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# Ending violence and harassment in the world of work C. 190 and R. 206

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International  
Labour  
Organization

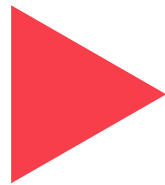
# Convention 190 and Recommendation 206 are international labor law



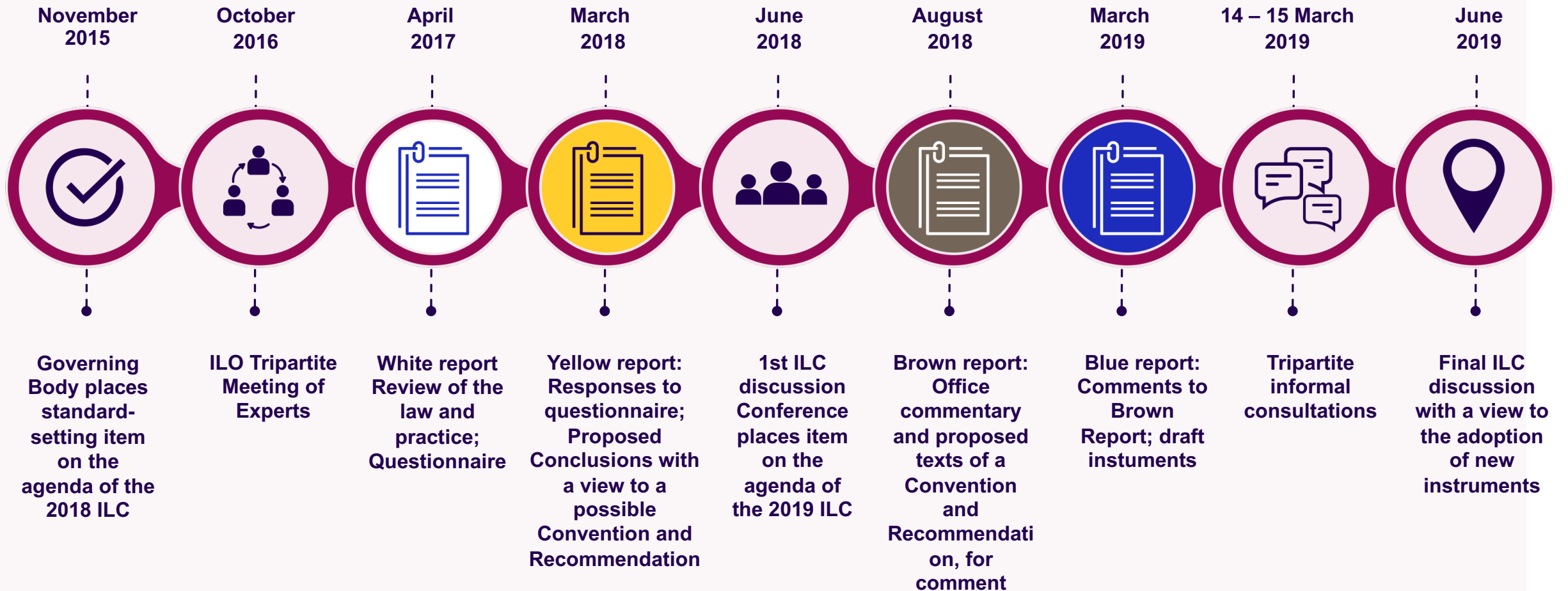
The Convention is a binding international treaty, under which the ratifying States undertake a series of obligations.



The Recommendation provides guidance for the implementation of the Convention.



