



INTERNATIONAL LABOUR ORGANIZATION

Violence and Harassment
Protections at Work

GLOBAL CLASSROOMS DC
MODEL-ILO CONFERENCE 2024

Introduction to the Committee: International Labour Organization



The International Labour Organization (ILO), founded in 1919, is the only **tripartite** agency of the United Nations, meaning that it gives an equal voice to **governments (G)**, **employers (E)**, and workers (W). The ILO's main mission is to promote **decent work** for everyone around the world. The 187 Member States of the ILO work together to set **international labour standards** and develop policies and programs to promote decent work for all women and men. These standards aim to create safe working conditions, ensure workers' rights, and support **social dialogue** between workers and employers.¹

The ILO has a unique voting structure compared to other international organizations. At the ILO's annual International Labour Conference, each country is represented by four representatives, two representing the **country's government**, one representing an **employer's organization**, and one representing a **worker's organization**. The ILO governance rules have been established to give all three groups equal representation at the negotiating table, and promote dialogue and consensus between the different stakeholders, as opposed to competition or conflict between them. This is unique compared to the rest of the UN, which only includes representatives from Member States (governments). The ultimate goal of this tripartite social dialogue is to find solutions to labour issues that are beneficial to all of the parties involved, as opposed to advancing the interests of only one segment of society.

The first ILO convention adopted in 1919, for example, introduced a general rule under which the hours of work should be limited to no more than 8 hours a day and 48 hours a week.² International labour standards define conditions of employment, help protect workers' rights, and support workers that are often more vulnerable (such as being HIV positive, a migrant worker, or a domestic worker).³ There are currently 190 conventions total; of these, there are 10 "core" conventions covering the "**fundamental principles and rights at work**" which are categorized as: freedom of association and collective bargaining, elimination of forced labour, abolition of child labour, elimination of discrimination in the workplace, and a safe and healthy working environment.⁴ In 2019, the ILO adopted the **Violence and Harassment Convention (No 190)**, often referred to as C. 190, a convention on preventing violence and harassment at work, which became binding for Member States in case of its ratification.⁵ To support this standard, ILO also adopted **Recommendation 206**, outlining core principles and specific steps that states can use to address the problem.⁴

¹"Introduction to International Labour Standards." International Labour Organization.

<https://www.ilo.org/global/standards/introduction-to-international-labor-standards/lang--en/index.htm>.

²[NORMlex – ILO database on International Labour Standards NORMLEX](#)

³ [Introduction to International Labour Standards \(ilo.org\)](#)

⁴ ILO Declaration on Fundamental Principles and Rights at Work. ILO. <https://www.ilo.org/declaration/lang--en/index.htm>

⁵"R206 - Violence and Harassment Recommendation, 2019 (No. 206)" International Labor Organization

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R2

The **International Labour Conference** brings together governments along with “**social partners**” – trade unions and employers’ organizations – as representatives of its 187 **Member States**. Using this **tripartite** system, the ILC sets the broad policies and priorities for engagement for the ILO at this yearly conference, usually held in Geneva, Switzerland.⁷The tripartite structure creates the need to find an agreement between governments and the social partners globally. All 187 ILO Member States participate in the ILC.

Policy Advisors

During the conference, delegates will have valuable access to officials from the ILO Office of US-Canada (ILO USCA), the U.S State Department’s Bureau of Democracy, Human Rights, & Labour, The American Federation of Labor and Congress of Industrial Organizations, and The United States Council for International Business, who will serve as Policy Advisors in the committee session(s). These seasoned experts are dedicated to enhancing your conference experience.

As a delegate, you are encouraged to engage with these Policy Advisors. Feel free to bring your questions related to the research you’ve conducted on the assigned topics. Seek their insights on potential solutions, and don't hesitate to request advice on negotiation strategies. While each committee will be formally introduced to the Policy Advisors, additional guidance on interacting with them will be provided on the day. This interaction will not only enrich your understanding of the topics but also provide a unique chance to benefit from the expertise of these Policy Advisors. Please keep your inquiries relevant to the conference agenda to make the most of this opportunity.

