

WE'RE LAGGING BEHIND, SHANTI!

YOU CANNOT MIX WORK AND LIFE!

**VIOLENCE DOESN'T WORK:
ILO CONVENTION SUPPORTED
BY EMPLOYEES WORLDWIDE**



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FOREWORD

Harassment, bullying, discrimination, undesirable sexual behaviour and even violence by colleagues or supervising staff ... almost 50% of employees has or will have experienced one or more forms of violence or harassment at some point in their lives. Women encounter this much more often than men. An investigation carried out by the FNV in the Netherlands (FNV 2018) has shown that at least three-quarters of women are confronted with forms of sexual harassment in their lives, of which one out of three cases is in the workplace. Worldwide, 35% of all women older than 15 - more than 818 million - have experienced sexual violence. The effects are significant: it hampers women in their participation in the labour market and may lead to mental health problems (ITUC, 2018).

In this respect, the personal stories of victims have an even greater impact than figures. Their encounters with violence and harassment are not limited to the workplace but also happen outside work, in situations that have severe consequences for their functioning at work. In this brochure, female bus drivers, farm workers, production workers and domestic workers from all parts of the world share their experiences with violence and harassment in the workplace.

In June 2019, the International Labour Conference (the annual general meeting of the International Labour Organization, ILO) will negotiate and vote on new ILO regulations aimed at reducing violence and harassment in the workplace. A first round of negotiations on this topic took place in 2018. The FNV and Mondiaal FNV advocate a strong ILO convention with associated recommendations relating to this topic, covering employees worldwide. Three components of the proposals have so far met with resistance mainly from employers' organisations and also some governments. These proposals aim to include domestic violence insofar as it has an impact on the world of work, violence and harassment while commuting to and from work, and a special focus on violence against employees in high-risk occupations. On the basis of examples from practice, this brochure therefore describes these three specific components in more detail, clarifies the responsibilities of employers and governments, and explains how they can contribute to solutions.

It would be ideal if the ILO conference in June, when the ILO also celebrates its 100th anniversary, were to adopt a strong convention that both regulates the prevention and addresses the prevalence of violence and harassment in the workplace in a clear and effective manner, and requires countries to take adequate measures in this respect. Not only would this be in the interests of employees, but also of employers, ranging from SMEs to multinationals, who feel strongly about protecting the fundamental rights of workers and - also in this area - have an interest in a level playing field with which everybody must comply.

We would like to thank the partners of Mondiaal FNV and the Fair Wear Foundation (FWF) for contributing these often heartrending stories, but also for sharing the solutions they have achieved in their workplaces, in cooperation with their trade unions.

Catelene Passchier
Chair of the ILO Workers' Delegation
Special Advisor to the FNV President

INTRODUCTION

Violence and harassment in the workplace is a daily occurrence for millions of people all over the world. It causes physical, psychological, social and financial damage and, in extreme cases, leads to murder and suicide. On a larger scale, violence contributes to gender inequality and is costing companies billions in lost working hours, replacement personnel, loss of productivity and damage to reputation.

Despite the fact that these are every-day, omnipresent incidents, victims have difficulty talking about them. They fear losing their jobs, feel ashamed and guilty, are not aware of existing laws and regulations that should protect them, but they do know that perpetrators are usually not punished. A new ILO Convention seeks to change this situation, but several obstacles have emerged in the process. This publication aims to define these obstacles and to stimulate discussion.

ILO CONVENTION

At the end of 2015, the topic of 'violence and harassment in the workplace' was put on the ILO agenda as such for the first time, whereby the international trade union movement had played a not insignificant role. Although a number of existing ILO conventions refer to this topic, none of them appears to give a precise, comprehensive definition of it, or of the work situations in which it occurs. Moreover, there are no systematic specific guidelines for prevention, nor an integral approach that would make combating the problem effective. At the end of 2016, the group of experts appointed by the ILO to investigate the topic came to the conclusion that there is a need for a new standard with an integrated approach. They proposed a broad scope, stating '... that the world of work is considered to cover not only the traditional physical workplace, but also commuting to and from work, work-related social events, public spaces including for informal workers such as street vendors, and the home, in particular for home-workers, domestic workers and teleworkers.' Based on their recommendations, the ILO initiated the process of preparing a new Convention on 'Violence and harassment in the world of work'.

