

TAKING ACTION ON VIOLENCE AND HARASSMENT AGAINST LGBTQI+ WORKERS & OTHER VULNERABLE GROUPS





PARTICIPANT WORKBOOK

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INTRODUCTION

Violence and harassment in the world of work is a daily reality for millions of workers across the world. It negatively impacts individuals, the workplace and society. Gender-based violence and harassment is the most widespread form of violence and harassment in the world of work. It affects women disproportionately. Groups in situations of vulnerability (also known as *'vulnerable groups'*) and workers with intersectional identities also face a greater risk of violence and harassment.

Across the world LGBTQI+ persons face increased exposure to violence, harassment and discrimination on the basis of their sexual orientation, gender identity, gender expression, and sex characteristics. This discrimination remains a root cause of their continuing inequality.

The ground-breaking adoption of Convention 190 (C190)¹ and Recommendation 206 (R206)² in 2019 created new momentum in the fight against violence and harassment in the world of work. This opportunity can be seized on to address violence and harassment against LGBTQI+ workers and other vulnerable groups.

Who is this training for?

This training is designed for:

- Trade union elected and staff officers and activists, including shop stewards and occupational health and safety representatives.
- Rank and file trade union members, and LGBTQI+ workers who are organising to challenge violence and harassment in their workplaces and trade unions.

What is this training for?

This training is designed to:

- Enable you to understand violence and harassment and the disproportionate impact of violence and harassment on vulnerable groups, including LGBTQI+ workers.
- Develop your awareness about C190 and its relevance for LGBTQI+ workers.
- Encourage you to take action on violence and harassment and integrate C190 into the union bargaining agenda.
- Enable you to develop more inclusive unions and union spaces.

How to use this workbook?

This workbook contains:

- Activity sheets which describe the objectives and instructions for activities.
- Resource sheets that might be useful in the activities.

These training materials are designed for participants with different needs, awareness and experience. The programme you undertake has been designed according to your local needs and you will undertake a combination of the activities within this workbook.

| Our Safe Learning Environment | My Ground Rules & Expectations |
|---|--------------------------------|
| Before starting the training programme it is important that we agree shared group expectations and rules to ensure that we create a safe, respectful and inclusive learning environment. Some key tips to remember for creating a safe learning environment are: | |
| Treat one other with mutual respect, equality and non-discrimination. We should take a zero-tolerance approach to discrimination, violence, harassment, exclusion or prejudice. | |
| Make sure that you are aware of your unconscious biases! | |
| Work collectively to reach decisions, based on trade union principles. | |
| Respect people's confidentiality and privacy. | |
| Avoid judgement so everyone feels able to share their experiences and ideas. | |
| Remember your union policy on equalities, dignity and respect! | |
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3 CONTENTS

GLOSSARY

The language used to describe people with diverse sexual orientation, gender identity, gender expression and sex characteristics (SOGIESC) varies greatly across the world and is influenced by culture, social norms, history, language, and politics. Many of these terms originate in the global north and reflect western concepts of personal identity but most are now commonly used globally.

| + | The + is meant to be inclusive of all people with diverse SOGIESC, including various Indigenous identities like Two-Spirited, Maohi and Muxe. |
|---------------------|---|
| Ally | A person who is supportive of people with diverse SOGIESC and LGBTQI+ rights. |
| Biphobia | The fear or hatred of someone who is or is perceived to be bisexual. |
| Bisexual or Bi | A person with the capacity for romantic, emotional and physical attraction to people of more than one gender. |
| Cisgender or cis | A person whose gender identity and the sex they were assigned at birth align. |
| Convention | A legally binding international agreement |
| Gay | A man who is romantically, emotionally and physically attracted to other men. Some women who are attracted to other women prefer this term. |
| Gender | The socially constructed roles, behaviours, activities and attributes generally considered acceptable, appropriate or desirable for a person based on the sex they were assigned at birth. |
| Gender dysphoria | A person's discomfort or distress experienced when their gender identity differs from their sex assignment. |

