

Terms of Reference

National Consultant for developing a model code of conduct and a brochure for preventing and addressing violence and harassment in the world of work

1. Introduction

Recognizing that violence and harassment is incompatible with decent work, the ILO Convention on Violence and Harassment, No. 190 (2019) was adopted at the International Labour Conference in 2019. It recognizes that violence and harassment can constitute a human rights violation or abuse and articulates the right of everyone to a world of work free from violence and harassment. While some forms of violence and harassment have been addressed through different international treaties, they have generally had limited scope in terms of protection. Therefore, the adoption of this Convention, which covered all forms of violence and harassment in the world of work and articulated the protection for all workers was an important milestone to realize decent work for all.

In Nepal, efforts to eliminate violence and harassment have also mainly focused on addressing violence against women. This is rightly so, as women and girls have been the disproportionately affected by violence and harassment. In response, the Government of Nepal has introduced several legislations such as the Domestic Violence Act and the Sexual Harassment at Workplace (Elimination) Act. Employers' and workers' organizations and other Civil Society Organizations (CSOs) have also carried out activities to raise awareness and to provide support to victims of violence and harassment.

However, violence and harassment against women and girls continues to be prevalent, negatively affecting women in education and the world of work, though many cases are not reported due to stigma attached to violence and harassment based on gender. This calls for enhanced actions by relevant stakeholders in preventing and addressing violence and harassment in the world of work. In order to strengthen the actions by relevant stakeholders, the ILO Kathmandu Office is implementing a project in close partnership with the government and employers' and workers' organizations in Nepal. As part of efforts to strengthen action against violence and harassment, the project plans to develop a model code of conduct and a brochure for preventing and addressing violence and harassment in the world of work.

In this context, the ILO Kathmandu Office is seeking the service of a national consultant in developing the model code of conduct and a brochure, in close coordination with the C190 Action Group in Nepal, which is a group consisting of representatives from the government, workers' and employers' organizations working towards the world of work free from violence and harassment in the world of work in Nepal.

2. Scope

The national consultant will work under direct guidance of the Senior Programme Officer in the ILO Kathmandu Office, and in close coordination and consultation with relevant ILO colleagues including Gender Specialist based in New Delhi in India and Project officers in Kathmandu.

The expected number of days for the assignment is 25 days spread over 3 months, starting June 2021.

The development of the code of conduct and the brochure will be informed by the existing national laws and policies, existing materials and the relevant ILO standards, particularly the ILO Convention on Violence and Harassment, 2019 (No. 190) and Recommendation on Violence and Harassment,

2019 (No. 206). The development of these materials will be done by incorporating inputs from the members of the C190 Action Group in Nepal.

It is expected that the model code of conduct and the brochure will be available for enterprises to be adapted for their use and implementation by the managers and workers.

3. Key outputs and tasks

The consultant is expected to complete the following main outputs and tasks:

Output 1: Code of Conduct on violence and harassment in the world of work in English and Nepali

- Review the existing laws, policies and materials (national/international) and international labour standards related to violence and harassment in the world of work
- Draft the outline of the code of conduct in close consultation with the relevant stakeholders, particularly the C190 Action Group members
- Draft the code of conduct which covers information on the obligations in line with the national laws and policies as well as information on international labour standards
- Present the draft code of conduct to relevant stakeholders particularly the C190 Action Group members to seek inputs for finalization
- Finalize the model code of conduct English
- Translate the code of conduct into Nepali.

Output 2: Brochure on violence and harassment in the world of work

- Review the existing laws, policies and materials (national/international) and international labour standards related to violence and harassment in the world of work
- Draft the outline of the brochure in close consultation with the relevant stakeholders, particularly the C190 Action Group members
- Draft the brochure which covers information on the obligations in line with the national laws and policies as well as information on international labour standards
- Present the draft brochure to relevant stakeholders particularly the C190 Action Group members to seek inputs for finalization
- Finalize the brochure in English
- Translate the brochure in Nepali.

4. Qualifications

The consultant should have the following qualifications:

- University or master's degree in social science, international development, law or relevant field.
- At least 5 years of experience in the areas of gender equality promotion, particularly in the areas of gender-based violence.
- Excellent understanding of labour and gender issues in Nepal.
- Good understanding of international practices in addressing gender-based violence in the world of work is an advantage.
- Excellent drafting skills in English and Nepali.
- Excellent communication skills in English and Nepali, including via virtual means
- Familiarity with ILO's rules and regulations is an advantage.

5. Application

Interested candidates should submit their 1) Cover letter explaining why you are the suitable candidate for this assignment, 2) CV and 3) Financial Proposal to the ILO Kathmandu Office.

Financial proposal should include at least the daily rate and other costs deemed necessary for carrying out this assignment.

Please submit your proposals to: kathmandu@ilo.org by 26 May 2021.