The intention is that this should be adopted in a tripartite decision-making process of governments, employers and employees in June 2019. From 2015 to the present day, 85 governments, 179 employers' organisations, 29 trade unions as well as a number of NGOs have studied the contents of the Convention.

SPECIFIC SITUATIONS

Obviously, the interests of these groups do not all run parallel. Although there is agreement on the fundamentals of and need for the Convention, a number of specific situations are meeting with resistance mainly from employers' organisations and, to a lesser extent, also from governments. This relates to three different situations of violence, namely:

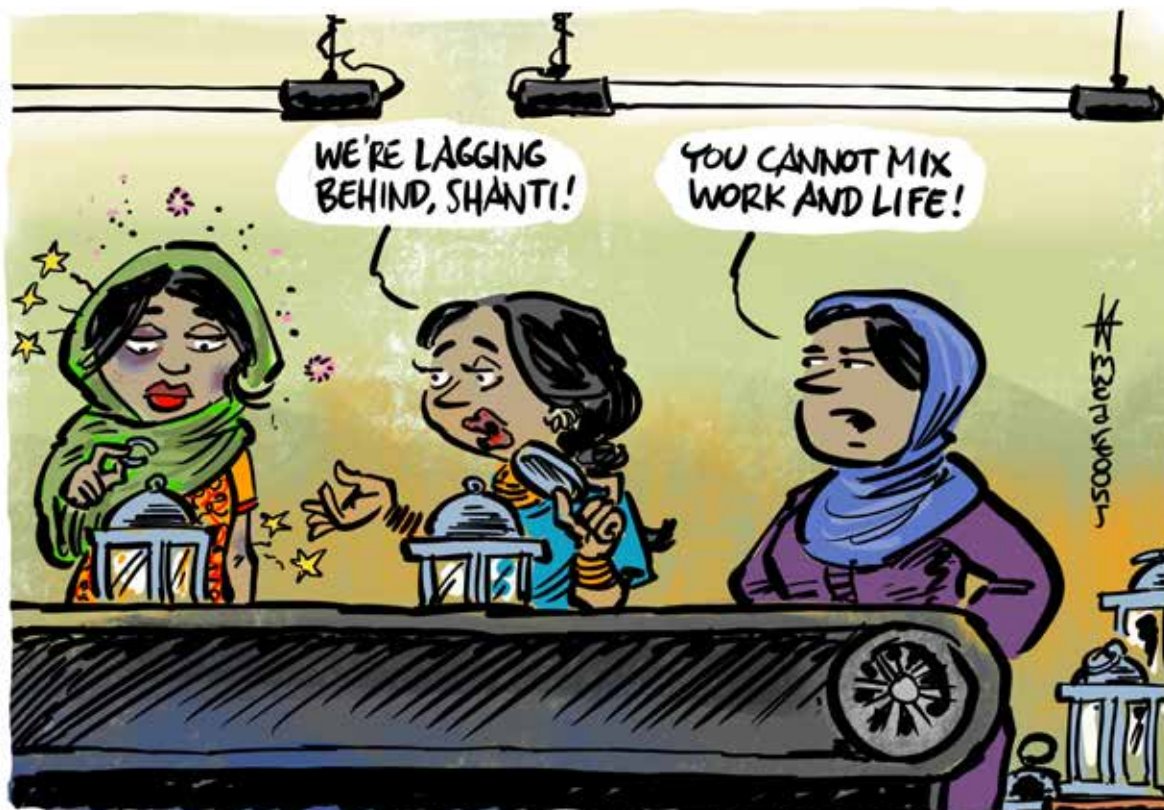
- Domestic violence;
- Violence in commuting situations;
- Violence against employees in high-risk occupations, where it remains easily hidden and unpunished. For example, domestic workers, the transport and agricultural sector, and informal labour situations in general.

During the 2018 International Labour Conference on this topic, many employers and some governments could not envisage how they were responsible in these specific situations, and stated that they had difficulty endorsing these aspects.