# JOURNEY TOWARDS THE ADOPTION OF C190 AND R206





bullying  
threats  
abuse

**MOBBING**  
insulting

**EXCLUDING SOMEONE**

SENDING OFFENSIVE WORDS OR IMAGES

use of offensive language

displaying offensive words or images

making sarcastic or snide remarks

humiliating

unwanted physical contact

circulating offensive words or images

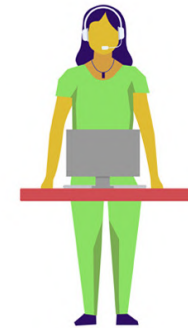
**ABUSING A POSITION OF POWER**

inappropriate jokes or banter

**MAKING SUGGESTIVE BEHAVIOUR**

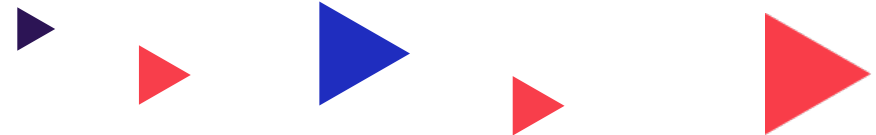
making unwelcome sexual advances

## Violence and harassment in the world of work: A broad range of terms



# Why is C190 necessary?

- ▶ Violence and harassment may constitute a violation or abuse of human rights.
- ▶ Violence and harassment can harm the health, dignity, and well-being of everyone in the workplace.
- ▶ Violence and harassment are a threat to equal opportunities and are unacceptable and incompatible with decent work.
- ▶ This prevents individuals, particularly women, from entering the labor market, staying in it, or advancing professionally.
- ▶ Productivity is higher in work environments free from violence and harassment.
- ▶ Companies that ensure the well-being of their workers are safer from social and financial perspectives.



## A world of work free from violence and harassment

The Convention includes the specific recognition, for the first time in international law, of the right of everyone to a world of work free from violence and harassment, and sets out the obligation to respect, promote and realize this right.

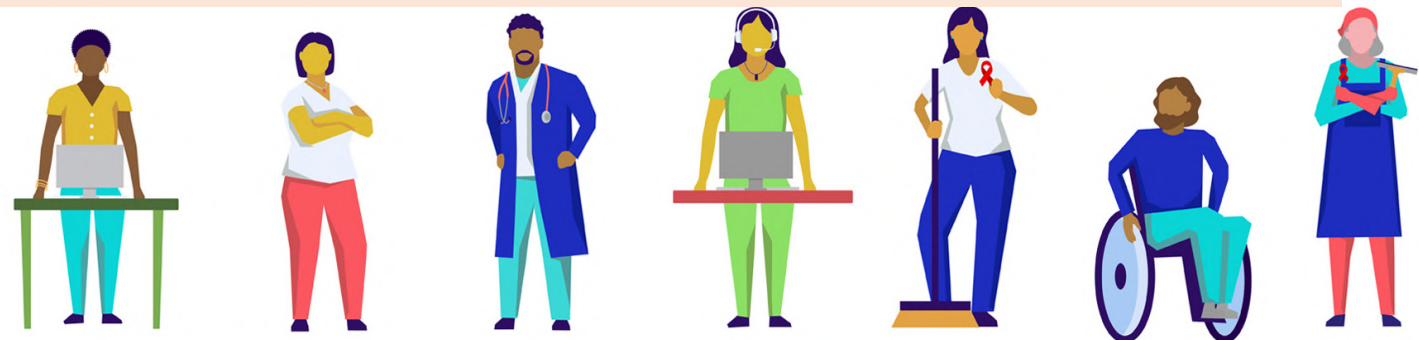


# C190 defines violence and harassment

A range of unacceptable behaviors 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;**

(Art. 1, 1), a) C.190)

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



# Gender-based violence and harassment



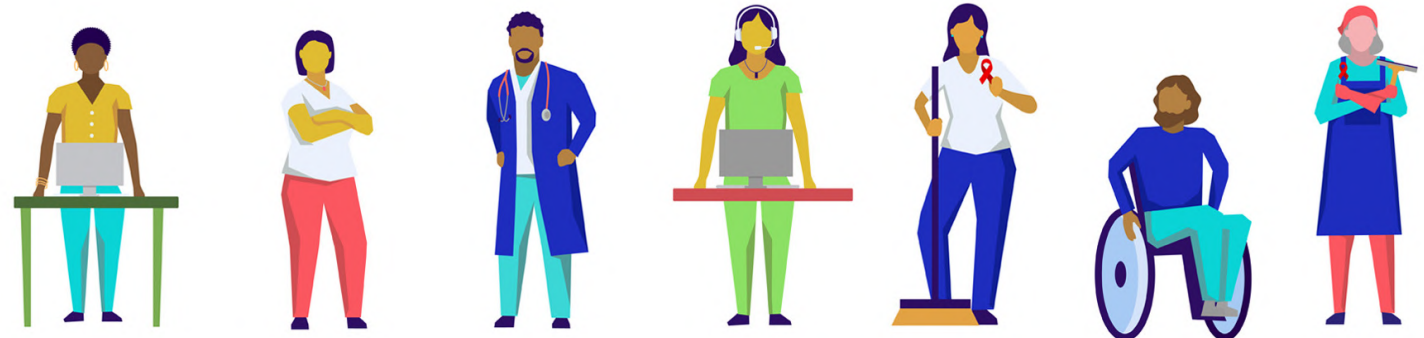
Violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and **includes sexual harassment**.



