



# **ILO Violence and Harassment Convention (No. 190) and Recommendation, 2019 (No. 206)**

**Oliver Liang**

**International Labour Office**

# Scope



- “violence and harassment” in the world of work - a range of unacceptable behaviours 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;
- “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.

# Scope



- employees as defined by national law and practice
- persons working irrespective of their contractual status
- persons in training, including interns and apprentices
- workers whose employment has been terminated
- volunteers
- jobseekers and job applicants
- individuals exercising the authority, duties or responsibilities of an employer

# Where



- in the workplace, including public and private spaces where they are a place of work;
- in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- during work-related trips, travel, training, events or social activities;
- through work-related communications, including those enabled by information and communication technologies;
- in employer-provided accommodation; and
- when commuting to and from work.

# Protection



- identifying, in consultation with the employers' and workers' organizations concerned and through other means, the sectors or occupations and work arrangements in which workers and other persons concerned are more exposed to violence and harassment

# Remedies



- complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;
- dispute resolution mechanisms external to the workplace;
- courts or tribunals;
- protection against victimization of or retaliation against complainants, victims, witnesses and whistle-blowers; and
- legal, social, medical and administrative support measures for complainants and victims

# Remedies



- recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work
- ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life, health or safety due to violence and harassment, without suffering retaliation or other undue consequences, and the duty to inform management;
- ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work

# Guidance and training



- violence and harassment in the world of work is addressed in relevant national policies, such as those concerning occupational safety and health, equality and non-discrimination, and migration;
- employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, training or other tools, in accessible formats as appropriate, on violence and harassment in the world of work, including on gender-based violence and harassment; and
- initiatives, including awareness-raising campaigns, are undertaken

# Recommendation



- Collective bargaining
- The workplace risk assessment referred to in Article 9(c) of the Convention should take into account factors that increase the likelihood of violence and harassment, including psychosocial hazards and risks. Particular attention should be paid to the hazards and risks that:
  - (a) arise from working conditions and arrangements, work organization and human resource management, as appropriate;
  - (b) involve third parties such as clients, customers, service providers, users, patients and members of the public; and
  - (c) arise from discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment.

# Specific sectors



Members should adopt appropriate measures for sectors or occupations and work arrangements in which exposure to violence and harassment may be more likely, such as night work, work in isolation, health, hospitality, social services, emergency services, domestic work, transport, education or entertainment