According to Manuela Tomei, director of ILO's Conditions of Work and Employment Department, it is one of the 'hottest issues' in the Convention. To what degree does this Convention extend as an instrument? Where exactly are the limits of the world of work? A question that, given the modern phenomena of cyber bullying and stalking, is only becoming increasingly urgent. 'Generally speaking,' says Tomei, 'there is a clear awareness that focusing solely on the physical workplace would be insufficient to provide adequate protection, but there are variations as to how wide a range can be covered. 'Employers' organisations and NGOs advocate as wide a range as possible, so that no one misses out. Not only because of the consequences in the workplace of violence that takes place outside the

workplace, but also because a great degree of violence actually occurs in places that do form part of the world of work, but are still not always recognised and accepted as such. Places where employees work in an isolated, unprotected setting, where violence remains invisible for the outside world. For example: home workers at the end of a fashion chain, domestic workers, and people who work very hard on small plots, where half the proceeds have to be handed over to the landowner. Advocates claim that the new ILO Convention should also offer protection in all these situations and that this should be a part of a collaborative relationship between governments, employers' organisations and trade unions.

DOMESTIC VIOLENCE



THE FACTORY AS A SAFE HAVEN

'My name is Priya, I have a married daughter and have worked in a garment factory in Tirupur, in India, for fourteen years. At home, I have many problems with my husband. He drinks, doesn't work and constantly asks me for money. We have over € 1,400 in debts. At home, I do all the work: cooking meals in the morning before I leave for work and, when I get home at 8 at night, fetching water, cooking again, cleaning the house and doing the laundry. When I finally get to bed around midnight, I can't sleep because my husband won't leave me alone.

When the company announced that a complaints committee was to be set up, I stood as a candidate. I feel that the factory should be a safe place. Many women experience the same problems as I do and we want to leave them at home when we go to work. What happens at home feels like a disgrace. In our culture, we, as women, have to accommodate men. Girls are not allowed to go out on their own but they're displayed as potential wives to dozens of men. That doesn't feel good.

I'm learning a lot as a member of the complaints committee. It seems that even dirty talk and bullying is forbidden and that we can take action against it. I also want to ensure that all the things we're learning here are applied outside the factory, too. It must and can be done.'

BILLIONS IN COSTS

It sounds logical. Everything that happens behind the workers' 'front door' is not the employer's problem. But the reality is different. In the first place because of well-understood self-interest: an employee who is beaten at home will, at the very least, be distracted or mentally absent at work and, in the worst case, actually absent due to physical or mental injuries. Domestic violence may also affect the working environment if it literally follows the employee to the workplace: sometimes the perpetrator works for the same company, or someone is being stalked through social media or otherwise.

It is not hard to see that this also has an impact on colleagues and the workplace. Investigations conducted by international trade unions among workers in Australia, Canada, New Zealand, the Philippines, Turkey and Great Britain have shown that one third have been the victim of domestic violence. Fifty percent felt that this had a negative impact on their work performance, and three-quarters had trouble concentrating on the job. In the United States, domestic violence costs an estimated eight million working days a year, which amounts to 2.5 billion US dollars. Indian women are estimated to be absent from work (without pay) for five days per violent incident. In 2016, the KPMG accountancy and consultancy firm estimated that domestic violence cost the Australian economy the equivalent of almost 16 billion US dollars in a single year.

A Canadian investigation from 2014 shows that one third of employees have experienced domestic violence, of whom almost 82 percent mentioned a negative impact on their work performance. According to the Canadian Department of Justice, in 2009 this cost employers the equivalent of about 69 million US dollars.

In 2010, an investigation among the active Dutch workforce showed that domestic violence accounted for an estimated 412,000 to one million absence days p.a. Direct costs - possible loss of production not included - for employers: 74 to 210 million euros.

THERE IS A CONNECTION

A somewhat more abstract but certainly not unimportant argument to not exclude domestic violence from the definition of violence in the workplace is that both are connected to the same social culture in which gender inequality and oppression of women are regarded as 'facts of life'. A woman who is beaten and raped at home will not easily sound the alarm if the same thing happens to her at work: after all, it is common practice. Men who treat their wives as doormats at home, more easily think they will also get away with that at work. From an investigation in the Kenyan cut-flower industry it became clear that managers justify their inaction in combating sexual violence in the workplace by indicating that women are traditionally treated poorly, and that sexual violence is a cultural rather than a business-related phenomenon.

