutions, such as the Zimbabwe Gender Commission, to investigate violence and sexual harassment cases and (monitor) oversee implementation of workplace policies.																				
Activity 2.3.2.1: Carry out study visits to other countries for best practices.																				
Activity 2.3.2.2: Training on investigative skills, Alternative Dispute Resolution, and judgement writing.																				
Activity 2.3.2.3: Carry out an audit on workplaces and tertiary institutions that have workplace policies.																				

	2021				2022				2023				2024				2025			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Activity 2.3.2.4: Advocate for all institutions to have workplace policies.																				

Annex 2: List of Stakeholders Consulted

	Name	Gender	Position	Organisation/Company
1	Melusi Matshiya	Male	Permanent Secretary	Ministry of Women Affairs, Community, Small and Medium Enterprise Development
2	Air Commodore Dumba	Male	Chief Director	Ministry of Women Affairs, Community, Small and Medium Enterprise Development
3	Vaida Mushangwe	Female	Director of Gender	Ministry of Women Affairs, Community, Small and Medium Enterprise Development
4	Brian Guyo	Male	Principal Admin Officer	Ministry of Women Affairs, Community, Small and Medium Enterprise Development
5	Lorraine Mbodza	Female	Principal Admin Officer	Ministry of Women Affairs, Community, Small and Medium Enterprise Development
6	Mr Langton Ngorima	Male	Acting Director for Labour Administration	Ministry of Public Service, Labour and Social Welfare
7	Ambassador Wutawunashe	Male	Permanent Secretary	Public Service Commission
8	Moses Mhike	Male	Head of Human Capital	Public Service Commission
9	Virginia Muwanigwa	Female	Chief Executive Officer	Zimbabwe Gender Commission
10	Caroline Matizha	Female	Director of Programmes	Zimbabwe Gender Commission
11	Israel Murefu	Male	President	Employers Confederation of Zimbabwe (EMCOZ)
12	Damos Mbauya	Male	Vice President	Employers Confederation of Zimbabwe (EMCOZ)
13	Nester Mukwehwa	Female	Executive Director	Employers Confederation of Zimbabwe (EMCOZ)
14	Peter Mutasa	Male	President	Zimbabwe Congress of Trade Unions (ZCTU)
15	Japhet Moyo	Male	Secretary General	Zimbabwe Congress of Trade Unions (ZCTU)
16	Fiona Magaya	Female	Gender Coordinator - National	Zimbabwe Congress of Trade Unions (ZCTU)
17	Comrade Shamuyarira	Male	Secretary General	Zimbabwe Federation of Trade Unions (ZFTU)
18	Justice Chinhema	Male	General Secretary	Zimbabwe Diamond & Allied Minerals Workers Union
19	Benice Meluleke	Female	Gender Coordinator	Zimbabwe Banks and Allied Workers Union (ZIBAWU)
20	Zvikomborero Chirombe-Majena	Female	Lawyer	Zimbabwe Banks and Allied Workers Union (ZIBAWU)
21	Enipa Ngirazi	Female	Gender Coordinator	Commercial Workers Union of Zimbabwe

22	Mr Chitsinde	Male	General Secretary	Tourism Workers Union (National Union of Tourism, Wildlife, Leisure and Allied Work)
23	Mr Foster Dongozi	Male	Secretary General	Zimbabwe Union of Journalists (ZUJ)
24	Juliet Sithole	Female	Gender Coordinator	General Agriculture and Plantation Workers Union of Zimbabwe (GAPWUZ)
25	Godfrey Kanyenze	Male	Director of Programmes	Labour and Economic Research Institute of Zimbabwe (LEDRIZ)
26	Emelda Mhuriro	Female	Women's Rep	Civil Service APEX Council
27	Slyvia Shekede	Female	Principal Gender Specialist	Infrastructure Development Bank of Zimbabwe (IDBZ)
28	Marshall Pemhiwa	Male	HR Manager	Delta Corporation
29	Kuda Chanakira	Male	HR Manager	Nyaradzo Group of Companies
30	Sylvester Baipai	Male	HR Manager	Zimbabwe Mining and Smelting Company (ZIMASCO)
31	Jesman Njanike	Female	HR Manager	RioZim
32	Marcelline Chieza	Female	HR Manager - Talent Management / Employee Wellness	Premier Service Medical Investments (PSMI)
33	Tongai Marodza	Male	HR Manager	Forester
34	Anthony Mandiwanza	Male	MD and former EMCOZ President	Dairibord Zimbabwe
35	Brighton Warinda	Male	HR Manager	Afdis
36	Trust Hatitye	Male	HR Manager	Mashonaland Tobacco Company
37	Michelle Bonzo-Brings	Female	Policy and Advocacy Officer	Women's Coalition of Zimbabwe
38	Abigail Gamanya	Female	National Director	Gender and Media Connect
39	Abigail Matsvai	Female	Director of Programmes	Zimbabwe Women Lawyers Association (ZWLA)
40	Linda Kalenga	Female	Programmes Manager, Gender	European Union (EU)
41	Maria Manuel Gomes Do Valle Ribeiro	Female	Resident Coordinator	UN Resident Coordinator's Office
42	Magdeline Madibela	Female	Gender Specialist	UN Resident Coordinator's Office
43	Francis Kamoto	Male	FUNSAZ Chair -UN Staff Union Rep	UNICEF – Harare
44	Delphine Serumaga	Female	Country Representatives	UNWOMEN
45	Pat Made	Female	Spotlight Initiative Coordinator	UNWOMEN
46	Molline Marume	Female	Program Specialist	UNWOMEN
47	Hoplang Phororo	Female	Director	ILO Harare
48	Valentina Beghini	Female	Gender Specialist	ILO Geneva
49	Mwila Chigaga	Female	Gender Specialist	ILO Pretoria
50	Ida Tsitsi Chimedza	Female	National Programmes Coordinator - Gender & HIV/AIDS	ILO Harare
51	Adolphus Chinomwe	Male	Program Officer	ILO Harare