Gender-based violence disproportionately affects women and girls.



Addressing the underlying causes and risk factors is essential.



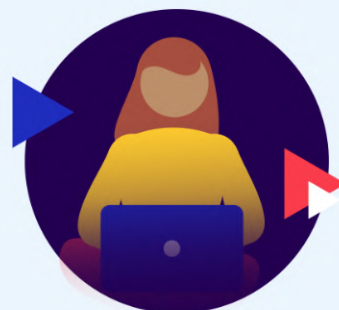


The Convention applies to all sectors, private or public, in both formal and informal economies, in urban or rural areas.

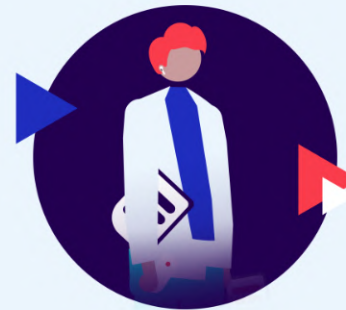
## Who does the Convention 190 covers?



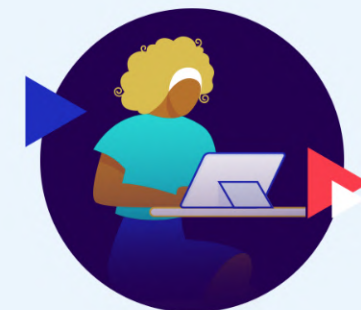
**Salaried persons** as defined in national law and practice. All people who work whatever their contractual situation.



People in training, including **interns and apprentices**.  
Workers who have been laid off.



Volunteers, **job seekers and job applicants**.



People who exercise the **authority**, functions or **responsibilities of an employer**.

Under the provisions of the Convention, Member States must take into account third-party violence and harassment, where appropriate, by adopting an inclusive, integrated, and gender-sensitive approach.



# The scope of Convention 190

Recognizing the diverse and changing nature of the world of work, the instruments apply to violence and harassment that occurs “during, in connection with, or as a result of work”



The physical workplace, public and private spaces when they are a workplace.



Displacements, trips, events or social or training activities related to work.



The places where the worker is paid, where he takes his rest or where he eats, where he uses sanitary or toilet facilities and changing rooms.



Work-related communications, including those made through information and communication technologies.



