



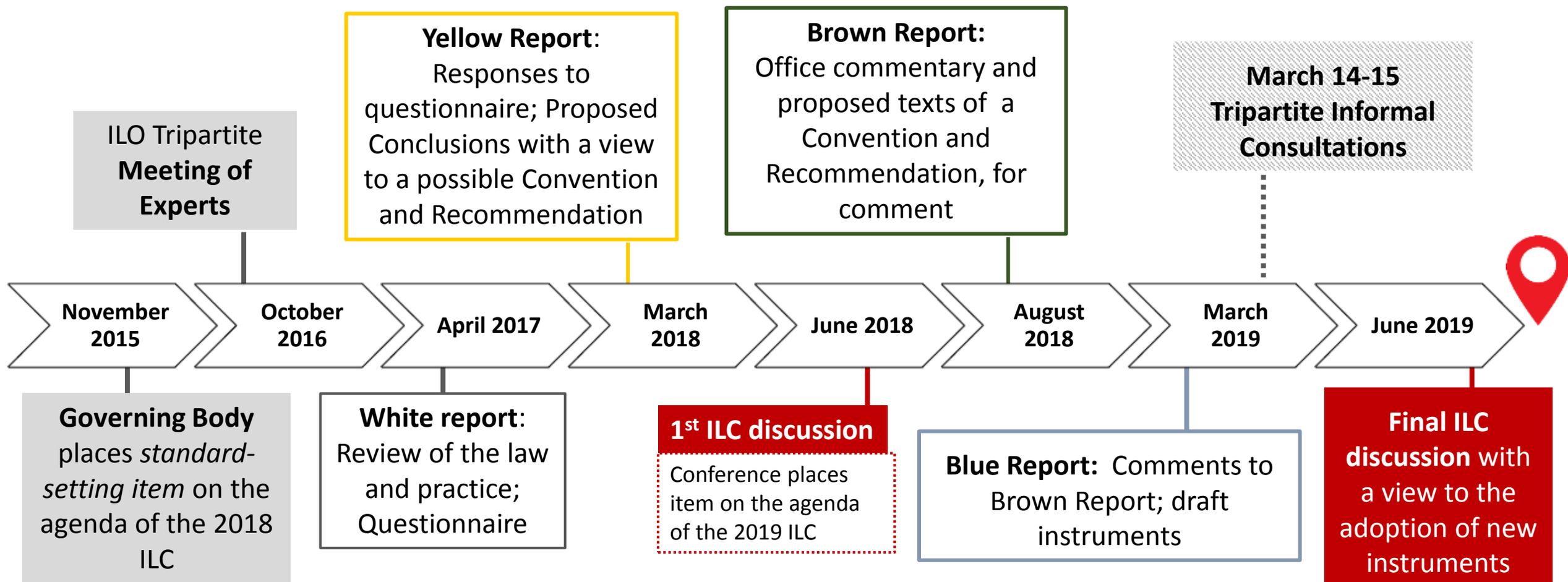
**A Global Mandate to End Violence  
and Harassment in the World of Work:  
ILO Convention (No.190)  
and Recommendation (No.206)**



**The moment of the adoption of C.190 and R.206 at the International Labour Conference  
Geneva, 21 June 2019**



# The ILO Standard-setting process



# A GLOBAL CALL FOR ACTION



On 21 June 2019, the International Labour Conference adopted the Convention concerning the elimination of violence and harassment in the world of work (No. 190) and its accompanying Recommendation (No. 206)

Convention No. 190 was adopted with the following votes:

For: **439**

Against: **7**

Abstentions: **30**

Recommendation No. 206 was adopted with the following votes:

For: **397**

Against: **12**

Abstentions: **44**

Sources: [https://www.ilo.org/wcmsp5/groups/public/@ed\\_norm/@relconf/documents/meetingdocument/wcms\\_711349.pdf](https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_711349.pdf)  
[https://www.ilo.org/wcmsp5/groups/public/--ed\\_norm/--relconf/documents/meetingdocument/wcms\\_711350.pdf](https://www.ilo.org/wcmsp5/groups/public/--ed_norm/--relconf/documents/meetingdocument/wcms_711350.pdf)



**It is opportune that, at the celebration of the Organization's centenary, we have drawn such an important instrument. If adopted, it will be the first of its kind**

Ms. Lindiwe Sephomolo  
Employers' Delegate of Lesotho to the ILC

# CONVENTION No.190 and RECOMMENDATION No. 206



## Convention No. 190 and Recommendation No. 206 are International Labour Standards

- **The Convention** is a binding international treaty, creating obligations for **ratifying States**
- **The Recommendation** provides guidance in implementing the Convention



# CONVENTION No.190 and RECOMMENDATION No. 206



**The right of everyone to a world of work  
free from violence and harassment  
including gender-based violence and harassment**

**Historic opportunity to shape a future of  
work based on dignity and respect**

# WHY ARE THE INSTRUMENTS NEEDED?



## Violence and harassment in the world of work...

...threatens equal opportunities, is **unacceptable and incompatible with decent work.**