| Gender Expression | The range of social cues, including names, pronouns, behaviour, clothing, voice, mannerisms and physical characteristics we use to express our gender identity and to interpret other's. |
|--|--|
| Gender Identity | Each person's inherent experience and expression of gender, which may be different from their sex assigned at birth or the gender attributed to them. It includes a person's sense of their body and self. |
| Groups in situations of vulnerability or 'vulnerable groups' | Groups who faced increased inequality and marginalisation because of specific characteristics. These characteristics mean that they are often structurally discriminated against, face human rights violations, might lack legal protections, and may be denied justice when their rights are violated. This means that they might require special attention for the protection and effective enjoyment of their human rights. |
| Heterosexual or straight | A person who is exclusively attracted to persons of the opposite sex. |
| Homophobia | The fear or hatred of someone who is or is perceived to be homosexual. |
| Homosexual | An outdated term for a person who is exclusively attracted to persons of the same sex. |
| Intersectional Discrimination | When people experience more than one discrimination. |
| Intersex | An umbrella term that describes a person born with any variations in sex characteristics. |

| Lesbian | A woman who is romantically, emotionally and physically attracted to other women. Some non-binary people may also identify with this term. | Transgender or Trans | A person whose gender identity and sense of self differs from what is typically associated with the sex they were assigned at birth. |
|------------------------|--|-------------------------|--|
| Non-binary | An umbrella term for people whose gender identity doesn't sit comfortably with 'man' or 'woman'. Non-binary identities are varied and can include people who identify with some aspects of binary identities, while others reject them entirely. | Transitioning | A transgender person's path from the sex they were assigned at birth to their own gender identity. This may include changing names, pronouns, dressing and presenting differently, and gender-affirming medical intervention or surgery. This term is preferable to gender reassignment. |
| Outing | The disclosure of a person's SOGIESC without their consent. | Transphobia | The fear or hatred of someone who is or is perceived to be transgender. |
| Queer | Historically negative, the term Queer has been reclaimed to express an inclusive and non-conforming identity. It is explicitly political and sometimes used as a broad term for LGBTQI+ and all people with diverse SOGIESC. | Unconscious Bias | Thoughts and attitudes that we hold – both positive and negative – about certain people or groups that are outside our awareness and control. These biases often develop as a |
| Questioning | A person who is unsure of or exploring their gender identity and/or sexual orientation. | | result of generalised and stereotyped social norms and attitudes within our societies. This means that many of us have these biases ingrained in us without even realizing it. |
| Sex | The binary assignment – male or female - usually made at birth based primarily on sex characteristics (genitalia) and reproductive functions. It is different to gender. | | |
| Sex Characteristics | A person's physical features relating to sex, including chromosomes, gonads, sex hormones, genitals and secondary physical features emerging from puberty. | | |
| Sexual Orientation | A person's capacity for romantic, emotional and physical attraction to other people. This includes heterosexual, homosexual, and bisexual, as well as a wide range of other expressions of sexual orientation. | | |

ACRONYMS AND ABBREVIATIONS

| C190 | Violence and Harassment Convention 190 |
|---------|---|
| СВА | Collective Bargaining Agreement |
| GBVH | Gender-Based Violence and Harassment |
| GUF | Global Union Federation |
| ILO | International Labour Organization |
| ITUC | International Trade Union Confederation |
| LGBTQI+ | Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex + |
| OSH | Occupational Safety an Health |
| R206 | Violence and Harassment Recommendation 206 |
| UN | United Nations |
| VAW | Violence Against Women |
| SOGIESC | Sexual Orientation, Gender Identity, Gender Expression, Sex Characteristics |

ACTIVITY UNDERSTANDING VULNERABLE GROUPS

Activity Sheet

Aim:

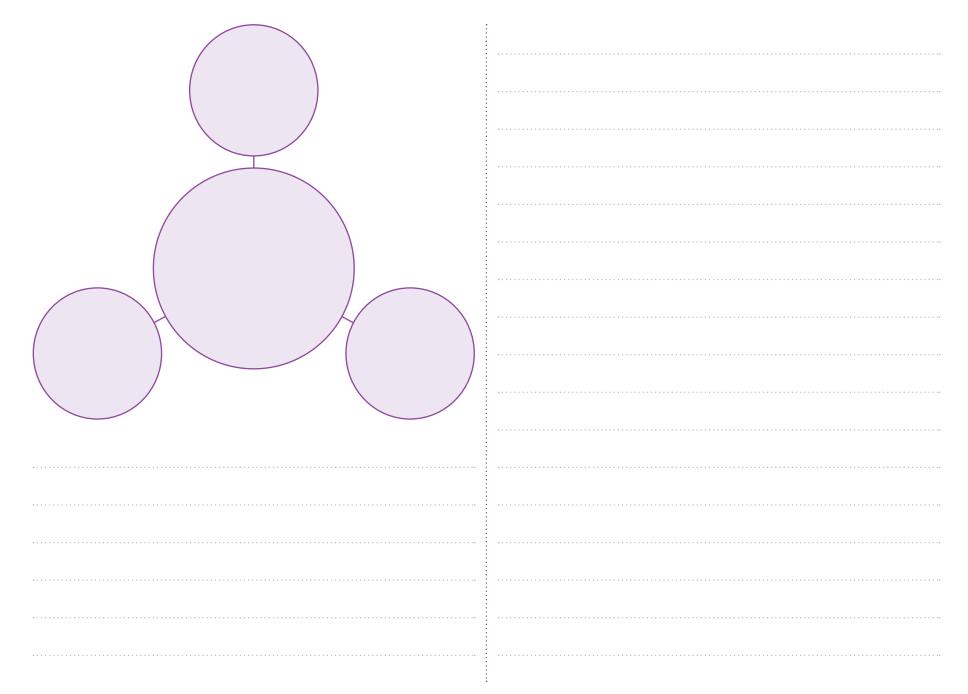
• To enable us to understand what is meant by 'groups in situations of vulnerability.'