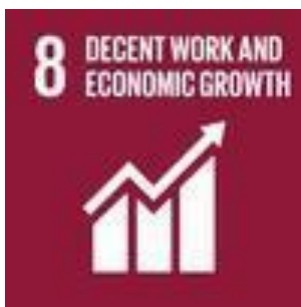
Statement of the Problem

Work is a fundamental part of human life and society. Unfortunately, conditions within the workplace and other environments related to work can make workers vulnerable to violence or harassment, particularly when governments, civil society and employers do not take proactive steps to address the issue.

Achieving lasting change requires a clear framework, development of **best practices** internationally, and an institutional architecture that can connect workers, employers, and governments and give them tools to improve conditions.



Violence and Harassment at Work



Violence and harassment at work represent a major problem for all involved. Workers suffer from trauma, physical and psychological danger, and reduced access to economic opportunities. Employers suffer from reduced productivity, adverse publicity, and the danger of legal or regulatory consequences. Society deals with a less effective private sector and worse conditions for the working class. The cost to business is enormous. Because a single event can have far-reaching consequences, it is hard to overestimate the costs of workplace violence. The immediate and profound loss of life or the physical/psychological repercussions felt by the victim as well as the victim’s family, friends, and coworkers; the loss of productivity and morale that sweeps through an

organization after a violent incident; and the public relations impact on an employer when news of violence reaches the media.⁶ Additionally, workplace violence affects other sectors. The range of negative effects on organizations and individuals includes:

⁶ U.S. Department of Labor – OSHA. “Workplace Violence.” <https://www.osha.gov/workplace-violence#:~:text=Workplace%20violence%20is%20any%20act,%2C%20clients%2C%20customers%20and%20visitors>

- Temporary/permanent absence of a skilled employee
- Costs of increased personnel
- Costs of workers' compensation have risen
- Rising costs of security
- Diversion of administration resources
- Productivity hindrance
- Vandalism, theft, and sabotage
- Psychological destruction

There are many reasons why violence and harassment may occur in the workplace. Some common reasons are:

- Power dynamics: workplace violence and harassment often occur when there is a power imbalance between individuals, such as a supervisor or manager exerting control over a subordinate employee. This power dynamic can be used to intimidate or control others, leading to abusive behaviors.⁷
- Discrimination and bias: violence and harassment may also occur due to discriminatory attitudes or beliefs, such as racism, sexism, homophobia, or transphobia. These attitudes can create a hostile work environment and lead to abusive behaviors.
- Poor communication: when communication breaks down in the workplace, conflicts can arise that may escalate into violent or abusive behavior. This can happen between coworkers, between employees and managers, or between employees and customers.
- High-stress environments: Workplaces that are highly stressful or fast-paced may create a culture where employees feel pressure to perform at all costs, leading to abusive behaviors.
- Personal Issues: In some cases, employees who are experiencing personal issues such as financial problems, relationship issues, or mental health problems may bring their personal problems into the workplace and act out in violent or abusive ways

It is imperative to note that violence and harassment are never justified, and employers have a responsibility to provide a safe and supportive work environment for all employees.⁶ This includes ensuring that steps are being taken to prevent violence and harassment from occurring, such as developing workplace policies and procedures, providing training on how to recognize and respond to violence and harassment, and creating a culture of respect and inclusion in the workplace.

Defining violence and harassment

In the workplace, violence and harassment are two different but linked ideas. Violence in the workplace can refer to any of the following: physical assault, threat, or use of force against an individual or group that results in or has the potential to result in bodily injury, death or psychological trauma.⁸ There are several types of workplace violence, including physical



⁷ Canadian Centre for Occupational Health and Safety. "Violence and Harassment in the Workplace."

<https://www.ccohs.ca/oshanswers/psychosocial/violence/violence.html>

⁸ ILO. "Violence and harassment at work: a practical guide for employers."

