



# Domestic violence and its impact on the world of work

In June 2019, at the Centenary Conference of the International Labour Organization (ILO), the Violence and Harassment Convention (No. 190) and its accompanying Recommendation (No. 206) were adopted. The global community has made it clear that violence and harassment in the world of work will not be tolerated and must end. These landmark instruments were developed by the key world of work actors (representatives of governments, employers and workers), and set out a common framework to prevent and address violence and harassment, based on an inclusive, integrated and gender-responsive approach.

The Convention and the Recommendation also refer to domestic violence and its impact in the world of work.

The Preamble to the Convention notes that “domestic violence can affect employment, productivity and health and safety, and that governments, employers’ and workers’ organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence”. As such, the Convention requires Members to “take appropriate measures to ... recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work” (Art. 10(f)), and the Recommendation provides further guidance.

The inclusion of provisions regarding domestic violence in Convention No. 190 and Recommendation No. 206 reflects a fundamental change: historically, domestic violence was relegated as a “private” issue, with no connection to work, and it is now being acknowledged as having real consequences for workers, enterprises and the society at large. The new instruments finally recognize the negative spillover effects that domestic violence can have on the world of work and the positive contribution that work can make towards improving the well-being of victims of domestic violence.

## ► What is domestic violence?

According to the Council of Europe *Convention on preventing and combating violence against women and domestic violence*, domestic violence can be understood as “all acts of physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim.”<sup>1</sup>

In common usage, “domestic violence” is sometimes treated as a synonym for “intimate partner violence” and “family violence”, but each term can have a slightly different meaning. For example: <sup>2</sup>

**INTIMATE PARTNER VIOLENCE** refers to “physical, sexual or psychological harm by a current or former partner or spouse.”

**DOMESTIC VIOLENCE** refers to “partner violence but [...] can also encompass child or elder abuse, or abuse by any member of a household”.

**FAMILY VIOLENCE** refers to “child maltreatment, sibling violence, intimate partner violence and elder abuse.”

Domestic violence is an expression of unequal power relations (both at the personal, relationship, community, and societal level)<sup>3</sup> and is linked to issues of social domination and economic control. Therefore, any successful response to domestic violence must deal with the power inequalities and stereotypes that underlie it.

1 Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), Article 3(b).

2 See: WHO. 2012. *Understanding and addressing violence against women*, footnote 1; Rutherford, A. et al. 2007. “Violence: a glossary”, in *Journal of Epidemiology and Community Health*, p. 677.

3 Domestic violence is, in essence, one expression of violence based on perpetrator’s power over the victim. Such power stems directly from violence or indirectly from “community beliefs and practices”. See: UN Women. 2016. *Understanding masculinities and violence against women and girls* (Dominican Republic).

## Who can be a victim of domestic violence?

Anyone can be a victim or perpetrator of domestic violence. Everyone, irrespective of, for example, their sex, gender, age, social and migration status or educational level, can be victim or perpetrator of domestic violence. However, the vast majority of reported cases are committed by men against women. Some legislation on domestic violence protects persons living in the household beyond family members, such as domestic workers.

## ▶ The spill-over of domestic violence

Although domestic violence may originate in the home, it can spill over into the world of work. This happens, for example, when abusive partners follow victims to their places of work, use work-related phone or computer technologies to intimidate, harass or control them, or prevent them from leaving the household to go to work. Domestic violence can also spill over into the world of work through the stress and trauma it causes, which may affect the ability to work of the victim and the perpetrator.

Spillover can also go from work to home, when certain workplace environments – such as those that are violent or dangerous – condition workers to violence, making it more likely that they will commit violence at home.<sup>4</sup>

## ▶ Domestic violence has devastating consequences

The impact of domestic violence on workers' physical and mental health is devastating and, in its most extreme expression, can result in loss of life. It can also lead to economic dependence of the victim, which may affect the ability to leave an abusive partner or to enter, remain or progress in the labour market.