Furthermore, domestic violence hampers women's access to the labour market and to education, with which a vicious circle is maintained. People who are beaten up at home do not perform optimally, resulting in the risk of dismissal, frequent job changes, temporary and insecure jobs, and poor promotion prospects. Those who realise that there is a connection between domestic violence and violence at work will understand that combating the one will not be effective without combating the other.

TROUBLE AT HOME

'My name is Florida Mukarurema. I was born in 1980 and I have three children. I live in Kigali, Rwanda. In 2015, I heard that a construction company was looking for people. I got up early in the morning to join the queue for work. I was lucky and was selected. It turned out to be transportation work, driving building materials for ten hours a day, sometimes even involving overtime during the night. I was given a temporary contract and earned € 2.60 a day.

It didn't take long before the foreman started to come on strongly to me. It all started with: "You're so beautiful", and other similar compliments. Next he started to insist on having sex. This happens to many women, particularly in the building sector. When I took no notice of him, he punished me by giving me constantly changing, difficult tasks. Then he accused me of poor performance, and eventually I lost my job. My case is now being handled by the legal department of my trade union. The problem is that there are laws against this kind of behaviour, but they're not acted on. There's no labour inspectorate that addresses this problem.

To make matters worse, my husband doesn't believe me. He thinks I actually slept around with my foreman and constantly argues and threatens me. So besides being unemployed, I also have trouble at home.'

WHAT THE CONVENTION SAYS

The proposed ILO Convention recognises these arguments and therefore calls domestic violence one of the forms of violence against which workers should be protected. It states: '(...) noting that domestic violence can affect employment, productivity and health and safety, and that the world of work, its institutions and governments can help, as part of other national measures, to recognize, respond to and address domestic violence (...)'. Under the heading 'Enforcement, monitoring and victim support', the Convention specifies the seven employment-targeted measures that could be taken to combat domestic violence and reduce its impact: paid leave for victims of domestic violence; flexible work hours for victims of stalking and domestic violence, temporary or permanent transfers of victims of domestic violence to other workplaces; temporary protection from dismissal for victims of domestic violence; workplace risk assessments specific to domestic violence [for example, stalking]; a referral system to public mitigation measures for domestic violence, where they exist; and awareness-raising about the effects of domestic violence.

There is growing attention for this issue and some examples of actual measures are given below. However, there is still a world to be conquered. Although it is true that an individual employer cannot be held responsible for the violence committed by an individual perpetrator, it is also true that the work environment is actually the very place that could contribute towards identifying and addressing domestic violence. The workplace should be a safe place for a victim, a place to break through the isolation that enables abuse, where violence is exposed, and the victim is given support and can continue to work.

IT CAN BE DONE

Employment contracts and legal provisions

In 2011, a national survey among trade union members in Australia led to clauses on domestic violence being incorporated into employment contracts. It led to victims being entitled to paid leave, protection, and flexible working hours. In 2016, as many as 1,234 of such sectoral employment contracts were in place with a number of the largest employers in the country. In 2015, an Australian employee won an iconic case after she had been fired following the effects of domestic violence by her partner, who worked in the same office. The employer had to pay maximum compensation and was told that employers have an 'extra duty of care' towards victims of domestic violence. Trade unions continue stressing that legislation should also safeguard the rights of domestic violence victims: the implementation of the terms of employment contracts is not always guaranteed and not all sectors participate.

In the private sector in the Philippines, female victims of domestic violence have a statutory right to a maximum of ten days leave for medical and judicial appointments. In Spain, they are legally entitled to fewer and flexible working hours, paid leave and a transfer. Italian women can make use of an Act from 2016 which offers them three months of paid leave, to be taken over the course of three years. The Canadian Women's Advocates network is a joint management-trade union initiative. Specially trained workplace representatives support employees in the event of bullying, stalking, harassment and abuse, for example, also if it happens at home. They listen, look for a local solution if needed, and refer people on. A female employee of a major airline had been thrown down the stairs by her ex-husband and kicked for so long that she was permanently injured. After she had left him, he stalked her so persistently that she needed to move house 22 times within one year. In cooperation with the company, a Women's Advocate helped find out where the woman would be able to work safely. Another woman was granted sick leave, so that she had time to free herself from a bad home situation.

In the Netherlands, the FNV Vrouw set up 'The New Future' project in cooperation with the Dutch Women's Council, local aid organisations, and the police. It helps female victims of domestic violence to take steps towards financial independence, based on the premise that social participation and independence offer the best protection against domestic violence. The women are provided with information and training, a personal coach, and they are helped with finding a job, education or voluntary work.