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---act_emp/documents/publication/wcms_857915.pdf

assault, verbal abuse, threats, bullying, and intimidation.

Harassment in the workplace is any inappropriate behavior based on a person's sex, race, religion, age, handicap, sexual orientation, or any other protected status. Harassment in the workplace may take various forms, including (but not limited to) unwelcome sexual approaches, insulting or offensive words or gestures, and exclusion from work related events or isolation. It is essential to recognize that harassment can progress to or be accompanied by physical violence. A person who is sexually harassed, for example, may also be physically attacked by the harasser.

Violence and harassment are both severe problems that can have a substantial impact on the physical and emotional health of employees and employers. Employers are responsible for preventing and addressing these problems in the workplace. One of the major innovations of C. 190 is that it specifies clear definitions of violence and harassment, making it possible for regulatory measures and best practices to deal with these issues more specifically and consistently. C. 190 provides the following definitions.



(a) Violence and harassment” in the world of work refers to 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.

(b) Term “gender-based violence and harassment” means 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.⁹

Forms of Violence Among Co-Workers

There are several types of workplace violence amongst co-workers. Unfortunately, workplace homicide is the one that receives the most attention. However, there are many more violent occurrences that do not result in casualties but have the same devastating impact. Examples of the most often occurring scenarios between coworkers include:

- Harassing, stalking, or focusing excessive attention on another individual
- Scaring or intimidating others
- Physically hostile activities, including shaking fists at another person, kicking, beating on desks, striking a wall, furiously hopping up and down, and yelling at others
- Activities that cause property damage, destruction, or sabotage
- Verbal abuse, including rude, profane, and obscene words
- Carrying or brandishing a weapons



Conditions that contribute to violence at work

In the process of researching and drafting C. 190, the ILO identified several environments, social norms, and cultural

⁹ ILO “Eliminating Violence and Harassment in the World of Work”
<https://www.ilo.org/global/topics/violence-harassment/lang--en/index.htm>

traits that made harassment and violence more likely in a work setting.

Certain sectors of the economy are more vulnerable. For example, medical and educational settings have a high risk of violence due to emotionally charged situations and frequent interaction with members of the public. Domestic workers face increased risk due to isolation and work within other people's homes. Migrants and workers within the **informal** sector are also more vulnerable, due to a lack of legal protection and support networks. The nature of the workplace itself can also create issues. Workplaces at the **supply end of value chains** face intense competition and sudden fluctuations in orders, creating intense pressure that can escalate into harassment or violence. Failures in management, such as unrealistic targets, inadequate facilities and equipment, or poor **labour relations**, can create conditions for violence.

The Role of Domestic Violence

Domestic violence refers to violent or abusive behavior that occurs within a domestic or intimate relationship.¹⁰

This can include physical, sexual, emotional, or financial abuse.

Domestic violence is often characterized by a pattern of control and intimidation by one partner over the other. It can have serious and long-lasting impacts on the victim's physical

and mental health, as well as their ability to work and participate in society. While domestic violence and harassment in the workplace are separate issues, they can be linked. For example, an employee who is experiencing domestic violence may also be at risk of violence or harassment in the workplace if their abuser has access to their workplace or is an employee themselves. Additionally, the trauma of domestic violence can spill over into the workplace, impacting the victim's ability to work effectively or even safely.¹¹

What does C. 190 do differently, and how can Member States put the principles into practice?

C. 190 is the first international labour standard to address harassment and violence in the workplace, providing a framework for preventing and addressing such issues. It signifies a significant step towards ensuring safe and respectful work environments worldwide. Once ratified by countries, C. 190 becomes legally binding, obligating them to implement measures outlined in the standard. Previously, international institutions have dealt with human rights and equality issues on one track, and workplace safety and labour issues on another.¹² Combining these approaches into one holistic solution offers a number of insights. C. 190 is the first piece of treaty law to include definitions of workplace violence and harassment, as a basis for policy. It provides a broader theoretical framework for addressing these policy issues, as well as specific and detailed recommendations that Member States can use to achieve these goals in practice. It also recognizes a broader range of actors than traditional occupational safety or human rights approaches. Employers, employees, clients, and members of the public can all be perpetrators, or victims of harassment or violence. It also considers a wider range of settings than traditional occupational safety approaches, as harassment and violence can affect workers in settings like