For example, a worker's performance may suffer due to the physical and emotional impact of domestic violence. Moreover, if victims take time off work to seek medical attention or attend legal proceedings, their commitment to the job may be questioned. Consequently, domestic violence represents a cost for national economies, but also negatively affects enterprises through reduced productivity, absenteeism and increased leave and sick days, and

victims exiting the workforce. Domestic violence exacerbates gender inequalities in labour market participation and can contribute to widening the gap between what men and women earn.

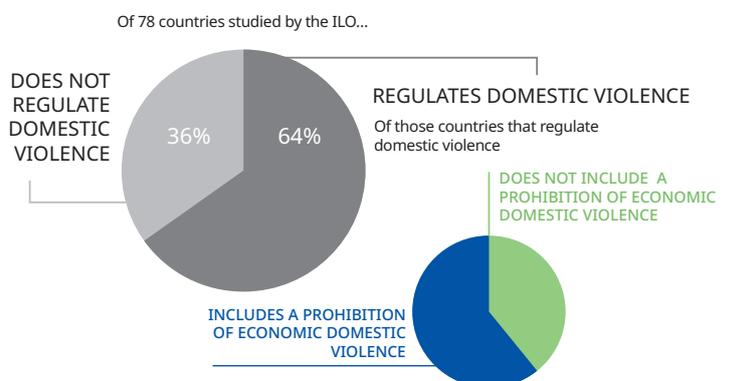
## The cost of domestic violence to national economies

Some studies across the world have explored the estimated annual cost of domestic violence to national economies. For example, in Switzerland, intimate partner violence was estimated in 2013 to cost CHF 164 million per year;<sup>5</sup> in Chile, the cost of violence against women in the intra-family context in 2009 was estimated at approximately 32.195 CLP;<sup>6</sup> and in Canada, the economic impact of spousal violence in 2009 was estimated at CAD 7.4 billion.<sup>7</sup>

## ▶ Domestic violence and economic violence

Economic violence concerns the attempt to create a victim's economic dependence on the perpetrator, including by preventing him or her from entering or remaining in employment or by withholding the victim's earnings. This can be a facet of domestic violence. Specific examples include: destroying work tools or clothes; physically restraining victims from leaving their homes, beating or depriving them of sleep to the extent that they cannot go to work; and forcing victims to unexpectedly leave their place of work.

Figure 1 - How do national laws regulate economic domestic violence?



**Note:** This figure is based on a sample of 78 countries: 20 countries from Africa; 14 from the Americas; four from the Arab States; 15 from Asia and the Pacific; and 25 from Europe and Central Asia.  
**Source:** ILO. 2017. Report V (1). Ending violence and harassment against women and men in the world of work, page 50.

4 Melzer, S. 2002. "Gender, work, and intimate violence: Men's occupational violence spillover and compensatory violence", in Journal of Marriage and Family, Vol. 64, pp. 820–832; Holmes, S. and Flood, M. 2013. Genders at work: Exploring the role of workplace equality in preventing men's violence against women (Sydney, White Ribbon).

5 Bureau fédéral de l'égalité entre femmes et hommes (BFEG). 2013. *Coûts de la violence dans les relations de couple* (Berne), p. 5.

6 DOMOS. 2010. *Estimación del Costo de la Violencia Contra las Mujeres en Chile en el Contexto Intrafamiliar, Resumen Ejecutivo* (Servicio Nacional de la Mujer), Table 1.

7 Zhang, T. et al., 2012. *An estimation of the economic impact of spousal violence in Canada, 2009* (Department of Justice of Canada), p. x.



► **Domestic violence and Convention No. 190 and Recommendation No. 206**

The world of work may provide an entry point to mitigate the effects of domestic violence. This is especially important because persons experiencing domestic violence may want to seek support at work. Employers and co-workers can save lives by providing a place of safety and solidarity, serving as a nexus to community services, and also identifying cases of violence.

