

BRIEFING ON THE ETUC PROJECT “SAFE AT HOME SAFE AT WORK”

Trade unions’ strategies to prevent, manage and eliminate workplace harassment and violence against women



1. Recommendations

Ten things that unions can do to tackle harassment and violence against women work

1. Prioritise social dialogue between employers and unions, in jointly agreeing policies, procedures and awareness raising amongst managers and workers.
2. Ensure that women are in senior negotiating positions, as this has been shown to be critical to getting issues of violence against women and sexual harassment onto bargaining agendas, particularly in male dominated sectors.
3. Produce guidance, model workplace policies and train workplace representatives to negotiate agreements and policies to tackle violence and sexual harassment at work and the prevention of domestic violence at work.
4. Ensure that safety and health and wellbeing at work initiatives include a strong focus on the causes of and solutions to harassment and violence against women work, by taking into account gender inequalities and discrimination.
5. Give information and support to workers experiencing sexual harassment and domestic violence.
6. Work in partnership with NGOs and specialist violence against women organisations, for example, in carry out carrying out campaigns and union surveys to raise awareness about the extent and nature of violence against women at work.
7. Encourage male trade union leaders, negotiators and men to publicly raise awareness and champion a zero-tolerance approach to violence against women.
8. Highlight the economic and social case for tackling violence at work, including the business arguments that tackling violence against women can help to improve workplace relations, enhance wellbeing at work, retain workers, reduce absence from work, increase motivation and productivity.
9. Lobby for the inclusion of measures to address sexual harassment and violence at work and domestic violence at work in government national actions plans on violence against women.
10. Training and awareness raising for union representatives, leaders and supervisors.

2. Data on violence against women at work

- One in six workers across Europe report having been subjected to acts of violence, harassment and unwanted sexual attention (Eurofound). Sexual harassment at work range from 3% of workers in Belgium, between 4% and 20% of workers in Denmark, and between 16% and 20% in France.
- Denmark has one of the highest reported rates of sexual harassment in Europe, with 80% of women respondents stating that they had been sexually harassed (in places not confined to the workplace) at some point in their lives and 37% had experienced sexual harassment in the previous year (European Fundamental Rights Agency).
- A TUC survey on sexual harassment at work in Great Britain found that more than half of all women and nearly two-thirds of women aged 18 to 24 years said they had experienced sexual harassment at work. In a 2016 survey of women members of the UK University and College Union, on sexual harassment in the university/college sector, 54% reported a personal experience of some form of sexual harassment at work.
- A survey in Ireland found that there had been a 14% increase in the number of cases of bullying of nurses and midwives reported over the previous four years, and 6% of respondents said they were bullied daily.
- In Germany, 52.2% of the women interviewed had experienced sexual violence and harassment either in a public space, at work or in the private sphere.
- A report by the European Transport Workers' Federation (ETF) on workplace violence against women transport workers, reveals that women working in the sector are subject to high levels of abuse, threats, intimidation and offensive behaviour. Responses from more than 1,400 women transport workers from across Europe show that: 63% of the respondents have experienced at least one recent act of violence; 25% of the survey participants believe that violence against women is a regular occurrence in the transport sector; 26% believe that harassment is considered to be 'part of the job' in transport.
- In relation to third-party violence, estimates range from 2% to 23% of all workers; this rises to 42% of those who work in direct contact with the public, many of who are women. A union survey in Bulgaria found that over half of women transport workers experienced violence from passengers. Health workers are another group reporting high rates of third-party violence in Bulgaria and in the education sector in Denmark there was a 50% increase in physical violence against teachers by pupils. In the hotel and catering sector, a survey by 3F found that 24% of workers had experienced sexual harassment at work, mainly from clients. The Netherlands Working Conditions Survey 2011 found that 24% of workers were exposed at least once to some form of third-party violence from people such as customers, clients, students and passengers.

