



# **C190: UNIONS IN ACTION TO END VIOLENCE AND HARASSMENT AT WORK, 2023**

# CONTENTS

|   |  |    |
|---|--|----|
| <hr/>   |  |    |
| INTRODUCTION  |  | 3  |
| <hr/>   |  |    |
| PROGRESS WITH THE RATIFICATION OF C190                                      |  | 4  |
| SUPPORT FROM GOVERNMENTS AND EMPLOYERS<br>FOR THE RATIFICATION OF C190      |  | 4  |
| CHANGES IN LEGAL FRAMEWORKS ALIGNED WITH<br>C190 AND R206                   |  | 4  |
| <hr/>   |  |    |
| TRADE UNIONS IN ACTION  |  | 5  |
| LOBBYING, DISCUSSIONS AND ENGAGEMENT<br>WITH GOVERNMENTS                    |  | 6  |
| LOBBYING, DISCUSSIONS AND ENGAGEMENT WITH EMPLOYERS                         |  | 7  |
| AWARENESS RAISING CAMPAIGNS WITH WORKERS<br>AND THE GENERAL PUBLIC          |  | 7  |
| BUILDING ALLIANCES  |  | 7  |
| A FOCUS ON VULNERABLE WORKERS   |  | 7  |
| NEGOTIATION OF WORKPLACE POLICIES AND/OR<br>CBAs ALIGNED WITH C190 AND R206 |  | 8  |
| GLOBAL UNIONS FEDERATIONS (GUFs)  |  | 9  |
| OTHER BARGAINING AND CAMPAIGN DEVELOPMENTS                                  |  | 10 |

## INTRODUCTION

Since the adoption of C190 and R206 in 2019, trade unions have mobilised in extraordinary ways to build national campaigns and an unprecedented international movement, led by women, has organised to ratify and implement these ground-breaking standards.

The ITUC reinforced its commitment to this campaign at the **4<sup>th</sup> World Women's Conference** and the **5<sup>th</sup> ITUC World Congress**, recognising the importance of affiliates' long-term engagement in working towards a world of work that is free from violence and harassment and a New Social Contract based on gender transformative and inclusive policies.

This report draws on an ITUC survey carried out in September 2023, with responses from 104 union confederations from 66 countries. This includes 26 from Africa (of which 10 were from the Middle East North Africa), 14 from the Americas, 15 from Asia Pacific and 11 from Europe.

It builds upon the results of the **first such survey carried out in 2022 and reveals the progress made by campaigning unions working towards safer, more inclusive workplaces that are free of violence and harassment.**



92%

OF UNIONS WORKED TO SECURE THE RATIFICATION AND IMPLEMENTATION OF C190/R206

85%

OF UNIONS ENGAGED IN SOCIAL DIALOGUE TO ALIGN C190/R206 WITH NATIONAL LAWS AND POLICIES IN THEIR COUNTRY

## PROGRESS WITH THE RATIFICATION OF C190

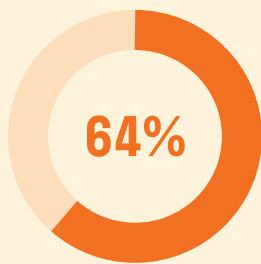
The ILO reports that 36 countries have ratified C190. Trade unions in this survey expect another 20 ratifications in 2024.

### SUPPORT FROM GOVERNMENTS AND EMPLOYERS FOR THE RATIFICATION OF C190

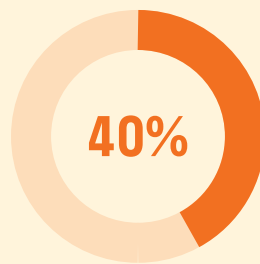
In 2023, unions prioritised action to change governments’ and employers’ attitudes and awareness and thereby

build support to ratify and implement C190. The responses to this survey demonstrate that governments are more likely than employers to support ratification. Opposition from employers has caused ratification to be blocked in several countries.

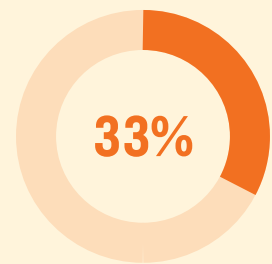
Survey response: support or opposition from governments and employers to the ratification of C190.