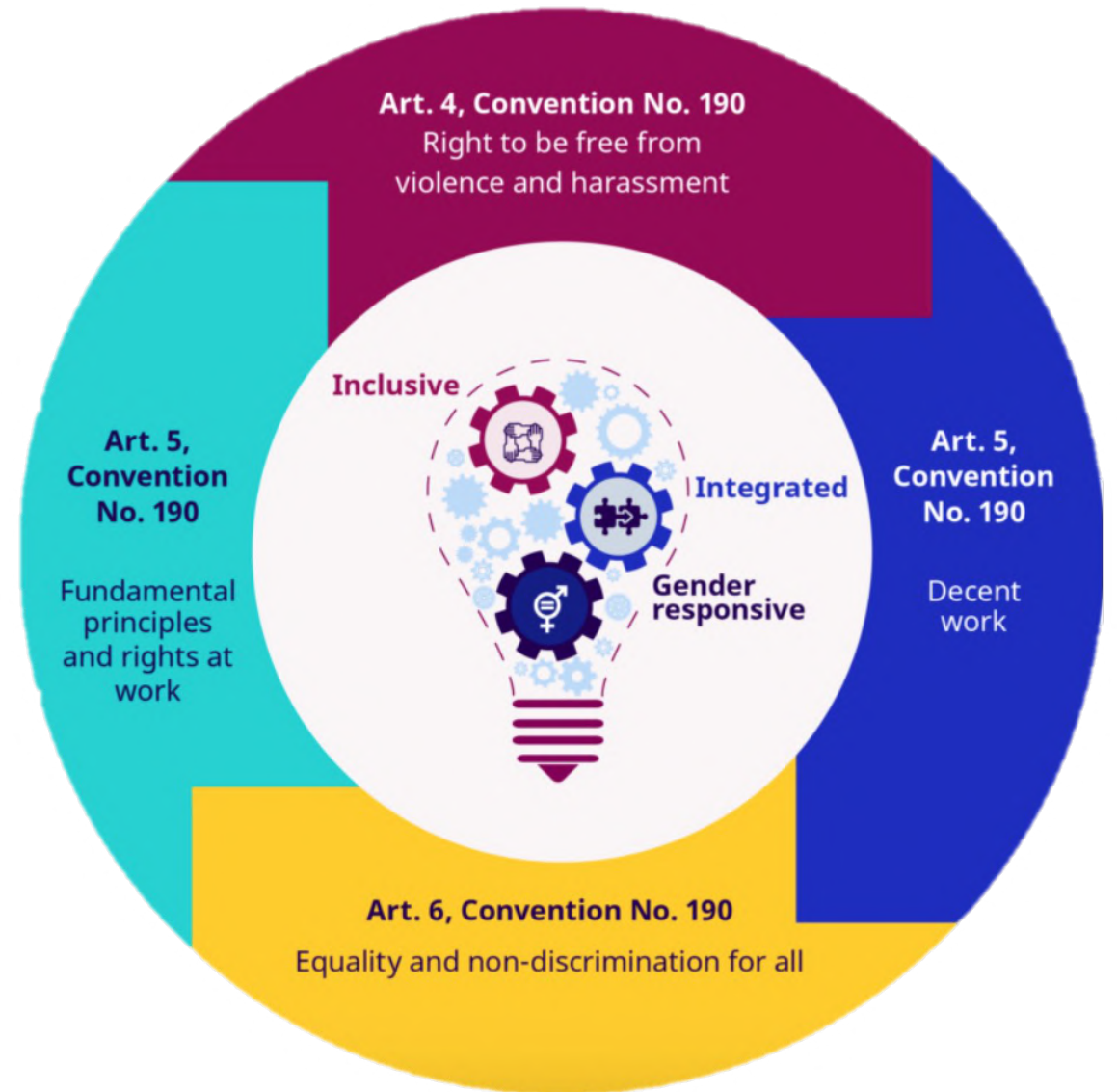
Accommodation provided by the employer.

# FUNDAMENTAL PRINCIPLES



Respecting, promoting and realizing the right of everyone to a world of work free from violence and harassment

**Adopt an  
inclusive,  
integrated and  
gender-responsive  
approach**



# C.190 & R.206

## An inclusive, integrated and gender-responsive approach, in consultation with employers' and workers' representatives



Recognize different and complementary roles and functions of governments, employers and workers, with the varying nature and extent of their responsibilities



### Inclusive



Economy

- Formal economy
- Informal economy
- Private sector
- Public sector



World of work

- Workers
- Jobseekers
- Job applicants
- Volunteers
- Third parties
- Persons in training
- Workers whose employment has been terminated