Task:

- 1. Working in small groups, read out and discuss the following questions based on your own experiences and knowledge:
 - a. What do you think is meant by groups in situations of vulnerability or 'vulnerable groups?'
 - b. Which people in society do you think are 'groups in situations of vulnerability'? Can you give examples from your local context?
- 2. Using the flipchart provided, write down your responses to the questions arranged around a mind-map (*see example included*).
- 3. Nominate someone to report back to the plenary.



MODULE 1



ACTIVITY 1: VULNERABLE GROUPS & LGBTQI+ TERMINOLOGY

🔽 Resource Sheet

What do we mean by vulnerable groups?

Groups in situations of vulnerability or **vulnerable groups** are people who face increased inequality because of their personal characteristics or identity. These characteristics/identities might include race, ethnicity, age, or gender amongst other things. Inequalities in society mean that these groups are often discriminated against and marginalised. They might not have the same legal protections as the rest of us or might not be able to access justice when they have their rights violated. They often also lack bargaining power, which can make them more vulnerable to violence and harassment. These groups often need special attention to ensure that their human rights are protected and properly implemented.

Depending on the local context and inequalities within the society there might be different groups that are considered to be 'vulnerable'. However, at the international level it is widely agreed that vulnerable groups might include:

- Women and girls
- Racialised and/or minoritized individuals
- Indigenous people
- People with disabilities
- Migrants
- Pregnant women
- Religious minorities
- Young people
- Older people
- Informal workers
- Lesbian, gay, bisexual, transgender, queer, questioning and intersex (LGBTQI+) individuals.

What do we mean by LGBTQI+?

LGBTQI+ stands for Lesbian, Gay, Bisexual, Transgender, Queer, Questioning and Intersex + (LGBTQI+). This is an important vulnerable group. LGBTQI+ individuals frequently face discrimination and inequality because of their LGBTQI+ identity.

Lesbian, Gay, Bisexual

A person's sexual orientation is their capacity for romantic, emotional, and physical attraction to other people. It might be Heterosexual or Straight. This is when someone is exclusively attracted to persons of the opposite sex. Or it might be Homosexual. This is a now outdated term for a person who is exclusively attracted to persons of the same sex. Different types of sexual orientation include:

- Lesbian: This is a woman who is romantically, emotionally, and physically attracted to other women. Some non-binary people may also identify with this term.
- **Gay:** This is a man who is romantically, emotionally, and physically attracted to other men. Some women who are attracted to other women prefer this term.
- **Bisexual or Bi:** This is a person with the capacity for romantic, emotional, and physical attraction to people of more than one gender.

Sex, Gender, Transgender

To understand the term 'transgender', we first need to understand the difference between **sex** and **gender**. These terms are often used interchangeably, but sex and gender are now more widely understood as two different concepts.

ACTIVITY 1: VULNERABLE GROUPS & LGBTQI+ TERMINOLOGY

Sex is the characteristics that are biologically determined. It is decided by our sex characteristics that are that are present at birth and that develop during puberty. This might include our chromosomes (collections of genes that humans have), sex hormones, and genitals. It is usually male or female.

Some people's sexual development might not fit into 'male' or 'female.' **Intersex** is a term used to describe a person born with variations in sex characteristics.

Gender is the characteristics that are socially constructed and learned. This includes roles, behaviours, activities, and attributes that generally considered acceptable, appropriate, or desirable for a person based on the sex that they were assigned at birth. These are shaped by cultural, economic and historic factors. It is usually expressed in terms of masculinity and femininity.