...can constitute a human rights violation or abuse

...affects a person's **health, dignity, and family and social environment.**

...may **prevent** persons, particularly women, **from accessing, and remaining and advancing in the labour market.**

...is incompatible with promoting **sustainable enterprises** and impacts on **workplace relations, enterprise reputation and productivity.**



# The Convention and Recommendation are the bridge between the past and the future

Mr. Martin Wandera  
Government Delegate of Uganda to the ILC  
speaking on behalf of the Africa Group

# WHAT IS INNOVATIVE ABOUT THE INSTRUMENTS?



- The Convention and the Recommendation are **the first international standards** on violence and harassment in the world of work
- The Convention is a **forward-looking and ground-breaking instrument** that takes into consideration:
  - the **evolving nature of work**
  - the **underpinning elements** of violence and harassment
- The instruments mark the start of the **ILO's next century**



**No one should have to choose between their right  
to work and the right to live free from violence  
and harassment**

Mr. Adrian Vierita  
Government Delegate of Romania to the ILC  
speaking on behalf of the EU and its Members States

# CORE PRINCIPLES OF THE CONVENTION



- ❖ Respect, promote and realize the **right of everyone to a world of work free from violence and harassment**
- ❖ Adopt an **inclusive, integrated and gender-responsive approach**
- ❖ Recognize **different and complementary roles and functions of governments, employers and workers**, with the varying nature and extent of their responsibilities
- ❖ Respect, promote and realize the **fundamental principles and rights at work** and promote **decent work**
- ❖ **Ensure right to equality and non-discrimination, including for women workers, as well as for vulnerable groups or groups in situations of vulnerability** disproportionately affected by violence and harassment in the world of work

# CORE PRINCIPLES



## Adopting AN INCLUSIVE, INTEGRATED AND GENDER-RESPONSIVE APPROACH

Protecting those in all sectors, in the formal and informal economy, and in urban or rural areas\*

Addressing violence and harassment through labour, equality and non-discrimination, OSH, migration and criminal law and policies

Addressing discrimination, abuse of power relations and gender norms that support violence and harassment

\*Ensuring accessibility of information, tools and trainings



**For me, as for most women workers I know, this Convention and this Recommendation are personal.**

**This Convention, and its recognition of violence and harassment as a range of behaviours and practices, tells me that what I have experienced counts.**

Ms. Rachel Mackintosh  
Workers' Delegate of New Zealand to the ILC

# WHAT IS ADDRESSED?



## **Violence and harassment:**

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**

**Definitions in national laws and regulations may provide for a single concept or separate concepts**

# WHAT IS ADDRESSED?



## **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.**

- *Gender-based violence disproportionately affects women and girls*
- *Tackling its underlying causes and risk factors is essential*

# WHO DOES IT INVOLVE?



The Convention applies to **all sectors**, whether private or public, in the formal and informal economy, and whether in urban or rural areas.

## **The Convention protects workers and other persons in the world of work:**

- employees as defined by national law and practice
- persons working irrespective of their contractual status
- persons in training, including interns and apprentices
- workers whose employment has been terminated
- volunteers
- jobseekers and job applicants
- individuals exercising the authority, duties or responsibilities of an employer

The Convention requires Members to take into account violence and harassment involving **third parties**, where applicable, when adopting an inclusive, integrated and gender-responsive approach

# WHERE AND WHEN DOES IT OCCUR?



## Violence and harassment in the world of work

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*Occurring in the course of, linked with or arising out of work:*

- The workplace
- Public and private spaces, where they are a place of work
- Places where worker is paid, takes a rest break or a meal
- Sanitary, washing and changing facilities
- Work-related trips, travel, training, events or social activities
- Through work-related communications
- Employer-provided accommodation
- Commuting to and from work



**Violence and harassment is a scourge that needs  
to be addressed before it eliminates all of us...  
We are ready for the Convention and  
Recommendation**

Ms. Fiona Gandiwa Magaya  
Adviser

Workers' Delegate of Zimbabwe to the ILC

# HOW IS IT ADDRESSED?



- 1 PREVENTION AND PROTECTION**
- 2 ENFORCEMENT AND REMEDIES**
- 3 GUIDANCE AND TRAINING**

# HOW IS IT ADDRESSED?



## 1. PREVENTION AND PROTECTION

The Convention requires Members to take measures to:

- **Define and prohibit** violence and harassment
- **Prevent violence and harassment**
- **Protect those in sectors, occupations and work arrangements** with more exposure



The Recommendation provides that sectors, occupations and work arrangements with more exposure are those such as night work, work in isolation, health, hospitality, social services, emergency services, domestic work, transport, education or entertainment.