Stop workplace harassment and provide support for survivors of domestic violence

By Shobha Shukla, CNS
Public sector unions in the Asia Pacific region have launched a campaign for universal paid leave for survivors of domestic violence as part of a push to strengthen labour laws and policies that can help stop violence and harassment. On the International Day to Eliminate Violence Against Women (IIEVAW) 2018, trade unions are demanding governments and employers take stronger action to end sexual harassment and gender based violence. "While the #MeToo movement has drawn global attention to the prevalence of sexual harassment, particularly in high profile industries, less attention has been given to the role employers and labour laws must have in providing safe workplaces. Effective workplace laws and policies can both stop workplace harassment and provide support for survivors of domestic violence" said Kate Lappin, Regional Secretary of Public Services International, the Global Union Federation for workers delivering public services. A particular focus of

the campaign is the demand for paid domestic violence leave. "Paid leave will allow survivors, most of whom are women, to attend to urgent needs such as obtaining legal and medical help, securing housing and opening new

New Zealand became the second country to legislate for paid domestic violence leave this year. The Philippines introduced the right 14 years ago through its Anti-Violence Against Women and Their Children Act of 2004. Paid domestic violence leave is included in the draft ILO Convention and Recommendation on Violence and Harassment Against Women and Men in the World of Work and unions are insisting it be retained when the proposal is debated next year.

bank accounts, without having to worry about discrimination or losing their job." Lappin said that in addition to providing practical support to survivors, paid domestic violence leave helps change discriminatory social norms, which is cru-

cial to breaking the cycle of violence against women.

Worldwide, 1 in 3 women will experience a form of violence, according to the World Health Organization (WHO) statistics show. In Australia, leaving a violent relation-

Women and Their Children Act of 2004. Paid domestic violence leave is included in the draft ILO Convention and Recommendation on Violence and Harassment Against Women and Men in the World of Work and unions are insisting it be retained when the proposal is debated next year.

But a number of governments and many employer representatives want to water down the instruments. "It's hard to believe that some governments and employers still don't want to do everything possible to stop violence and harassment" said Annie Enriquez Geron, General Secretary of the Public Services Labour Independent Confederation (PSLINK) in the Philippines. "But we know that there are still attempts to weaken the proposed rules and we won't stand for that" she added.

To kick off the campaign, PSI is launching a campaign toolkit on paid domestic violence leave today, in observance of the International Day for the Elimination of Violence against Women and 16 Days of Activism and the theme "HearMeToo".

Central Chronicle (editorial page) 26 Nov 2018

¹⁰ U.S. Department of Justice. "Domestic Violence." <https://www.justice.gov/ovw/domestic-violence>

¹¹ UN Women. "Addressing violence and harassment against women in the world of work."

<https://www.unwomen.org/en/digital-library/publications/2019/03/handbook-addressing-violence-and-harassment-against-women-in-the-world-of-work>

¹² ILO. "Eliminating Violence and Harassment in the World of Work."

<https://www.ilo.org/global/topics/violence-harassment/lang--en/index.htm>

employee housing or the home, away from the workplace. ¹³

Duties, Rights, & Responsibilities of Member States & Social Partners

Governments and social partners of Member States collaborate to facilitate the formulation and implementation of ILO conventions. Representatives from workers' and employers' organizations within the ILO Governing Body, alongside Member States, assume pivotal roles in selecting subjects and establishing the itinerary for the ILC. The Governing Body has underscored the imperative of broadening outreach to workers' and employers' organizations beyond the confines of the conference sessions. Governments that have ratified the Tripartite Consultation Convention, 1976 (No. 144),¹⁴ are obligated to engage with a diverse array of employer and worker organizations when responding to the ILC questionnaire on relevant agenda items. The tripartite and responsibility-sharing practice also extends to the implementation of these conventions. Responsibilities pertaining to the implementation of ILO C. 190 are outlined below.