But gender is fluid and exists on a spectrum. This means that the gender someone identifies as may not match the sex that they were given at birth. There are many ways that we can express our gender identity.

Gender identity is our personal sense of our own gender. This may be different from the sex we were assigned at birth or the gender that is attributed to us. Our gender expression is the social cues (names, pronouns, behaviour, clothing, voice, mannerisms, physical characteristics) that we use to express our gender identity and to interpret other peoples. Gender identities might include:

- **Cisgender/Cis:** This is a person whose gender identity and sex they were given at birth are the same.
- **Gender Dysphoria:** This is when a person has discomfort or distress because their gender identity differs from their sex assignment.
- **Transgender/Trans:** This is a person whose gender identity and sense of self differs from what is typically associated with the sex they were assigned at birth. People might 'transition' from the sex they were

assigned at birth to their own gender identity. This might include changing names, pronouns, dressing differently, and medical intervention or surgery.

- Non-binary: This is a broad term for people whose gender identity does not sit comfortably with 'man' or woman.' These identities are varied and can include people who identify with some aspects of binary identities (male/female), while others reject them entirely.
- Pronouns: Pronouns are words used to identify or refer to ourselves or others. They often refer to people's gender identity (he/she/hers). Gender neutral pronouns are unspecific to one gender (they/them/theirs). The correct use of an individual's pronoun is very important to ensure that the person feels included and respected.

Queer

This is a historically negative term, but it has been reclaimed in recent years. It expresses an inclusive and non-conforming identity. It is explicitly political and sometimes used as a broad term for LGBTQI+ and all people with diverse sexual orientation, gender identity, gender expression and sex characteristics.

Questioning

This term is mean to describe a person who is unsure of or exploring their gender identity and/or sexual orientation.

+

The + in LGBTQI+ is meant to be inclusive of all people with diverse SOCIESC. This might also include various indigenous identities like Two-Spirited, Maohi and Muxe.

ACTIVITY 2 UNDERSTANDING VIOLENCE AND HARASSMENT

MODULE 1

O Part 1: Activity Sheet

Aim:

To enable us to understand what constitutes violence and harassment and to consider the types of violence and harassment experienced by vulnerable groups.

Task:

OPTION 1: Experiences of Violence and Harassment

- 1. Working in small groups, either listen to the facilitator read, or read out the example that you have been given.
- 2. Read out and discuss the following questions in relation to the examples:
 - a. Do you think this is violence and harassment? Why?
 - b. What types of violence and harassment do you think are taking place? (Physical? Psychological? Sexual? Online? Other?)
 - c. Who is committing the violence? Who is the perpetrator?
 - d. What impact do you think this will have on The workplace? The union? The community?
- 3. Write down your answers on the flipchart paper provided.
- 4. Nominate someone to report back to the plenary.

OPTION 2: Understanding Violence and Harassment

- 1. Working in small groups, either listen to the facilitator read or read the handout that you have been given.
- 2. Then, discuss the following questions and write down your answers on the flip chart. Try to consider your own experiences when discussing the questions.
 - a. What types of violence and harassment do you think that vulnerable groups frequently face at work?
 - b. Who usually commits the violence? Who is the perpetrator?
 - c. Which groups face a greater risk?
 - d. Do LGBTQI+ workers experience different types of violence and harassment? If so, what are they?
 - e. What impact does this or could this violence and harassment have onThe workplace? The union? The community?
- 3. Nominate someone to report back to the plenary.

ACTIVITY 2: EXAMPLES OF VIOLENCE AND HARASSMENT

Part 1: Resource Sheet

Example A

In Morocco, a young woman working in the aerospace sector reported being sexually harassed by her male supervisor. The company accused her of making the story up and put pressure on her to drop the complaint. They told her that it would have a negative impact on the company's reputation. Because the woman had no proof of being harassed, the company did nothing and she ended up leaving her job.

Aerospace Sector, Morocco

Example B

"The harasser was the senior editor in my office. It started when he asked me to talk about an office matter after work hours...Although I tried to make excuses to avoid meeting him after work, he managed to find a way to meet me.... I was sexually harassed. It was harrowing and I have not been able to share my story with my friends or my colleagues in the office... The stress caused me to resign from my job. He continued to try to find me and even followed up with my close friends who are still working with him in the newsroom... The experience has taken away my self-confidence and left me feeling hopeless."