COMMUTING BETWEEN HOME AND WORK



EVERYBODY WORKS OVERTIME

'My name is Gunavati, I'm 33 years old, and I work in a garment factory in the Indian city of Tirupur. I like working overtime because then I earn more money, but in the past I was always afraid when I had to walk home after work. The street lights were often broken. The factory had a complaints committee and, together with a number of other women, I submitted the problem to them. The factory management reported it to the electricity company, but nothing was done about the problem. Then the complaints committee asked the police to patrol the area every day from 7 to 8 p.m., which did not always happen. Finally, the complaints committee suggested that management let all female workers who lived in the same area work overtime, so that they could walk home together afterwards. That helped.'

SCARY JOURNEYS

The proposed Convention explicitly includes in its formulation the right to protection against violence when commuting: 'Violence and harassment in the world of work covers situations occurring (.....) when commuting to and from work.'

Every day, many employees - and women in particular - are anxious about commuting, especially if they need to travel in the dark. And their fear is justified. There are many examples of assault and rape, on public transport or otherwise. Even company transport turns out not to be always safe; some drivers and recruiters in company buses use their power position to make sexual demands.

Certain economic sectors are more vulnerable than others to the lurking dangers of commuting. For example the clothing industry, where 80% of the employees are female, working days are long, and people have to work overtime until late at night. Retail workers, garbage collectors and cleaners know the risks related to long, early and late working hours, which result in scary journeys from home to work and vice versa.



DON'T TOUCH ME!

'My name is Yogmaya Sunawar and I'm 36 years old. Together with my daughters, I live with my parents in Kathmandu, Nepal. I used to be a teacher, but I had to stop teaching when my children were born. Maternity leave didn't exist and no nurseries or child-care places were available. My life was good until my husband became violent after the children arrived. Every day, when he came back from work, he would beat me and said that I had to leave. He threatened to take a new woman home, which he actually did at a given moment. He threw me and my children out of the house. I had to move in with my parents to earn money so that I could send my daughters to school. My sister drove a Tempo, a kind of tuk tuk used for public transport, and she taught me how to drive it. I've been a tuk tuk driver for ten years. I step into the Tempo at 5 in the morning and drive home at about 8.30 at night. In Nepal, the minimum wage is € 104 a month, I earn € 116. That's not enough to make a decent living, but I have no choice.

One of the most difficult things about my work is that men are constantly harassing me, mainly when it's dark. Not only passers-by but also traffic police and customers. They think I'm available, touch me and ask for sex. Then I get mad and yell "Don't touch me!". I used to be scared. But thanks to the trade union I've learned that I have rights and can take action. Sometimes I even deliver clients to the police station. However, not all Tempo drivers have managed to achieve this. Every female driver needs to put up with this kind of behaviour. Combating violence and harassment has been incorporated into our constitution, but laws need to be much better enforced. Things are gradually changing, though. Police officers who were able to misbehave whenever they liked are now frightened when you confront them with the possible consequences.

In the meantime, I'm working on my future. I'm training as a naturopathic nurse and want to stop driving when I've got my certificate.'

IT CAN BE DONE

Safety in public areas and on public transport is primarily a task for the authorities. They are responsible for matters such as functioning street lights and sufficient enforcement staff. However, employers can also make a difference in this respect. For example, well-monitored company transport can be a great relief to employees. In addition, a wide range of simple, situation-specific measures are possible. The following are a few examples from Great Britain. The Freedom From Fear Campaign by the trade union for retail workers arranged for a loud bell to be installed at the staff entrance of a shop, so that women who arrived in the early morning did not need to wait fifteen minutes until somebody answered the door. In another company, women who wanted to were allowed to swap shifts after a manager had actually walked the route that women had to take to the station late at night. At another place, women were allowed to stop earlier so that they could catch the last bus home.

