



Ratify Convention 190 now, against gender-based violence in the workplace

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On 21 June 2019, the [ILO Violence and Harassment Convention \(C190\)](#) and the accompanying Recommendation (R206) were adopted at the International Labour Conference (ILC). These new international labour conventions received record votes at the ILC, demonstrating an overwhelming consensus in favour of a world of work free of violence and harassment.

While the convention was voted for by representatives of the workers, governments and employers, it is important to understand that popular actions precipitated the adoption of C190 and R206. The Alliance of Filipino Workers (AFW), in 2017, organised the Registered Nurses Task Force (RNTF). The RNTF, among other campaigns, conducted 'listening tours' which provided the space for nurses, union members and non-members together, to air their grievances and exchange information.

Similarly in Pakistan, Lady Health Workers (LHWs) were faced with all sorts of violence at work, but they organised into a national movement to campaign for their rights. In 2012, All Sindh Lady Health Workers and Employees Association (ASLHWEA) won a supreme court case that recognised them as state workers through collective action. And in 2014 about 23 068 LHWs were regularised by the Sindh government (PSI, 2018). These were organized by ordinary working-class people, particularly women in workplaces, communities and on the streets, who demonstrated through their actions that they would no longer tolerate harassment or violence against them.

There were widespread protest movements which advanced the fight against sexual harassment, putting this on the front burner of global public opinion in 2017. A clear example of this was the #MeToo Movement in which a looming figure, Harvey Weinstein - who has just been found guilty and jailed - was shown for the monster he is, as many other predators with power unfortunately are. History is not simply made by institutions; rather people make institution and history.

The new convention complies with the rule on total inclusiveness and integration. It takes an inclusive and integrated approach by extending protection to all workers, whether in the formal or informal economy and irrespective of their contractual status, and including jobseekers, trainees, interns, apprentices and volunteers (ITUC, 2019).

The fact that embers of revolt inspired adoption of these

international labour covenants on violence and harassment establishes, that in our hands, as the working masses united, lies the power to change and to change the world, and, two, that freedom for the working-class comes through struggle.

We know it is not yet *uhuru* with Convention 190 and Recommendation 206 on violence and harassment in the world of work: now comes the battle for ratification in the ILO member states and implementation in our factories and workplaces.

Gender-based violence in the workplace

Sexual and gender-based violence (SGBV) refers to any act that is perpetrated against a person's will and is based on gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or overtly sexual in nature, and can take the form of a denial of resources or access to services. It inflicts harm on women, girls, boys and men (UNHCR, N.D).

It is a fact that women and younger people are mostly the victims of SGBV, either in the world of work or in our communities. It is estimated that at least 35% of women worldwide have experienced violence such as wage discrimination, abuse, economic violence, intimidation, threats or verbal abuse in her lifetime (UN Women, 2019). A significant number of women experience different types of attacks all in one work lifetime, which subjects them to terribly precarious conditions and makes the workplaces unsafe for them.

Gender-based violence in the workplace is prevalent. One study showed that women are nine times more likely to quit, five times more likely to transfer, and three times more likely to lose jobs than men because of harassment (National Council for Research on Women, 2004). That is exacerbated in countries such as Nigeria, where the youth unemployment rate is as high as 36%. Many women who have spent years on the job are also subjected to several experiences of sexual violence.

In June 2019, there was a case of sexual harassment of a female worker by a male manager at the Lanxess Chrome Mine in South Africa. The management refused to bring the perpetrator to justice. That insensitive decision led to a two-week massive underground sit-in strike in the mine. The immediate demands of the workers were for the perpetrator to be suspended and

for reinstatement of all dismissed workers. The management succumbed to most of the workers' demands because of this action.

Convention 190 and Recommendation 206 will go a long way to address violence at work. The convention provides for the respect and realization of everyone's right to a world of work free from violence and harassment. Member states that ratifies the convention are required to adopt an inclusive, integrated and gender-responsive approach to the prevention and elimination of violence and harassment in the world of work. The convention equally mandates prohibiting them in law, ensuring access to remedies and support for victims, and providing for sanctions, among others. Lastly, the convention recognises the roles and responsibilities of governments, employers and employees' organisations, and the need for collective bargaining and an integrated approach to a violence-free world of work. The fact that the convention includes the informal sector makes it a good win, but the truth is that the fight against GBV is far from over.

C190 ratification

Two countries have so far ratified Convention 190. Uruguay became the first country to ratify C190 on December 17, 2019, when its House of Representatives unanimously adopted the ratification bill. Fiji ratified it on June 25 this year. According to paragraph 2 of article 14 of the C190, the convention will be in force for 12 months after two countries have ratified it. That is, the convention will be no better than an article until it's ratified by at least two countries.

Only nine countries, including two from Africa, have submitted the convention to the appropriate authorities in their respective countries. It is a known fact that employers, either as government officials or private sector employers, seldom comply easily even with ILO Conventions when there is no serious consequence to non-compliance.

Employers' associations in Panama and the Dominican Republic openly campaign against ratification of C190. That shows a despotic approach to the workplace. The employers care less that, aside from the workers' perspective which is of great importance over and above any other, it will aide productivity and enhance workplace dynamics if people can work without fear of sexual violence or any other form of violence.

It is of great essence to recall the history of protest movements against violence and the adoption of C190 by the ILO is a history of popular actions against violence on boys, men, and particularly women and girls. Hence the trade unions, labour federations and civil society organizations should mobilize for popular actions to demand for the immediate ratification and domestication of C190. It is important that we expand the fight against gender-based violence beyond the workplaces into the

communities, and the trade unions have to take a lead on this. The trade unions working with radical groups in the civil society movement should organise public workshops to explain the provisions of the convention and why it is important for people to join actions towards its ratification. Also the labour federations should organise national conversations on the increase in cases of gender-based violence and weak status of national legal instruments concerning GBV.

An important element of trade unions in transformation is for unions to expand their horizon of struggle; the workers in factories are the same people in the communities. Hence it is important for workers' organizations to defend workers' rights beyond the traditional workplace issues. Gender-based violence, and particularly attacks on women, is an attack on human right.

In Nigeria, we call on the Nigeria Labour Congress, the Trade Union congress of Nigeria and the United Labour Congress, in collaboration with allies in civil society organizations, to organize a series of days of action to pressurise the Nigerian government to immediately ratify C190. On 22 August 2019, the Argentine Workers' Central, a trade union federation, organized a march to demand the ratification of C190 among others. And millions of women across Mexico occupied the streets in organized strike actions on 9 March against GBV. We need to draw inspiration from such actions and remain consistent in the fight against GBV in our workplaces and communities.

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