Journalist, Indonesia

Example C

A woman working in a University was approached by the Academic Vice President who told her that he was interested in her. She tried to tell him that she was not interested, but he started to harass her, telling her and others that he wanted to be with her. He used his position to encourage his colleagues to force her to accept the request. Colleagues sent messages and calls to pressure her, refused to pay her salary, and even made death threats.

Teacher, Ethiopia

Example D

"A client...I was taking home decided to sit in the front seat and press his legs on the dashboard. When I asked him to remove them...he said that he had paid for the trip, so that meant he could sit however he wanted. He asked me why I worked as a driver when I am such a beautiful lady. Then he tried to touch my body. It was horrible. I drove straight to the police station and reported it...This affected me mentally... I could not get the image out of my head..."

Transport Worker, Kenya

ACTIVITY 2: VIOLENCE AND HARASSMENT IN THE WORLD OF WORK

Part 1: Resource Sheet

What is violence and harassment?

Violence and harassment is a range of unacceptable different behaviours, practices or threats that aim to, actually result in, or are likely to result in physical, psychological, sexual or economic harm. It might happen once, or it might happen repeatedly.

It can take many different forms, including:

- Physical violence (assault, physical abuse, and murder)
- Psychological violence, also called verbal and emotional abuse (stalking, intimidation, threats, verbal abuse, and hostile behaviour)
- Online violence (threats, insults, abusive comments, cyberbullying, cyberstalking, trolling, hate speech, abusive comments, and being sent obscene images)
- Sexual harassment (unwanted sexual advances, touching, attention, and rape)
- Bullying
- Economic violence (denial or misuse of resources or services, not complying with economic responsibilities, and actions which result in negative economic consequences)
- Abusive work practices, conditions, and arrangements, leading to physical, psychological, sexual, or economic harm
- Domestic violence (violence and harassment that takes place between members of the family or domestic unit)

It can happen anywhere and in any work sector and occupation, including the physical workplace, in private and public spaces, as well as work-related events and activities.

It can be perpetrated by those who are part of an organisation. This could include employers, managers, supervisors, peers, colleagues. It can also be committed by those outside the organisation – also called 'third parties.' This includes customers, clients, patients, business contacts, service providers, and the public.

What is gender-based violence and harassment?

Gender-based violence and harassment is violence and harassment directed at people because of their sex or gender or affecting people of a particular sex or gender disproportionately.

What impact can violence and harassment have?

Violence and harassment can have serious negative consequences for people's health. It can lead to psychological/emotional and physical impacts, which can even be life-threatening. It can cause people to become isolated. It can also affect people's day to day working life and can lead to big costs for employers if it is not dealt with properly. Many workers, including LGBTQI+ workers lose their livelihoods due to violence and harassment, and are doubly harmed when it is not dealt with fairly or fully.

In many workplaces and across society, violence and harassment has become wrongly 'normalised.' Some workers accept violence and harassment as 'part of the job' and so do not report it. Workers often fear that they will lose their job or miss out on important work opportunities. Many people do not even recognise that violence and harassment is a problem. If there are not proper procedures and policies to report and deal with it, then it can persist and can lead to a toxic working environment. Workers might be disbelieved. This can leave them feeling powerless and isolated.

ACTIVITY 2: UNDERSTANDING THE CAUSES OF VIOLENCE AND HARASSMENT

O Part 2: Activity Sheet

Aim:

To enable us to understand why LGBTQI+ workers face increased exposure to violence and harassment.

Task:

- 1. Working in small groups, think about the main risk factors and causes that contribute to vulnerable groups, such as LGBTQI+ workers, facing increased exposure to violence and harassment.
- 2. Try to think also about the impact that violence and harassment has on these groups.

- 3. Use the following questions to help with your discussion:
 - a. Are some workers more exposed to violence and harassment at work?
 - b. What do you think are the causes of this increased discrimination?
 - c. What inequalities do vulnerable groups and LGBTQI+ workers experience at work that exposes them to a greater risk of violence and harassment?
 - d. Are there other risk factors Work environment? Organisation of work? Treatment of workers?
 - e. Are there any abusive work practices that increase the risk?
 - f. Are there measures or policies in place to protect these workers from violence and harassment?
 - g. What impact does violence and harassment have on these workers?
- 4. Write down your responses to the questions on the coloured cards that you have been given causes on one coloured card and impacts on another coloured card.
- 5. Once you have completed your cards, stick up your cards in the prepared display area.
- 6. Nominate someone to report back to the plenary.