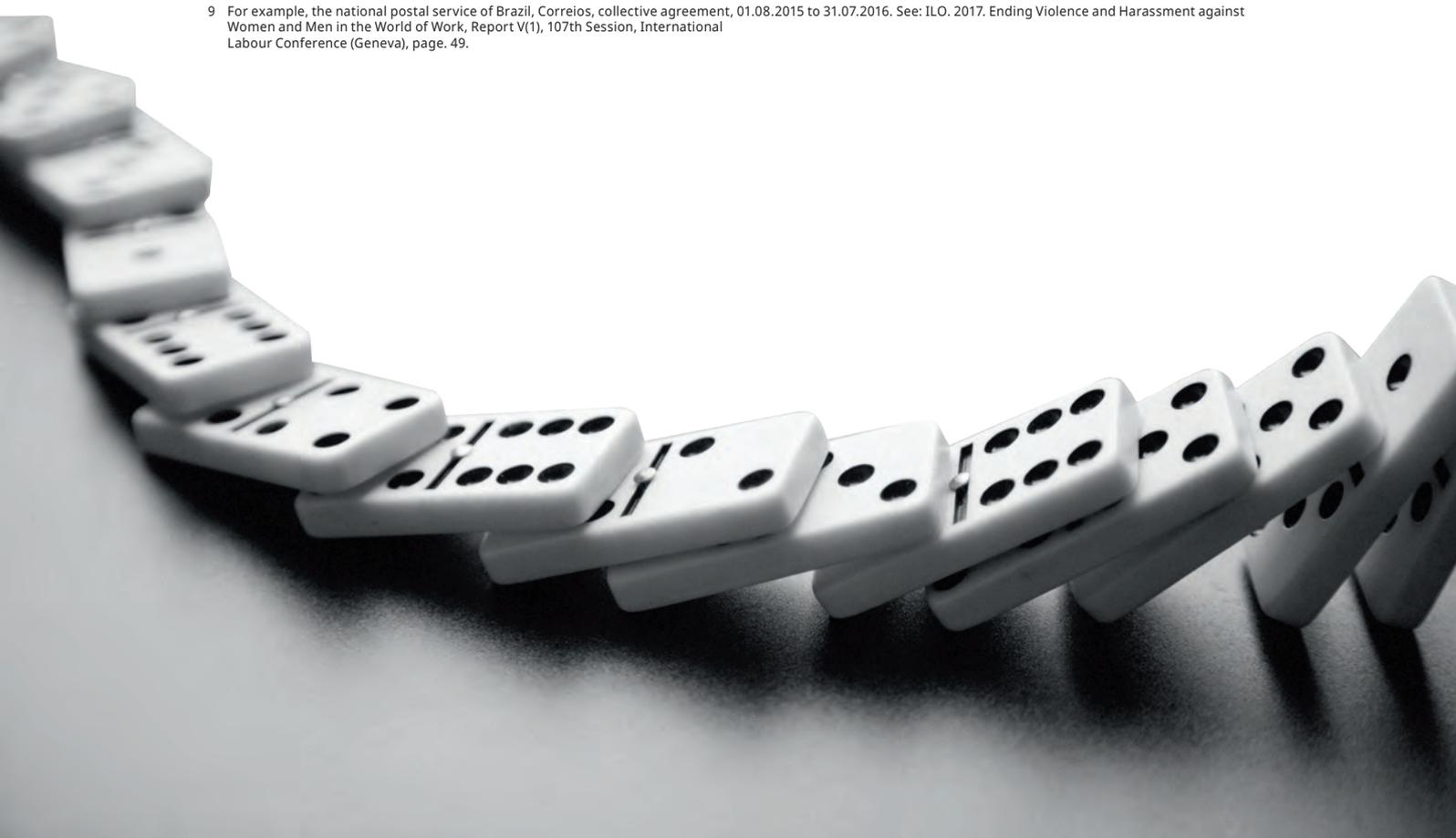
As the Convention notes, governments, employers' and workers' organizations and labour market institutions can help to recognize, respond to and address the impacts of domestic violence in the world of work. While the State has the primary responsibility

to eliminate domestic violence, the discussions leading to the adoption of the instruments noted that "employers could be allies to address such violence, though they are not responsible for it."<sup>8</sup> In this regard, some employers have already taken measures towards mitigating the effects of domestic violence in the workplace. In addition, the topic has been included in specific national legislation and collective agreements,<sup>9</sup> where measures such as leave for victims of domestic violence have been established.