Member States that ratify C. 190 have an obligation to create domestic laws or regulations that implement the core principles of the treaty. States are obligated to define and prohibit the specific types of violence specified in the treaty, identify vulnerable workers and populations within their own country, and require employers to implement their own training and hazard identification processes to reduce risk. After these initial steps are taken, States maintain this positive momentum over the long term by raising awareness of labour violence issues, empowering **labour inspectorates** to enforce rules, and by tracking rates of violence to evaluate the success of policies. ¹⁵

As of January 10 (2024), 36 countries have ratified Convention No.190, with the convention entering into force with all countries by November 1. Uruguay, Fiji, Namibia, and Argentina were the first countries to ratify the convention in that order. Other notable adoptees include: Australia, Belgium, Canada, Chile, France, Germany, Italy, Mexico, Nigeria, Peru, South Africa, Spain, and the United Kingdom. Notable countries that have not ratified the convention include: The United States, Russia, India, Japan, Brazil, Egypt, Ethiopia, Indonesia, Kenya, The Netherlands, New Zealand, Türkiye, Sweden, and China. ¹⁶

While **Member States** are responsible for ratifying the convention and passing domestic legislation, **employers**, often perceived as powerful actors within a workspace, bear specific duties to support the implementation of C. 190. For example, Article 9 of C. 190, which outlines the responsibilities of employers, mandates that employers in ratifying countries establish a workplace harassment policy in consultation with their **workers' representatives**. This policy is recommended to encompass a commitment to preventing violence and harassment in the workplace, the identification of examples of workplace harassment, clarification of reporting mechanisms, and the specification of punitive measures for perpetrators. Article 9 also recognizes violence and harassment as an occupational health concern. Article 12 of C. 190 highlights that existing ILO conventions on Health & Safety will be expanded to cover the impacts of violence and harassment. Furthermore, a risk assessment that takes into account the various social, interpersonal, and structural factors that could potentially lead to an increased risk of violence and harassment in the workplace is outlined by recommendation 206 and article 9. Lastly, article 9 also necessitates ratifying states to require employers to provide training on violence and harassment in an accessible manner. Notably, the United States has passed numerous state legislations requiring employers to conduct anti-harassment training through accessible means. For example, New York City has a website that provides

¹³ ILO. "C-190 – Violence and Harassment Convention, 2019 (No.190)".

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

¹⁴ [wcms_590126.pdf \(ilo.org\)](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)

¹⁵ "Ratifications of C190 - Violence and Harassment Convention, 2019 (No. 190)" International Labor Org

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO::P11300_INSTRUMENT_ID:3999810

¹⁶ ILO. "Ratification by Convention." <https://www.ilo.org/dyn/normlex/en/f?p=1000:12001>

resources for the training free of charge. While California requires the training to be provided in English and Spanish.¹⁷

In light of the aforementioned discussion regarding employers' responsibilities, ILO's guide on C. 190 also highlights the practical limitations of employer responsibility. Article 9 states that employers must take appropriate steps, "commensurate with their degree of control"; it is left to the discretion of Member States to operationalize the degree of control and identify areas wherein employers' oversight is required.¹⁸

Along with Member States and employers, workers constitute another integral part of the ILO's tripartite structure. As highlighted above, workers are involved in every step of the process, from the formulation of the convention on a macro level to the implementation of workplace policy against harassment. On this note, the collaboration and role of workers in ensuring the prevention of harassment and violence in the workplace are operative parts of C. 190's implementation mechanism. Paragraph 7 of Recommendation 206 underscores that domestic legislation should underline the rights and responsibilities of workers. ILO's guide on C. 190 (as also stated above) highlights that both workers and employers can perpetuate violence. Some countries have introduced laws intended to specifically prevent workers from committing harassment and violence in the workplace. Section 18 of Philippines' 2018 Safe Spaces Act and Grenada's 2019 OSH policy are examples of domestic legislations, which enumerate the responsibilities and related punitive measures for workers who commit harassment in the workplace.¹⁹