HIGH-RISK PROFESSIONS



DOMESTIC WORKERS DESERVE TO BE RESPECTED

'My name is Esther Kosi, I'm 54 years old and I live in Accra, in Ghana. I've worked as a domestic worker for thirty years. I've never had fixed working hours; you simply do what the employer tells you to do until the work is finished. Ghana has a minimum wage in place but I was never paid that. I've never been able to live a decent life based on my earnings. Eight times I was confronted with employers who treated me violently, ranging from abuse to attempted rape. There was never anyone I could ask for help, so finding a new job was the only way out. It made me really unhappy and I often just wanted to stop working altogether. But I'm a single mum and I had to feed my children. At a certain point, I decided that I'd only work for church members, in the hope that it would offer me security.

In 2015, the Domestic Services Workers Union (DSWU) was established in Ghana, as a result of which we became affiliated with the International Domestic Workers Federation. I've gained knowledge in the field of trade union work and am now general secretary of the DSWU. I still do domestic work, but only part-time. We need to make people in our country aware that domestic work is a decent job and that domestic workers deserve to be respected. If we succeed, it will make them less vulnerable. We will not rest until our government has ratified ILO Convention 189 on Domestic Work.

However, not only domestic workers are dealing with domestic violence. An investigation in 2016 showed that, in the previous year, one third of all Ghanaian women had somehow suffered violence at home. So we're trying to convince the government of the need to actively enforce the Act on Domestic Violence, which has been in place since 2007.'

BRUISES

Phenomena such as 'disguised' employment and dependent 'self-employment' are growing explosively in the labour market, both in rich and poor countries. More than 60% of all employees worldwide have no employment contract. This reflects social developments such as globalisation, women accessing the labour market, deregulation, informalisation, and economic crises. This involves the most vulnerable groups of workers, and the weak areas in their work situation often result in bruises. They work in isolated conditions, are not unionised and usually not protected by law, and they are totally dependent on their employers. If, on top of that, society also tolerates violence - especially where women are concerned - they have no legal redress.

THE ACT ON ATROCITIES

*'My name is Eswaramma and I'm 14 years old. I live in the village of Burakayala Banda, which is in the Nimmanapalli sub-district in the state of Andhra Pradesh, in India. Our village accommodates 25 families, all of whom are Adivasi. * I've looked after my parents' two cows and have cleaned their stable since the age of nine. Both my parents work the land. Most people in our village have worked for the landowner since they were young. Last year, when I let the cows out to graze in the hills, the landowner's son raped me. My mum and dad went to his home and called him to account. This infuriated all the landowners in the sub-district so much that they attacked our village. They tied my dad to a telegraph pole and beat him up, and they attacked every woman they came across. Then they made everybody sign a piece of paper which said that everyone would be fired and driven away if they divulged any details of what had happened.*

With the help of the trade union, my father submitted the case to the police. They in turn didn't dare to take action against the landowner. That's when the entire village turned to the district minister, who ordered the police to take the matter seriously and we could then lodge a complaint under the Act on Atrocities. The landowners exerted pressure on us to force us to withdraw the charge, but the head of police investigated the matter and the government wants to rehabilitate our family and the entire village.*

My father now looks after the cows because I'm too afraid. My mum and I are taking part in an employment programme that's partly paid and partly voluntary work. In order to prevent other children experiencing the same thing that happened to me, they all have to attend school until they're sixteen.'

WHAT THE CONVENTION SAYS

The proposal for the Convention, which will be decided on in 2019, acknowledges the greater vulnerability of these groups and mentions them explicitly. For example, the definition of 'worker' states: 'The term "worker" should cover persons in all sectors, both in the formal and informal economy, and whether in urban or rural areas, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, laid-off and suspended workers, volunteers, jobseekers and job applicants.' The workplace is defined as 'public and private spaces where they are a place of work', whereby the Convention will include both working from home and domestic work. Things become even more explicit under the heading 'Prevention measures': 'Members should adopt specific measures for sectors, occupations and work arrangements in which workers are more exposed to violence and harassment, such as night work, work in isolation, services, health care, emergency services, domestic work, transport, education and entertainment.'

* Adivasi is the collective term for indigenous people who often live in tribes and are regarded as the original inhabitants of India. Together with the Dalits, the caste of untouchables, they are the most marginalised inhabitants of the sub-continent. They have no surnames and often work as half or full slaves of major landowners, who consider them their personal property. In 1989, a special Act was adopted because existing legislation proved insufficient to combat atrocities against the Adivasi and Dalits: namely, the Scheduled Castes and Tribes (Prevention of Atrocities) Act.