3. Country case studies

Collective bargaining is an important mechanism for agreeing measures to prevent and address violence against women at work, either as part of agreements that address violence against all workers, or in relation to specific issues, such as sexual harassment at work. In many EU Member States, violence and harassment against women at work has largely been addressed as a wellbeing at work issue, often as part of safety and health policies or under specific initiatives addressing violence and harassment of all workers.

3.1 *Collective bargaining to prevent and address violence and sexual harassment against women at work*

ETUC study has collected evidence of **nearly 120 agreements and workplace policies in the eleven country case studies, 80 of which address violence and harassment at work, with a particular focus on sexual harassment at work.**

- **Europe:** renewed attention was given to violence and harassment at work since the signing of the 2007 European Autonomous Framework Agreement on Violence and Harassment at Work between the European social partners. Some confederations have signed framework agreements at the national and sectoral level to implement the agreement, as is the case of Italy and France, others have inserted new clauses in existing agreements at sectoral or company level, as well as developing jointly agreed guidance, statements or declarations. For example, the Danish social partners issued a declaration on

implementation of the EU Framework Agreement. In Bulgaria and Slovenia, model agreements have been drawn up to implement the 2007 European agreement; however, to date employers have refused to sign the agreements. The 2007 European agreement has also informed a European agreement signed by the social partners from the commerce, private security, local government, health and education sectors (July 2010). It includes agreed guidelines to tackle third-party violence and harassment at work, for example, from customers and patients.

- **Belgium:** In 2004, the three union confederations (FGTB, CGSLB and CSC) signed a 'gender mainstreaming charter', set out a commitment to implement gender mainstreaming policies in their respective unions. One objective is to ensure that violence against women and sexual harassment is included in initiatives on wellbeing at work, and particularly the prevention of psychosocial risks through occupational health and safety measures. Psychosocial risks, including violence prevention, are included in training for new worker representatives in health and safety committees. Belgium, along with Scandinavian countries, had the greatest number of implemented workplace procedures on bullying and harassment at work, with more than 60% of Belgian companies involved.
- **Bulgaria:** Sectoral agreements in health, education and transport have been concluded in several sectors on prevention of violence against women as part of agreements on gender equality. In the transport sector, agreements have been concluded on violence against women at work through four municipal level agreements (agreed between the transport union, FTTUB, and municipal authorities). A special chapter on 'Protection against violence at the workplace and gender equality' was negotiated in the 2010-2012 sectoral collective agreement, with joint actions by employers and unions to prevent violence and a zero-tolerance approach.
- **France:** Unions have included sexual harassment and violence against women at work in bargaining on professional gender equality, as part of employers' obligations to prevent sexual harassment and mobbing at work. Examples of good practice including an agreement with the aerospace and defence company SAFRAN, signed in 2013 on 'prevention of sexual harassment and violence at the workplace'. Another example is the agreement on professional equality with La Poste signed in 2015, with a chapter on prevention of violence and sexual harassment at the workplace, violence committed by clients and domestic violence. In the public sector an agreement in 2013 on professional equality sets out the obligation to prevent all kinds of gender-based violence and foresees training and measures to prevent violence included as part of obligations on health, safety and security at work.
- **Germany:** The 2016 General Act of Equal Treatment sets out the obligation for Works Council representatives to form a Committee to address sexual harassment and sexual violence in the workplace. Good practice agreements include a Works Council agreement in Volkswagen AG to prevent and inform of all kind of discrimination, mobbing and sexual harassment. The 2009 Deutsche Telekom AG policy addresses sexual harassment and violence as part of the objective to create a workplace free of physical and psychological violence, and has led to the training of harassment managers who give advice and support to victims. The company Deutsche Bahn AG adopted in 2016 a company agreement 'for equal treatment and protection against (sexual) harassment and discrimination', which includes training for managers and workers, help-lines for victims, and has provided training on self defence against physical and sexual violence perpetrated by clients.
- **Ireland:** A Code of Practice on Sexual Harassment and Harassment at Work was agreed between the Equality Authority, in consultation with the employers' body IBEC and the Irish Congress of Trade Unions. The objective is to create 'working environments free of sexual harassment and harassment and in which the dignity of everyone is respected'. It sets out practical guidance to employers, trade unions and employees on what is meant by sexual harassment and harassment in the workplace, how it may be prevented, what steps to take if it does occur to ensure that there are adequate procedures to deal with the problem and to prevent its recurrence. The Code has been an important basis for implementation of jointly-agreed workplace policies and procedures.
- **Italy:** Several sectoral agreements have addressed sexual harassment. An agreement with the energy company ENEL under the corporate welfare agreement 'People Care in ENEL' covers wellbeing and health, and addresses sexual harassment and violence at work. In the woodworking sector an agreement on addressing and preventing sexual harassment at work was signed by the three unions in the building sector and employers.
- **The Netherlands,** in recent years the main focus has been on violence at work and wellbeing of all workers. Prior to this a large number of collective agreements included provisions obliging employers to prohibit sexual harassment and/or to set up a complaints procedure and provide for counselling in the workplace, resulting in Codes of conduct and internal policies on workplace procedures in companies. The collective agreement in the public transport sector, for example, gives specific attention to sexual