OF COUNTRIES, GOVERNMENTS SUPPORTED RATIFICATION



OF COUNTRIES, MOST EMPLOYERS SUPPORTED RATIFICATION



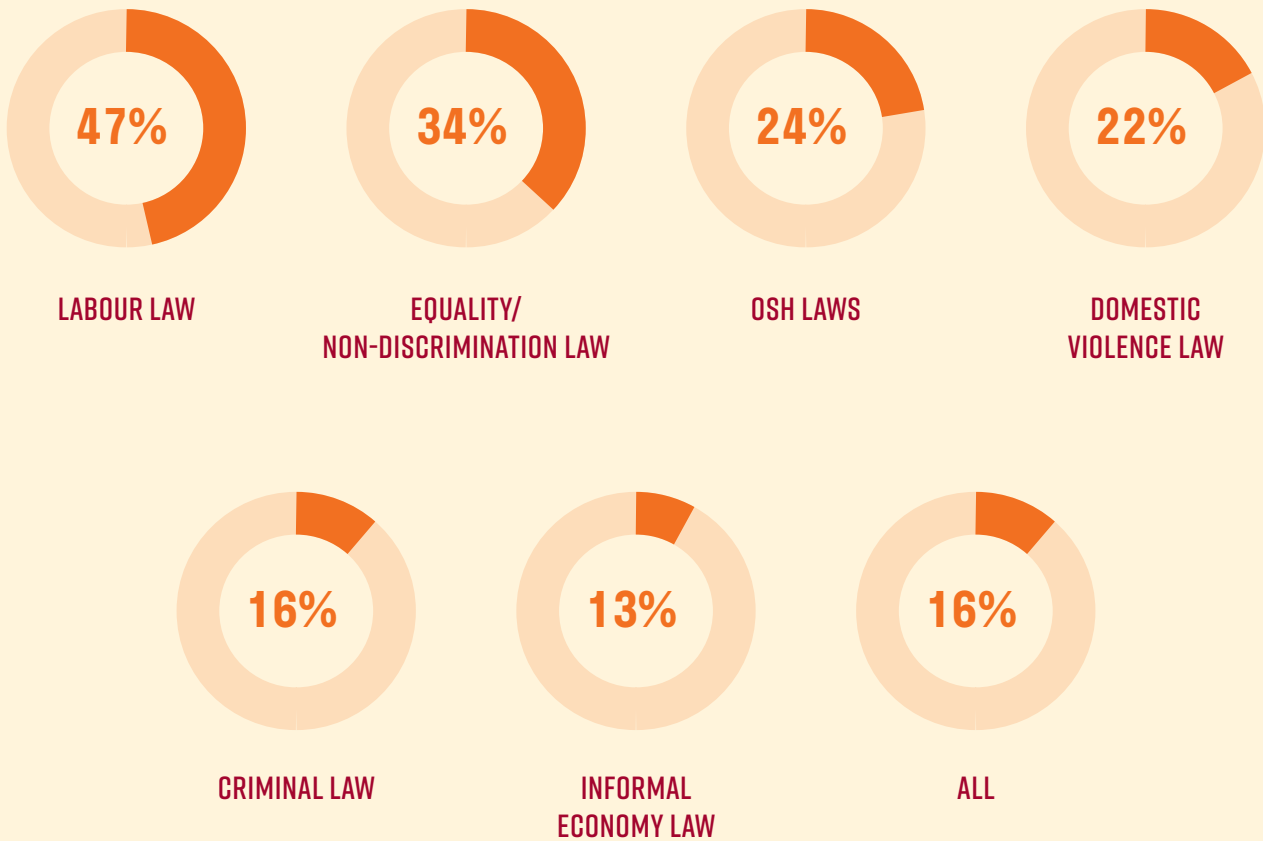
OF COUNTRIES, ONLY A FEW EMPLOYERS SUPPORTED RATIFICATION

### CHANGES IN LEGAL FRAMEWORKS ALIGNED WITH C190 AND R206

In some countries there have been significant legal changes introduced to further alignment with C190 and R206, with the biggest changes having occurred in labour law.