Convention No. 190 requires Members to recognize the effects of domestic violence and to take measures to minimize its impact in the world of work. In this regard, Recommendation No. 206 sets out a number of measures that could be adopted, which include innovative responses that are already emerging in the world of work.

8 ILO. 2016. *Final Report. Meeting of Experts on Violence and Harassment against Women and Men in the World of Work* (Geneva, 3-6 October 2016), Appendix, para. 27. See also: ILO. 2019. *Reports of the Standard-Setting Committee on Violence and Harassment in the World of Work: Summary of Proceedings* (Provisional Record No. 7B (Rev.)), para 851 and 1514.

9 For example, the national postal service of Brazil, Correios, collective agreement, 01.08.2015 to 31.07.2016. See: ILO. 2017. *Ending Violence and Harassment against Women and Men in the World of Work*, Report V(1), 107th Session, International Labour Conference (Geneva), page. 49.



### Providing leave and temporary protection against dismissal

Economic dependence on the perpetrator may prevent victims from seeking help and eventually leaving their abuser.

Leave helps persons who are experiencing domestic violence attend court hearings, seek counselling and medical help and move their children and themselves into safe environments. Providing leave ensures that victims do not find themselves in the situation of having to choose between leaving their abuser and keeping their job.

Likewise, temporary protection against dismissal can be important for victims' empowerment, so they can secure their financial independence as they attempt to address the consequences of abuse and leave their abusers. Some labour laws protect victims against being dismissed for a certain period of time.<sup>10</sup>

### Promoting healthy, inclusive and supportive workplaces

The workplace is an important place where allies can be found to support victims of domestic violence. In order to do so, it is key to build healthy, inclusive and supportive workplaces in which the victims feel comfortable to seek help and disclose their situation without fearing more victimization, shaming or job loss. The Recommendation therefore calls for the inclusion of domestic violence in workplace risk assessments, as well as the provision of flexible work arrangements for victims of domestic violence. In some workplaces, persons who are experiencing domestic violence are already allowed to adjust their work schedules, use pseudonyms and have flexible working hours. This allows victims to make necessary changes to protect themselves from abusers who exploit the knowledge of their working hours and location.<sup>11</sup>



The purple ribbon is often used as a symbol of domestic violence awareness campaigns

### Facilitating access to services and to justice

Addressing domestic violence is time-sensitive, as abuse is often on-going, and it needs to be stopped before it gets worse. It is therefore important to encourage victims to seek help as soon as possible, and to provide reactive and timely responses.

Awareness-raising campaigns and initiatives create a conducive environment, both in and outside the workplace, in which victims can seek help and bystanders can take action. Building the capacity of those involved in treating cases of domestic violence or adopting measures related to it is also essential. Likewise, providing information at the workplace on existing public measures and services that mitigate the effects of domestic violence and support victims may be another way for employers to support victims.<sup>12</sup>

Within the new framework of ILO Convention No. 190 and Recommendation No. 206, the world of work can become an important ally for victims of domestic violence, and therefore pave the way towards the creation of dignified and respectful workplaces and societies in which everyone can thrive.

<sup>10</sup> See: Federal Law n°.11.340 of Brazil ("Maria da Penha Law").

<sup>11</sup> See: *Correios* collective agreement in Brazil (effective 01.08.2015 to 31.07.2016), under which women employees who are victims of domestic violence have priority for being transferred to another unit, city or state.

<sup>12</sup> See: Combating of Domestic Violence Act 4 of 2003, of Namibia and Protection against Domestic Violence Act No. 2 of 2015, of Kenya. See also: *Protocole de prévention et de lutte contre les violences conjugales*, PSA Peugeot Citroën, 2009.