harassment and makes recommendations such as appointing a confidential counsellor and establishing a complaints procedure.

- **Slovenia:** Several sectoral agreements have been signed on violence, harassment and sexual harassment. One good practice is the collective agreement in the banking sector, which specifies that the employer has the responsibility to prevent mobbing and sexual harassment, and includes the right for workers to take sick leave if they have been affected by violence at work. Another good practice workplace agreement was signed between Mercator (supermarket chain) and ZSSS (retail sector) against sexual and other harassment and mobbing at the workplace, setting out a zero-tolerance approach, clear complaints procedures and support for victims of sexual harassment, harassment and mobbing. The agreement follows a consultation process with workers and represents a good model for other company agreements in Slovenia. The company and unions have established a strong social dialogue and attempts are made to resolve all issues through dialogue.
- **Spain:** Gender-based violence at work has been included in many workplace equality plans in companies with more than 250 workers. A good-practice workplace policy negotiated by unions with Vodafone covers both sexual harassment at work, and leave and support for victims of domestic violence. The third national agreement on employment and collective bargaining, signed by the social partners in June 2015, signalled the need for gender-based harassment to be addressed through preventive measures, such as the setting up of protocols that help businesses to eradicate these types of acts and attitudes in the workplace.

3.2 Domestic violence

Domestic violence is a relatively new trade union and bargaining issue. However, some unions are negotiating agreements and workplace policies to enable victims of domestic violence to remain in work. Evidence shows that domestic violence often involves significant levels of coercive control, resulting in victims having to take sick leave or leave their jobs. Measures such as temporary paid leave, counselling, support, initial safety planning, changes in work location or parking spaces, and providing information about specialist domestic support organisations and protection orders in cases of stalking in the workplace, are some of the ways that trade union representatives have supported victims and negotiated measures for their protection and temporary leave, particularly when they leave a violent partner.

ETUC study has collected evidence of over 40 examples of CBAs and workplace policies on domestic violence at work in the eleven country case studies.

- **Denmark:** FIU-Equality (a training organization established as a collaboration between three unions, 3F, HK and Dansk Metal) carries out regular training for shop stewards on preventing and addressing domestic violence at the workplace, and has an annual conference and award for innovative workplace policies. An example of a recent award is the negotiation of a policy for the Danish tax office SKAT on 'Violence, intimidation and harassment', which includes a clause on support for victims of domestic violence at work. The policy covers 4,000 workers.
- **France:** The 2015 La Poste agreement on professional equality includes a chapter on violence in the workplace and domestic violence at work, covering support for victims, including housing support, a free hotline number, possibilities to relocate work, and information about specialist support organisations. The Carrefour SA Hypermarchés agreement of 2012 states that prevention of domestic violence at work is part of the company's Corporate Social Responsibility strategy to inform and to train employees on the subject. PSA Peugeot Citroën's 2014 agreement includes a clause on supporting workers who are victims of domestic violence. This led to 150 managers receiving training on how to identify violence against women and awareness raising initiatives have been organized, such as a flyer 'Are you a victim'. In the Gender Equality Plans of the Ministries of Finance and Economy reference is made to violence in the workplace and to the responsibility of HR staff and managers to have tools to prevent domestic violence at work.
- **Netherlands:** 'The New Future' project (with the union FNV in partnership with the Dutch Women's Council, and women's shelter organisations) has given a focus to women victims' participation in work and financial independence, as this is considered to be an important form of protection against domestic violence. A pilot project in 2012-2013 in the Overijssel province led to more than half of the participants participating in education, work or in the voluntary sector. Today the project is being delivered in eight local authorities.