Changes to law to ratify and implement C190 and R206



In **Indonesia**, union campaigning led to the inclusion of sexual harassment in the new criminal law. The Central General de Trabajadores de **Guatemala** (CGTG) successfully lobbied for an amendment to the criminal law on harassment. In **Bulgaria**, the law was amended following a long campaign by teachers' unions against third-party violence

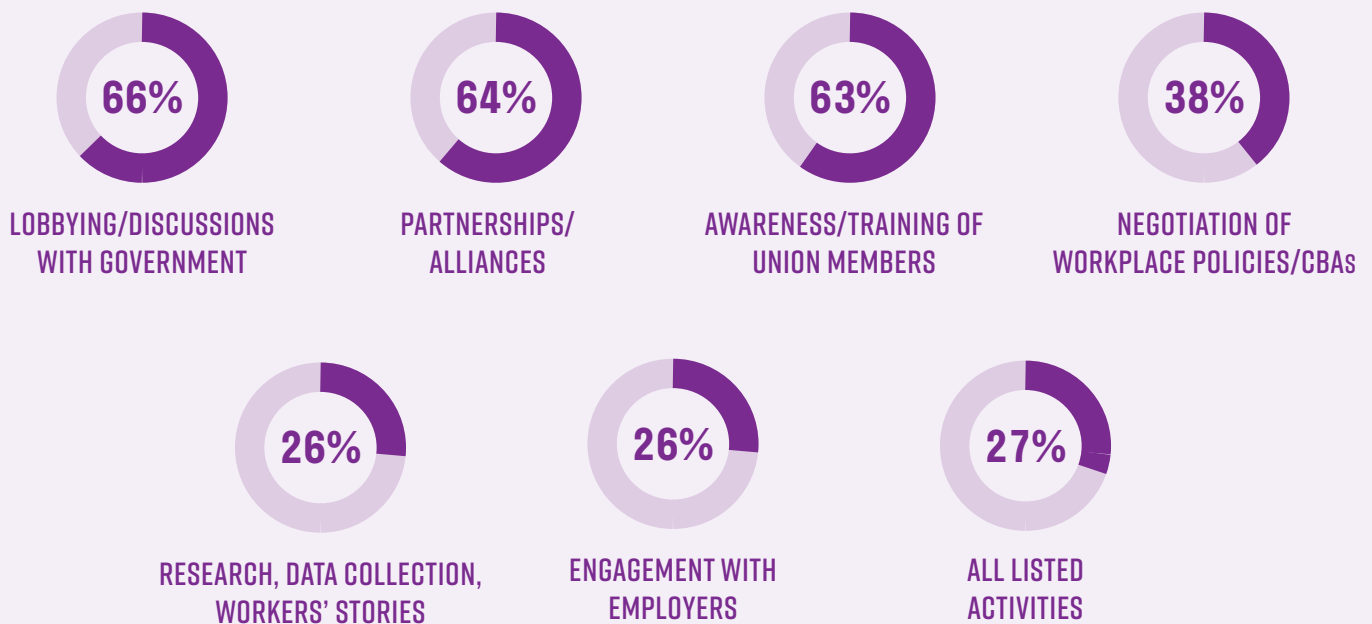
and harassment (TPVH). In **Zimbabwe**, which has not yet ratified C190, a new law passed in August 2023 after a sustained union campaign to include parts of C190 in domestic law. Amendment 5 of the Labour Amendment Act 11/ 2023 added new penalties and used the wording from Article 3 of C190, relating to violence and harassment in the world of work.



## PROGRESS WITH THE RATIFICATION OF C190

The campaign activities carried out by unions in the last year have been diverse and multifaceted.

Union campaign activities directed at governments to secure the ratification and implementation of C190



### LOBBYING, DISCUSSIONS AND ENGAGEMENT WITH GOVERNMENTS

Many unions have continued campaigning to ensure that C190 is reflected in laws and other regulations, even if their governments have not yet ratified the Convention. For example, in both **South Africa**, where C190 is ratified and **Indonesia**, where it is not, union work has led to codes of good practice aligned with the Convention regarding the processing sexual harassment cases.

In countries that have not yet ratified C190, campaigners have continued to lobby governments.

- The **Pakistan** Workers' Federation (PWF) campaign has led to a transformational movement that is addressing women's wider participation and inclusion. This included a national, high-level awareness-raising engagement with the government and the labour department, which resulted in the inclusion of

measures in labour inspection surveys to prevent gender-based violence and harassment (GBVH).