Accessible tools

- Prevention and protection
- Effective justice
- Information and training



### Integrated



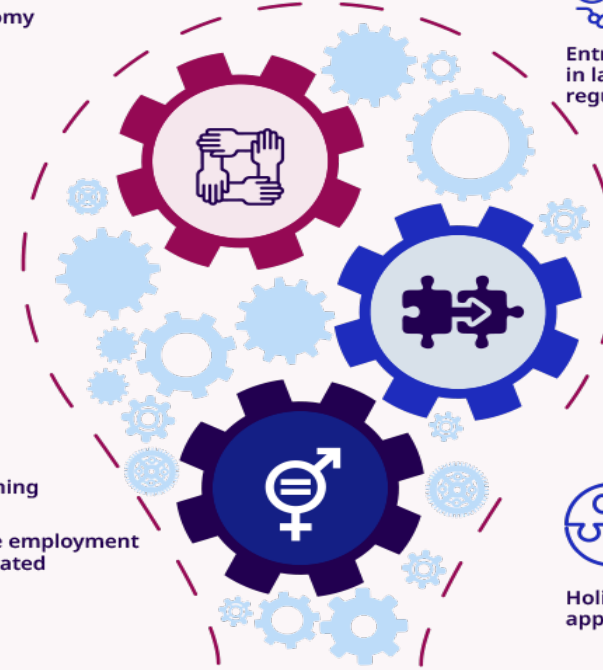
Entry points in laws and regulations

- Labour and employment laws
- Equality and non-discrimination law
- OSH laws and regulations
- Migration law
- Criminal law
- Collective agreements



Holistic approach

- Prevention and protection
- Enforcement and remedies
- Guidance, training and awareness raising



To prevent and eliminate violence and harassment at work



### Gender responsive



Need to consider

- Addressing gender stereotypes and unequal gender-power relations
- Gender-based differences in the design of policies, laws and regulations, as well as collective agreements
- Promoting gender equality in practice, including through measures to reduce harmful impacts