- **Spain:** Many collective bargaining agreements, harassment and violence protocols and gender equality plans have provisions in place regarding domestic violence. Clauses include informing domestic violence victims of their rights, preventing domestic violence through training, flexible working hours, and paid and unpaid leave. Clauses on paid leave to enable women to attend doctors or legal appointments are common practice. The energy company Ednesa, for example, provides for revised and flexible working hours, social care, legal assistance, protection orders and counselling for victims. Some companies help with removal, housing and travel costs, children's and school expenses, and in the banking sector victims of domestic violence are offered zero interest loans.
- **UK:** Unions have begun to address domestic violence at work through awareness raising and negotiation of workplace policies, using model domestic violence clauses and guidance drawn up by the TUC and individual unions. The public service union, UNISON, has managed to agree workplace policies in the health and local government sectors, and the union has supported negotiators through training, a guidance document and a model clause on domestic violence at work for the public sector. The UNISON guidance 'Domestic violence and abuse: a trade union issue' sets what workplace representatives can do to prevent domestic violence at work and negotiate workplace policies. The shop workers' union, USDAW, issued guidance in 2016 for trade union reps on 'Domestic Violence and Abuse', which also included violence in same-sex relationships; a shorter leaflet sets out help and support for women who might be facing domestic abuse.

3.3 Raising awareness and campaigning to end violence against women

Many trade unions are actively campaigning to end violence against women. Partnerships between trade unions and NGOs have been an important part of this work. Examples of union awareness raising programmes include:

- **Denmark:** A Joint union task force and campaign to fight sexual harassment (2016-2019) between four unions (3F, HK, Service Forbødun, and the Technical Staff Union) aims to raise awareness of sexual harassment in the workplace and to develop common union strategies to tackle the problem. The United Federation of Danish Workers, 3F, has raised awareness on sexual harassment, through posters, guidance materials for union members and a 'No to sexual harassment' Facebook page. Campaigns by health care unions have aimed to prevent violence against health care workers, at a time when pressure of work, the risk of working alone and shortage of staff have contributed to the problem.
- **Italy:** Trade unions have a long history of campaigning against violence against women. CISL drew up a Platform on the prevention of violence against women and children in 2011 with recommendations on how to jointly address the problem. In 2012 the three confederations drew up a joint proposal and protocol to improve understanding and to tackle violence against women, with a plan and protocol for combating violence against women. All three confederations have organised seminars and awareness raising events on the annual International Day Against Violence Against Women.
- **UK:** Women's sections of trade unions have run campaigns calling for zero-tolerance on violence against women. Examples include information campaigns and a reporting line to encourage people to report cases of bullying and harassment by the actor's and entertainment union Equity. The union Unite has run a campaign on violence in the hotel sector, where many migrant women workers are at risk of violence and harassment. The teacher's union NASUWT has run several campaigns on girls' access to education free from violence and sexual abuse. The union of journalists NUJ has run campaigns on sexism and the representation of women and girls in the media. USDAW regularly runs women's campaigns, including a recent campaign on women's safe journeys to work. A poster 'We won't look the other way' about domestic violence in the workplace has been drawn up and widely disseminated by UNISON for display in workplaces.