- In **India**, the Self-Employed Women's Association (SEWA) successfully used social dialogue in its campaign with the government for ratification of C190 and R206 and this led to better implementation of the existing law.
- In **Turkey**, tripartite consultation has been important in lobbying governments and employers. The Türkiye Hak İşçi Sendikaları Konfederasyonu (HAK-İŞ) organised a series of national tripartite meetings with the ILO to raise awareness about C190.

#### LOBBYING, DISCUSSIONS AND ENGAGEMENT WITH EMPLOYERS

- In **Indonesia**, employers argued that the country's comprehensive legal framework rendered C190 unnecessary. Instead, non-binding guidance for employers on sexual harassment was adopted in 2022, which unions were consulted on.

#### AWARENESS RAISING CAMPAIGNS WITH WORKERS AND THE GENERAL PUBLIC

- In the **Philippines**, Sentro ng mga Nagkakaisa at Progresibong Manggagawa (SENTRO) drew up a communications campaign plan for the ratification of C190.
- The Confederación Autónoma Sindical Clasista (CASC) in the **Dominican Republic** highlighted high rates of domestic violence and its effect on the working environment in its media campaign.

- In **India**, the Hind Mazdoor Sabha (HMS) confederation has been raising awareness with workers at the grass roots in its lobbying of the government to ratify C190.

#### BUILDING ALLIANCES

There have been positive outcomes from national and sectoral alliances between trade unions and civil society organisations (CSOs) and feminist movements in several countries, adding strength to national ratification campaigns.

- In the **Middle East and North Africa** (MENA) region, the first meeting of a regional coalition of trade unions and feminist organisations calling for the ratification of ILO C190 was held in Istanbul, June 2022.

#### A FOCUS ON VULNERABLE WORKERS

Domestic workers' organisations continued to play a vitally important role in international and national ratification campaigns and their involvement meant significant numbers of women were engaged in cross-sectoral union activism around C190 for the first time.

- The **Brazilian** National Federation of Domestic Workers (Fenatrad) was part of the national campaign for the ratification of C190.
- In **Honduras**, domestic workers' organisations worked for the ratification of both C190 and C189, the ILO Domestic Workers Convention.
- In **India**, community health workers included measures to address violence and harassment from third parties in their bargaining claims, taking into

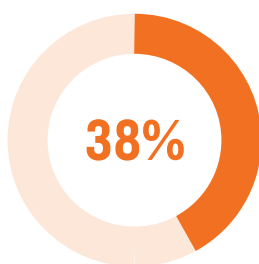
account risks arising from lone working, bad working conditions and poor employment security.

- In **Pakistan**, the PWF's informal worker collective, representing domestic workers, home-based workers and waste pickers, campaigned to end GBVH and advocated for safer working conditions through improved reporting mechanisms. The campaign led to the emergence of gender champions who have come up through the ranks of the PWF, helping to enhance solidarity and build support networks among groups of vulnerable women, such as agricultural labourers. The PWF's work led to the Punjab Secretary of Labor establishing a gender reforms committee for informal workers.
- The Amalgamated Union of **Kenya** Metalworkers (AUKMW) gave specific focus to C190 in its campaign to end GBVH faced by workers in the informal economy. Informal workers were organised to address the difficulties faced by women, who experience high levels of exploitation, gender-based violence, employment insecurity and poverty reinforced by patriarchal practices.

Unions have been active across different sectors in negotiating agreements covering all forms of violence and harassment.

- In **Argentina**, many unions included clauses on C190 and R206 in their workplace agreements, including those related to support and paid leave for victims of domestic violence. An agreement on gender violence and domestic violence signed by the Central de los Trabajadores Argentinos (CTA-A) affiliate, La Bancaria trade union, with the sector's business chambers, established a joint Commission for Assistance to Victims of Gender Violence, five days (extendable) paid leave, work relocation and emergency loans.
- In **Indonesia**, C190 was used in collective bargaining in the garment and textiles sector, the chemicals sector and in mining. A binding memorandum of understanding (MOU), signed in the chemical sector in 2023, led to the inclusion of measures on violence and harassment for the first time. The SPN Confederation, an affiliate in Indonesia of IndustriALL, reported that 10 agreements had been signed with companies covering provisions on C190 and R206 on the prohibition of violence and harassment, sanctions, prevention and complaints handling. Trade unions also proposed a model policy on zero-tolerance of sexual harassment that has been signed by 49 companies. Eight employers have also signed agreements to establish 'safe houses' in the workplace where women can receive support.