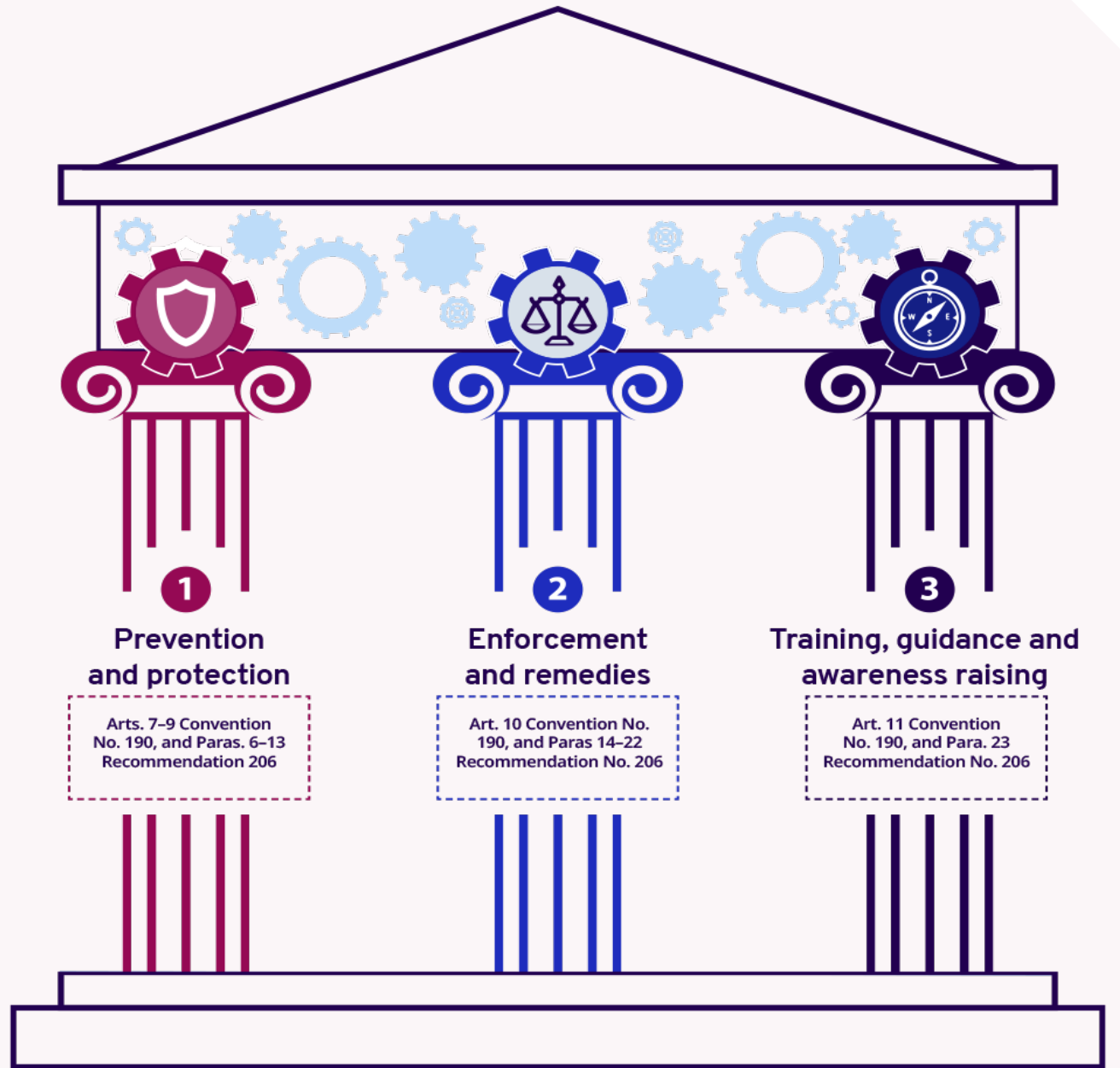


#RATIFY  
C190

► Violence and harassment  
in the world of work:

A guide on Convention No. 190  
and Recommendation No. 206

# HOW?



## C.190 and R.206: The pillars of the inclusive, integrated and gender-responsive approach

### PREVENTION AND PROTECTION

(Art. 7-9 C190 and  
§§ 6-13 R206)



- **Defining and prohibiting in law** (C190 Art. 7)
- Recognizing the important role of public authorities in the case of **informal economy workers** (C190 Art. 8)
- Identifying **groups, sectors, occupations or work arrangements more exposed**, and taking measures to protect such persons (C190 Art. 8; R206 Para. 9, 10, 11 and 13)
- Preventing at the workplace (C190 Art. 9; R206 Para. 7 and 8)
  - Adopting **workplace policies**
  - Introducing violence and harassment in **OSH and risk-assessments**
  - Providing **training and information**

## Pillar 2: Enabling reporting and improving enforcement



**ENFORCEMENT  
AND  
REMEDIES**  
(Art. 10 C190 and §§  
14 to 22 R206)



- Establishing or strengthening reporting and dispute resolution mechanisms
- Ensuring access to remedies and support for victims, including against retaliation
- Ensuring workers' right to remove themselves in case of imminent and serious danger to life, health and safety
- Empowering labour inspectors and other authorities
- Providing for sanctions and counselling

## C.190 and R.206: The pillars of the inclusive, integrated and gender-responsive approach

### **GUIDANCE AND TRAINING** (Art. 11 C190 and §§23 R206)



- Including violence and harassment in relevant policies
- Raising awareness
- Gender-responsive education curricula
- Providing guidance, resources and training to workers, employers and other relevant authorities (judges, labour inspectors...)
- Developing materials for journalists and media personnel



# DOMESTIC VIOLENCE

Domestic violence has an impact in the world of work:



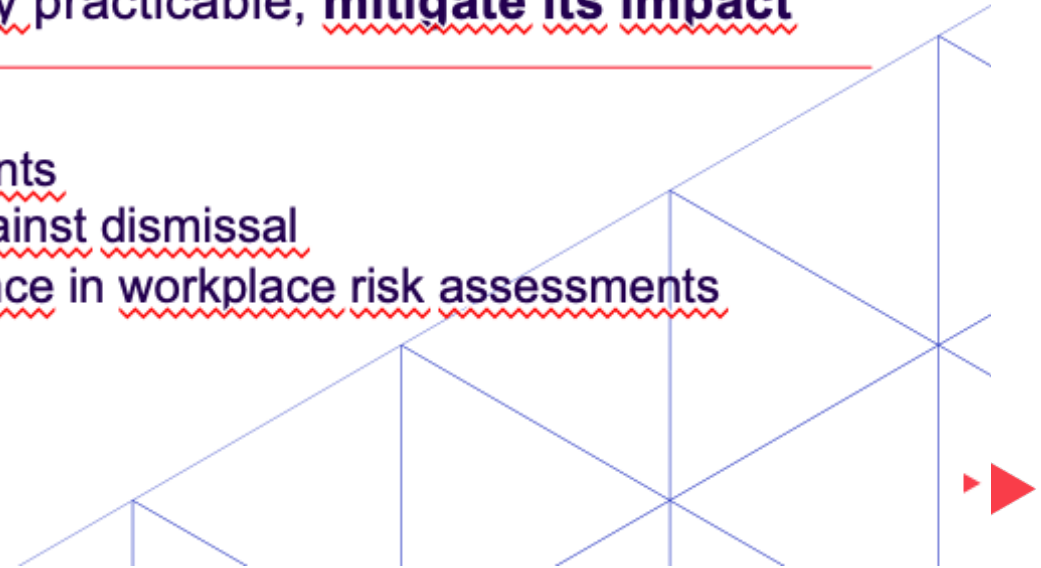
The instruments require Members to:

Convention  
No. 190

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

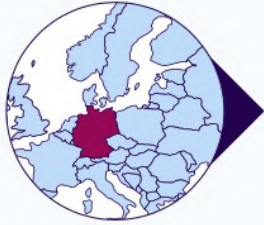
Recommendation  
No. 206

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

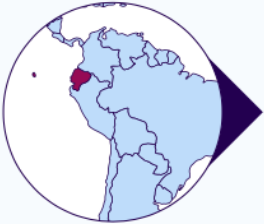


## EXAMPLES

Adopt an  
inclusive,  
integrated and  
gender-  
responsive  
approach



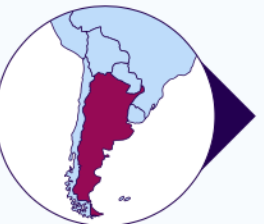
**Germany:** Deutsche Bahn AG, a German **railway company**, adopted in 2016 a company agreement “for equal treatment and protection against (sexual) harassment and discrimination”, which includes training for managers and workers and helplines for victims, and has provided training on self-defence against physical and sexual violence perpetrated by clients (ETUC 2017).



**Ecuador:** The Chamber of Industries and Production (CIP) has been developing several actions against gender-based violence. In particular, in October 2020, it launched a comprehensive **campaign** on the prevention and elimination of violence against women at work, at home, at school and in society (“*Más unidas, más protegidas*”). Many CIP member companies have also adopted codes of conduct/ethics that prohibit any kind of violence and harassment against women at work (*Portal Diverso* 2020).



**Peru:** In July 2019, Peru introduced a new law requiring employers to adopt **anti-harassment policies and investigation procedures**, provide anti-harassment training, carry out annual sexual harassment risk assessments and set up a Sexual Harassment Committee or Delegate, depending on the size of the employer (Supreme Decree N° 014-2019-MIMP).



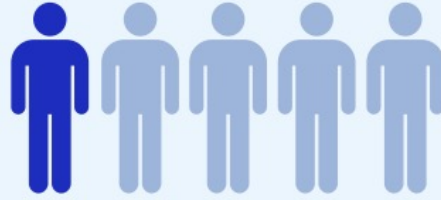
**Argentina:** The **Asociación Bancaria** adopted a protocol against Workplace Violence, Gender Violence and Gender-based Workplace Violence for the Banco de la Nación Argentina. The Protocol establishes an internal procedure to handle such cases, including instances of gender-based violence against LGBTIQ+ people. It includes specific reference to cyberbullying and also provides for ten days leave to victims of domestic violence (Banco Nación 2020).



## ▶▶ Experiences of violence and harassment at work: A global first survey

▶▶ The ILO-Lloyd's Register Foundation-Gallup survey is the first global exploratory exercise to measure people's own experiences of violence and harassment at work across the world.