# HOW IS IT ADDRESSED?



## The Convention requires Members to:

### ➤ Require employers to:

- take steps commensurate to their degree of control to prevent violence and harassment
- in particular, so far as is reasonably practicable, to:

1. Adopt and implement a **workplace policy**, in consultation with workers



**The Recommendation provides that** the workplace policy should:

- Include no tolerance statement
- Establish prevention programmes
- Specify rights and responsibilities of employer and workers
- Contain information on complaint and investigation mechanisms

# HOW IS IT ADDRESSED?



## The Convention requires Members to: (cont'd)

### ➤ Require employers to:

– in particular, so far as is reasonably practicable, to:

2. Introduce violence and harassment in OSH management and in **risk-assessments**

➔ **The Recommendation provides that** the risk-assessment should pay particular attention to:

- Working conditions and arrangements, work organization
- Involvement of third parties
- Discrimination, abuse of power relations and gender, cultural and social norms.

3. Provide **information and training** on hazards and risks of violence and harassment, prevention and protection measures, and rights and responsibilities of workers and other persons concerned.

# HOW IS IT ADDRESSED?



## 2. ENFORCEMENT AND REMEDIES

**The Convention requires Members to take measures to :**

- Ensure access to safe, fair and effective **reporting and dispute resolution mechanisms**:
  - complaint and investigation procedures in the workplace
  - dispute resolution mechanisms and courts or tribunals
  - protection against retaliation
  - support (legal, social, medical and administrative)

- Ensure access to appropriate and effective **remedies**

↳ **The Recommendation provides that** remedies could include resigning with compensation, reinstatement, damage compensation, legal fees and costs, etc

# HOW IS IT ADDRESSED?



## 2. ENFORCEMENT AND REMEDIES

The Convention requires Members to take measures to :

- Provide access to gender-responsive complaint and dispute resolution mechanisms, support, services and remedies in cases of gender-based violence and harassment



**The Recommendation provides that** these should include measures such as courts with expertise, timely processing, legal advice and assistance, shift of the burden of proof, support to re-enter the labour market, 24-hour hotlines, etc.

- Ensure that workers have the right to **remove themselves** in case of imminent and serious danger to life, health and safety

# HOW IS IT ADDRESSED?



The Convention requires Members to take measures to :

- Provide for **sanctions**



**The Recommendation provides that** perpetrators should be held accountable, and be provided with counselling to prevent reoccurrence and facilitate their reintegration

- Protect **privacy and confidentiality**, and prevent their misuse

- Empower **labour inspectors** and other authorities to deal with cases of violence and harassment



**The Recommendation provides that** gender-responsive training should be given to identify and address violence and harassment in the world of work



**These standards will guide us through the cultural and societal change that we all have acknowledged is so necessary**

Ms. Brenda Baxter  
Government Delegate of Canada to the ILC

# HOW IS IT ADDRESSED?



## 3. GUIDANCE AND TRAINING

The Convention requires Members to take measures to:

1. Inclusion of violence and harassment in the world of work in relevant **national policies**
2. **Guidance, resources and training to employers and workers and relevant authorities**

**The Recommendation includes:**

- Gender-responsive **guidance to employers and workers**
- Providing **model codes of practice and risk-assessment tools** (general or sector-specific)
- Gender-responsive guidelines and training programmes to assist **judges, labor inspectors, police officers, prosecutors and other public officials.**

# HOW IS IT ADDRESSED?



The Convention requires Members to take measures to:

### 3. Undertake initiatives, including awareness raising.



#### The Recommendation includes:

- **Public campaigns aimed at fostering safe, healthy and harmonious workplaces** free from violence and harassment
- **Public awareness-raising campaigns** conveying unacceptability of violence and harassment, addressing discriminatory attitudes and preventing victim stigmatization
- **Programmes addressing factors that increase likelihood** of violence and harassment in the world of work (discrimination, abuse of power relations, and gender, cultural and social norms)
- Gender-responsive curricula and materials at all levels of **education and vocational training**
- Materials for **journalists**



**It is important that these instruments cover the role that domestic violence plays in keeping women out of the workforce.**

**It endangers their job security and their safety at work, and it really has impacts on productivity.**

Ms. Joanna Bernice Coronacion  
Workers' Delegate of Philippines to the ILC

# DOMESTIC VIOLENCE



**Domestic violence has an impact in the world of work:**



The instruments require Members to:

*Convention  
No. 190*

- **Recognize its effects**
- So far as is reasonably practicable, **mitigate its impact**

*Recommendation  
No. 206*

- Leave for victims
- Flexible work arrangements
- Temporary protection against dismissal
- Including domestic violence in workplace risk assessments
- Awareness-raising

# CONVENTION No.190: STEPS AHEAD



- All member States are required to **bring the Convention to the attention of the competent national authorities.**
  - The Convention **comes into force for any Member** twelve months after ratification is registered
    - States that ratify the Convention submit regular **reports for review by the ILO Committee of Experts on the Application of Conventions and Recommendations**

**The Convention comes into force one year after two States have ratified it**



**This instrument talks about freedom and respect.  
It talks not only about the freedom to be equal,  
but also about the freedom to be different,  
to think differently.**

Mr. Julio Cordero  
Employers' Delegate of Argentina to the ILC

# SOURCES



- [Convention No.190](#) concerning the elimination of violence and harassment in the world of work
- [Recommendation No. 206](#) concerning the elimination of violence and harassment in the world of work