Other International Action on Combating Violence/Harassment at Work

The international effort to prevent and resolve workplace violence and harassment has been continuing for a number of years, with several organizations and projects aiming to prevent and treat these problems. On a broader scale, the United Nations has also addressed workplace violence and harassment, especially through the Sustainable Development Goals (SDGs). SDG 5, which seeks to achieve gender equality and empower all women and girls, contains an objective to eliminate all kinds of violence against women and girls, including in the workplace. At the regional level, the European Union has addressed workplace violence and harassment through a variety of directives and rules. For instance, in 2002, the EU approved a directive on the protection of workers against violence and harassment at work, which mandates that businesses take preventative steps and offer assistance to victims. In addition, various non-governmental organizations (NGOs) are also trying to prevent and treat workplace violence and harassment. For instance, the International Trade Union and Confederation (ITUC) has started a global campaign to abolish workplace violence and harassment, which attempts to increase awareness of these concerns and encourage action by employers, governments, and other stakeholders.

Question To Consider:

- Does your country (government) have any national laws/national agency that works to prevent violence and or harassment in the workplace?
- Has your country ratified ILO C. 190? If not, what are the reservations that your government has about the Convention?
- How does your government respond to issues of domestic violence?
- What are other countries and organizations doing to guarantee safety for workers, and can your country learn from other's examples?

¹⁷ ILO. "Guide on C190". https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_814507.pdf (p. 60 to 65).

¹⁸ Ibid.

¹⁹ ILO. "Violence and harassment in the world of Work."

https://www.ilo.org/wcmsp5/groups/public/---dgreports/---gender/documents/publication/wcms_814507.pdf.

- How can your country work with the ILO to guarantee protection from violence and harassment in the workplace?
- Will your policies encourage employers to take these issues seriously?

Key Terms:

Gender Based Violence: Defined by C. 190 as “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.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.”

Domestic violence: Violence or other abuse that occurs within a domestic setting, such as within a marriage or other intimate relationship.

Ratification: The act of signing or giving formal consent to a treaty, making it legally valid within a country.

Labour inspectorate: A government agency which sends labour inspectors to workplaces to report on conditions and identify violations of the law, or weaknesses within the existing system of regulations.

EXTRA RESOURCES

In our Extra Resources section, we provide resources for students to use in their research for the Spring Conference. Students are responsible for researching their position for their assigned countries, and these resources help point them in the right direction.

ILO - Violence and harassment at work: a practical guide for employers

The guide aims to enable enterprises to better control the risks and minimize the negative impacts that violence and harassment brings to the workplace.

Read it here: https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---act_emp/documents/publication/wcms_857915.pdf

ILO – Government laws and policies for gender equality

This report examines how governments can design and implement policies that promote a future of work that is gender-responsive by design and is anchored in social justice and decent work principles.

Read it here: https://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---multi/documents/publication/wcms_773233.pdf

ITC – International Training Centre

The International Training Centre has been at the forefront of learning and training since 1964. As part of the International Labour Organization, it is dedicated to achieving decent work while exploring the frontiers of the future of work.

- Currently, they have a few modules and additional topical areas about violence and harassment that you can check out: <https://www.itcilo.org/search?search=violence%20and%20harassment>

Canadian Centre for Occupational Health and Safety (CCOHS)

- The Canadian federal government agency overseeing occupational health and safety, and sharing their resources and primers on identifying both violence and harassment in the workplace:
<https://www.ccohs.ca/oshanswers/psychosocial/violence/violence.html>

UN Women

- UN Women has a section on “Ending violence against women” that contains facts and figures to aid you in your research, global norms and standards, along with additional resources:
<https://www.unwomen.org/en/what-we-do/ending-violence-against-women>

Model-ILO Parliamentary Procedure - Coming Soon

Model-ILO Conclusions (i.e. Resolution) Document - Coming Soon