HOUSEMAID IN OMAN

'My name is Irene Nabanjja and I'm 23. I live in Katale Seguku, a village close to Kampala in Uganda. At the end of 2015, through a former classmate I got in touch with a man who recruited me for a job as a housemaid in Oman. His name was Akram Kittandwe. He was Ugandan but lived in Kenya. In Oman a temporary employment agency sent me to different households. My working day ran from 4 a.m. until midnight, when everyone had gone to bed. I was constantly tired.

One employer, a relative of the agency owner, constantly abused me. I hardly slept, started to shiver and fell ill. When I complained to a man from the agency, he threatened to hit me, and because I resisted he locked me up in a tiny room with nothing to eat or drink for days. At night he let gas run into the room in an attempt to suffocate me. Thanks to a hole in the wall I managed to get some fresh air.

I tried to tell one of my employers about the abuse. Instead of helping me, he warned me that I'd come to Oman to work and not to complain. "You were smuggled into the country and are our slave, so don't count on getting any help." I had no phone, but thanks to other Ugandan housemaids I could make a mobile phone call to the Ugandan agent and my family. They couldn't help me because they didn't know the procedures and how to handle this situation.

In an attempt to escape the gas closet, in January 2016 I fell down from the fifth floor breaking my back. My hands and legs were paralysed. All medical costs were deducted from the wages owed to me. The agency would also pay my journey back out of my salary but he made my family pay for it. They managed to collect the money so that I could travel home. I've never seen a single penny of my wages.

If I'd known what it was like to work in Oman, or had been helped by my family or the government, my present life would have been a different story altogether. There's no trade union in Oman. There should be laws that protect people who do domestic work in other countries. I'm not the only victim. On the day I returned, there were two others with broken backs and one person with a broken leg. The agency demanded that they make themselves available again for work. Unbelievable but true. There are plenty of cases that haven't been revealed. Finding a job is impossible due to my physical limitations and my lack of education and skills. I therefore do odd jobs all over the village. It will still take a long time before I can fulfil my responsibilities and my family blames me for that. They make sarcastic remarks like: "Why were you so eager to leave for Oman? You returned without any money. You're a burden to us".'

VULNERABLE GROUPS

As is evident from the numerous examples, this is typically a situation where it is important to cover as wide a range as possible. Take the example of domestic workers. Girls from rural areas and even from other countries who move in with a family 'as a full-time maid' often end up in a situation resembling slavery. Their wage is low, their passport is confiscated, they must be available day and night and cannot leave the house, they cannot be reached by traditional trade unions, and even depend on their employers for accommodation. Where can such a girl go if the master of the house rapes her?

Another example is the female bus drivers and conductors in India. If they are attacked, they are on their own. They need to stay with their bus if it breaks down, even during the night. Nobody has ever heard of sanitary facilities. That is a problem that female street vendors and farm labourers are also facing. They are developing kidney and bowel problems because they cannot - or simply do not dare to - relieve themselves anywhere.

Home workers who produce goods for international chains, for example in the garment and electronics industries, invariably slip through the safety nets of labour legislation and employment organisations. They work in isolated conditions, the labour inspectorate never knocks on their doors and trade unions have trouble reaching them. Furthermore, they are often wrongly treated as self-employed entrepreneurs, with no workers' rights whatsoever. Farm workers - usually migrants from other regions and even other countries - often work without a contract, isolated, poorly paid, with no sanitary facilities, and unprotected by labour laws or employment contracts. When they protest, they are told to pack up and leave.

BUS DRIVER IN KATHMANDU

'My name is Bishnu Lama. I'm 46 years old and live in Kathmandu, Nepal, together with my 29-year-old daughter and 24-year-old son. I've always dreamt of becoming a driver, but initially I could simply forget about it, because everyone felt that women couldn't drive. Becoming a bus conductor was the only alternative, but that was a big disappointment. Drivers would insult me and I'd be harassed by them as well as by the male passengers and conductors. I was paid very little money for a sixteen-hour working day. After eleven months I decided to quit. In the meantime I got married - to a man of my own choice, after I'd fled from an arranged marriage at the age of fifteen. My husband was a driver and showed me the ropes. After three years of marriage he died and I became the breadwinner. I've worked 21 years in public transport, first driving a Tempo, a kind of tuk tuk, later a taxi, and now a minibus. I also got my driving license for large buses - while I'm only just over 4 foot high!