### NEGOTIATION OF WORKPLACE POLICIES AND/OR CBAs ALIGNED WITH C190 AND R206



OF TRADE UNIONS HAVE NEGOTIATED WORKPLACE POLICIES OR CBAs ALIGNED WITH C190



- In **Ireland**, trade unions negotiated workplace policies to provide support for survivors of domestic violence, following the Irish Congress of Trade Unions (ICTU) campaign and awareness raising among unions. In the banking sector, the financial services union negotiated progressive workplace policies with the Bank of Ireland and Danske Bank. Similar policies were agreed between the Communications Workers Union with the telecoms company Eir and in the postal sector with An Post. The policies all go further than the ‘five days paid’ guaranteed in legislation, providing 10 days paid leave that is extendable, along with other workplace supports and security measures for survivors.
  - In **Jordan**, the General Federation of Jordanian Trade Unions’ (GFJTU) campaign on “Mainstreaming Gender Sensitive Provisions into CBAs” led to agreements covering GBVH. They included agreements signed by the General Trade Union of the Food Industry, the General Trade Union of Electricity and the General Trade Union of the Garment and Textile Industry. In an agreement signed by the Union of Workers in Water, Agriculture and Food Industries articles from C190 were adopted.
  - In **Lesotho**, trade unions won binding agreements to end GBVH with garment suppliers with the support of brands such as Levi Strauss, Kontoor Brands and Children’s Place, as well as women’s rights organisations and the **US Solidarity Center**. Under the agreements, the supplier, Nien Hsing, is committed to implement an anti-GBVH programme, establishing an independent complaints mechanism and effective support for workers. Nien Hsing’s commitments are enforceable through agreements with the garment brands.
  - In **India**, the **Dindigul Agreement** was implemented after a serious case of sexual harassment, resulting in the rape and murder of a 20-year-old Dalit garment worker. The binding agreement, to end GBVH at Eastman factories in Dindigul, was signed in 2022 with global brands H&M Group, Gap Inc. and PVH Corp., the Tamil Nadu Textile and Common Labour Union (TTCU), the Asia Floor Wage Alliance and Global Labor Justice-International Labor Rights Forum.
- The agreement uses the definitions of C190 to establish a worker-centred complaints mechanism, training for over 2,000 workers, managers and shop-floor monitors to help them support workers and identify GBVH. Between April and December 2022, workers raised 185 grievances, with 98 per cent of the complaints resolved. Social dialogue between the union and management has been strengthened overall, and there has been a significant reduction in GBVH, as well as an improved retention of workers and worker wellbeing.
- In **Pakistan**, the PWF negotiated agreements with manufacturing companies covering the creation of respectful workplace environments, protection from sexual harassment and violence, and access to safe sanitation facilities. Employee safety

was prioritised in the agreements, with training given on how to recognise and respond to harassment and guidance on implementing procedures for complaints. At the factory level, the PWF supported the negotiation of harassment committees with adequate trade union representation in three enterprises with more planned.

- In **Palestine**, agreements were signed with 36 public and private employers, with clauses aligned to C190 on the prevention of violence and harassment and complaints handling.
- In **Turkey**, the HAK-İŞ confederation developed a model CBA that is being integrated into affiliates' agreements in different sectors. It adapts the text of C190 to the realities of collective bargaining, covering all forms of violence and harassment, including GBVH, third-party violence and harassment, and support and paid leave for victims of domestic violence. It provides for the establishment of joint, union-employer commissions to prevent, monitor and address violence and harassment.

### GLOBAL UNION FEDERATIONS (GUFs)

Global Framework Agreements (GFAs), between GUFs and multinational companies, are a further crucial tool to ensure that C190 and R206 are applied across global supply chains, particularly in countries that have not yet ratified C190. More than 30 GFAs have clauses on GBVH, many with direct reference to C190 or C111 on non-discrimination, which defines sexual harassment as a form of sex discrimination.

GFAs have also made the link between GBVH and human rights due diligence (HRDD).