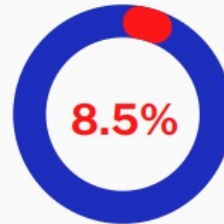
▶▶ <https://www.ilo.org/publications/major-publications/experiences-violence-and-harassment-work-global-first-survey>



**> 1 IN 5**

persons in employment have experienced at least one form of violence and harassment at work during their working life

### Physical violence and harassment

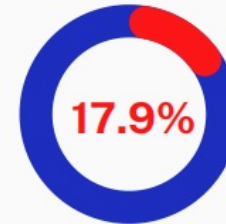


of respondents in employment have experienced physical violence and harassment at work in their working life



Men were more likely than women to report experiencing physical violence and harassment

### Psychological violence and harassment

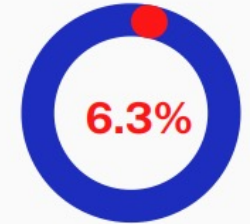


of respondents in employment have experienced psychological violence and harassment in their working life



Psychological violence and harassment was the most common form of violence reported by both men and women

### Sexual violence and harassment



of respondents in employment have experienced sexual violence and harassment in their working life



Women were particularly exposed to sexual violence and harassment



**> 3 IN 5**

victims have experienced violence and harassment at work multiple times



## The risk of experiencing violence and harassment at work is particularly pronounced across certain demographic groups.

### YOUTH

young women were twice as likely as young men to have experienced sexual violence and harassment at work

**X2**

### WAGE AND SALARIED

women and men were more likely to face violence and harassment at work compared to those in self-employment

### MIGRANTS

migrant women were almost twice as likely as non-migrant women to report sexual violence and harassment at work

**X2**

Persons affected by discrimination during their life based on the following grounds, were more likely to have experienced violence and harassment at work

NATIONALITY

GENDER

RELIGION

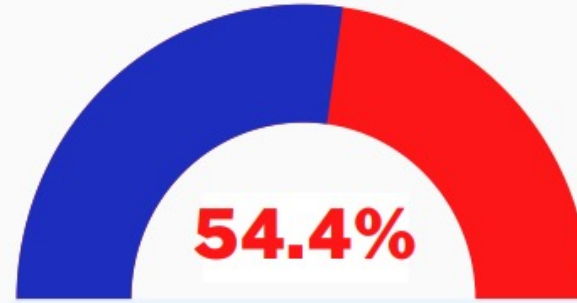
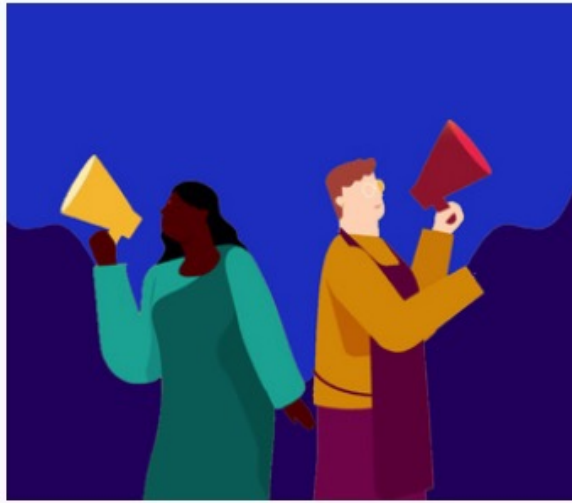
DISABILITY  
STATUS

SKIN COLOUR

## 5 IN 10

people who have been victims of gender-based discrimination in their life have also faced violence and harassment at work, compared to two in ten of those who have suffered discrimination based on other grounds





Only slightly more than half of victims have shared their experience with someone. They are more likely to tell friends or family, rather than using other informal or formal channels.

**WASTE OF TIME**

**FEAR FOR THEIR  
REPUTATION**

were the most common barriers discouraging people from talking about their own experiences of violence and harassment at work.

## Key recommendations



**01**

More and better  
data



**02**

Increased  
awareness



**03**

Prevention  
measures



**04**

Tackle stigma and  
discrimination



**05**

Ensure access  
to justice



**06**

Strengthen  
support services

# Follow the campaign on ILO's Trello

<https://trello.com/b/ltwD8q9o/ratifyc190-campaign>