My day starts at 7 a.m. and ends at 8 p.m., for which I get paid an average of € 7.50 a day. That's enough to live on.

I used to be shy, but the trade union has taught me to stick up for myself, which has made life much easier. More still needs to be done for all the other women. They need support and to be taught what to do when men chase after them and belittle them. There are not enough laws for transport workers, and most of them don't even know that there are laws. For female transport workers things are particularly difficult. For example: there are no public toilets. They have to depend on public areas, which not only causes health problems but also the risk of sexual assault or worse.

All is going well with me now. I'm busy completing my secondary education - I had to leave school when I fled from the arranged marriage - and I'm trying to help my sisters through the trade union.'

IT CAN BE DONE

The group of experts who prepared the new ILO Convention in 2016 noted that some progress had been made towards regulatory measures against violence and harassment in the workplace, but mainly where visible labour and organised employees are involved. Is it possible to develop measures that reach much further?

Where working from home for long production chains is involved, international framework agreements, sectoral agreements and codes of conduct could play a role. However, a number of well-known traps should then be eliminated. In drawing up agreements, it should be up to the employees and not the multinationals or consumers to set priorities, while monitoring their application should take place independently and the final links in the chain should not be saddled with the costs.

Trade unions and governments could make efforts to also include informal labour in collective labour agreements, with specific focus on women. Their structural disadvantage actually works as a green light for men to misbehave and, conversely, equal employment conditions and women in management positions might discourage this behaviour.

Where governments and trade unions do not or cannot do their job, NGOs can be a solution.

An example: In Brazil, a group of women employed in the waste-collection sector address the issue of domestic violence. In a secure space, they share their experiences. They link the violence that they have personally experienced to the social context of discrimination based on gender, class and colour: most women are poor and black. They share their suggestions for addressing the issues with other cooperatives and with the national movement of waste collectors. In this way, they develop their own and movement-wide emancipation. In future, they will be less isolated in dealing with issues.

THE LANDOWNER'S THUGS

Surekha (23): 'I live in the village of Vaddi Palli in the Indian state of Andhra Pradesh. From the age of twelve I've cut stones in the quarry and done excavation work, for which I'm paid € 3.60 a day. At the end of 2018, I approached the landowner asking him whether he could arrange for my stolen earrings to be returned. He promised to do so, but the thieves were his mates and nothing was done. After I'd been to his home several times, one day his thugs lay in wait for me along the way. They ripped off my clothes, chased me onto the street naked and beat me up. Together with Savithamma, who represents our village in the sub-district council, I went to the police.'

Savithamma (45): 'The police said that it involved an important family and advised us to forget the whole thing. But we couldn't and wanted the police to file the complaint. When the landowner summoned me to his home and I didn't go, his thugs dragged me, my husband and my son from our home, tied us to a pole in the landowner's house and broke our hands and legs. The police also refused to file this case.'

Surekha: 'A local trade union, that had started visiting our village for the first time that year, arranged for a journalist to come to the village. They brought the entire story out into the open.'

Savithamma: 'That trade union got in touch with all the people's organisations. Together, they set up a fact-finding committee that investigated the case and submitted the results to the district board. They also organised a demonstration in front of the police station, which was attended by many people. The landowner, who wanted to cover up his disgrace, labelled it as an attempt by his political opponents to tarnish his name. He offered to pay our medical costs if we were prepared to drop the case. Thanks to the support offered by the trade union and the people's organisation we didn't need to do this. The landowner has still not been arrested but the police have finally filed the case.'

Surekha: 'India has laws in place against this kind of violence, but it will take a substantial amount of time and effort to get them implemented. We're popular now because we dared to stand up to the landowner, and have both become trade union leaders for our team in the quarry.'

APPEAL

It should be clear that if progress is made during the International Labour Conference in June 2019 and the new Convention on 'Violence and harassment in the world of work' is adopted, the disconcerting issues reported by the victims in this publication should not be left out. We sincerely hope that the partners - government, employers and employees - will agree on this and will introduce a comprehensive, widely applicable and decisive Convention to the world. You can support this petition through [Stopgeweldopwerk.petities.nl](https://stopgeweldopwerk.petities.nl).

In order to protect their safety, some people have been given fictitious names.

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