- Services sector union **UNI Global Union** and the **International Transport Workers' Federation (ITF)** produced toolkits on HRDD, adding that sexual harassment is a risk that needs to be addressed in company due diligence frameworks, along with reference to ILO C190.
- **IndustriALL's** project on HRDD in the battery supply chain included capacity building for unions on the prevention of GBVH as part of gender-responsive due diligence, aligned to C190.
- The **International Trade Union for Food, Agriculture, Hotel, Restaurant, Catering, Tobacco and Allied Workers (IUF)**, **IndustriALL** and **Unilever** initiated a new programme in 2023 as part of the ongoing implementation of the Joint Agreement on Sexual Harassment (2016). The focus was on how sexual harassment could be prevented through occupational safety and was inspired by the provisions in C190 for a gender-responsive approach to addressing GBVH in risk assessments. A joint sexual harassment risk assessment tool will be tested across pilot sites in 2024.
- Under the **IndustriALL-H&M** GFA (2015), national monitoring committees in H&M supplier countries, made up of national unions and H&M country staff, participated in training in 2022 to build capacity and understanding of C190. This led to the establishment of a joint global working group, which drew up GBVH guidelines that set out required

and recommended practices for suppliers based on C.90, outlining best practice on the detection, prevention, and the handling of GBVH cases.

## OTHER BARGAINING AND CAMPAIGN DEVELOPMENTS

Recent developments include union-led initiatives to respond to the increasing levels of third-party violence and harassment since Covid-19, the rise in cyber harassment due to increased digitalisation, protections for remote and platform workers, and better workplace responses to rising levels of domestic violence.

- In **Europe**, the update of European multisectoral guidelines on third-party violence, drawn up by European social partners in 2010, were a response to rising levels of GBVH against frontline, client and customer-facing services. The new guidelines give a stronger focus on GBVH, domestic violence and digitalisation. In 2023, a website was developed and a **report published** containing more than 30 examples of social partner agreements and initiatives.

One of the recent issues negotiated under occupational safety and health (OSH) programmes is access to safe sanitation facilities. Risks of violence and harassment are regularly faced by women workers because of unsafe toilets. The **ITF Sanitation Charter** (2019) was implemented by unions in many countries to address access to safe sanitation for transport workers as an OSH issue. The ITF also addressed this issue for workers in the gig economy to ensure that they had

access to adequate and appropriate provision of personal protection equipment and sanitation facilities, as well as specific protections against violence and harassment.

- In **India**, agreements concluded in the manufacturing sector successfully negotiated separate toilet facilities for women as a measure to prevent GBVH.
- In the hotel sector, the **US** union UNITE HERE negotiated safety and sanitation measures for workers following their return to work after Covid-19, as part of the union's long-standing campaign to end sexual harassment.
- Travel to and from work is a significant issue for workers in the hospitality industry, who often must travel home late at night. In the **UK**, Unite's campaign "Get me home safely" sets out a framework for agreements aligned with C190 to address safety for women and ensure safe travel home. The campaign was adopted by the **European Transport Workers Federation (ETF)** to ensure that employers provided safe transport for shift workers and extended their legal duty of care to include safe transport home policies for workers.
- The **Arab Trade Union Confederation (ATUC)** launched a mobile app "TOOQ" that gives protection from any kind of violence in the world of work, including travelling to and from work. An SOS alert enables a victim to seek emergency help, a forum enables the exchange of ideas and experiences, a helpline links users to specialised services in their geographical area,

and a database of publications on such topics as violence, women, human rights and labour is accessible. The ATUC is planning to roll the app out across the region.

- Unions are also adopting internal policies to prevent and address GBVH that occurs within their structures or in connection with union work. The Confederación de Trabajadores de la República de Panamá (CTRP) in **Panama** adopted a resolution on the prevention of harassment in its own and affiliates' organisations and includes a complaints mechanism that covers union training and education. Prevention initiatives will focus on all forms of GBVH, including sexist jokes and comments, with the view to create a culture of zero tolerance for sexual harassment.



**ITUC**  
**International Trade Union Confederation**

[info@ituc-csi.org](mailto:info@ituc-csi.org)

[www.ituc-csi.org](http://www.ituc-csi.org)

Phone: +32 (0)2 224 0211

Boulevard du Jardin Botanique, 20  
1000 Brussels, Belgium

**Publisher responsible in law:**  
Luc Triangle, General Secretary