ACTIVITY 2: RISK FACTORS FACED BY VULNERABLE GROUPS

Part 2: Resource Sheet

Why do vulnerable groups face increased exposure to violence and harassment?

Everyone can be affected by violence and harassment, but some workers face a greater risk because they experience inequality, discrimination and marginalisation due to certain personal characteristics (e.g. their gender, age or race). In some countries, these workers might also not have legal protections or might be denied justice when their rights are violated.

For example, LGBTQI+ workers is one example of a vulnerable group facing discrimination, exclusion, violence and harassment. They might find it harder to get jobs or keep and advance in those jobs. In many countries, it is very dangerous and sometimes even illegal to be open about sexuality, gender identity or expression. This means that these workers might hide their identities to avoid being discriminated against. But this can have negative impacts on their mental health and exclude them.

- Those who do not fit into gender norms often face the highest levels of discrimination, violence and harassment, regardless of sexual orientation, gender identity or sex characteristics.
- Trans workers report extremely high levels of employment discrimination, violence and harassment, particularly when their gender expression and identity does not match their identity documents.
- ➡ LGBTQI+ workers widely report being unfairly denied training, job advancement opportunities and promotions and being unfairly dismissed.

Many LGBTQI+ workers might also face microaggressions. These are subtle but harmful forms of discriminatory behaviour and language experienced by groups who already face inequality and discrimination because of their personal characteristics. They are different to other forms of violence and harassment because they are not perpetrated with clear negative intention behind them. Instead, they happen because of unconscious biases that many people have.

Some workers might experience discrimination for more than one reason. The intersection and combination of different characteristics can lead to 'intersectional' or 'multiple discrimination.' This increases the risk of violence and harassment and creates even more barriers to getting support. For example, violence and harassment against LGBTQI+ workers is compounded by intersecting factors such as sex, ethnicity, health status, migrant status, nationality, race, social class and differentiated abilities.

Examples of violence and harassment against LGBTQI+ persons

- Ravi's co-workers continually misgender her.
- Viktor's work is sabotaged.
- Anya is outed by her supervisor and is then targeted for harassment.
- Finn endures months of inappropriate comments and questions following their gender affirming surgeries.
- Carla is subjected to a whisper campaign as colleagues question her new relationship.
- Jorge is attacked one night in the parking lot after work.
- Min-soo is excluded from informal discussions, meetings and other work opportunities. Some of the other men have refused to sit with him, shake hands or train him.
- Homophobic and transphobic graffiti is left for weeks on the workplace bathroom walls,
- Workers and supervisors regularly trade malicious jokes, slurs, negative remarks and criticism targeting LGBTQI+ workers.

ACTIVITY 3 C190 & VULNERABLE GROUPS

MODULE 1

Activity Sheet

Aim:

To encourage us to understand the importance of C190.

Task:

- 1. Working in small groups, consider the Violence and Harassment Convention (C190) as described in the handout that you have been given.
- 2. Read out the text and then discuss the following questions based on what you have read and from your own experiences and union needs:
 - a. Why do you think C190 is an important tool to address violence and harassment in the world of work?
 - b. What are the most important parts of the C190?
 - c. What does C190 say about groups in situations of vulnerability?
 - d. How could C190 be a useful tool for the protection of LGBTQI+ workers?
 - e. What does this mean for action we can take in the union and workplace?
 - f. Which parts of C190 can we use to educate our members and strengthen the union agenda for protecting LGBTQI+ workers from discrimination?
- 3. Using the flipchart that you have been given, prepare a short *(10 minute maximum)* presentation which gives an overview of your discussion.

ACTIVITY 3: ANNOTATED C190 TEXT

Resource Sheet

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|---|--|
| Preamble | |
| The General Conference of the International Labour Organization, | |
| Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 108th (Centenary) Session on 10 June 2019, and | |
| Recalling that the Declaration of Philadelphia affirms that all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity, and | |
| Reaffirming the relevance of the fundamental Conventions of the International Labour Organization, and | |
| Recalling other relevant international instruments such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention on the Rights of Persons with Disabilities, and | |
| Recognizing the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment, and | Everyone has a right to a world of work free from violence and harassment. |
| Recognizing that violence and harassment in the world of work can constitute a human rights violation or abuse, and that violence and harassment is a threat to equal opportunities, is unacceptable and incompatible with decent work, and | |
| Recognizing the importance of a work culture based on mutual respect and dignity of the human being to prevent violence and harassment, and | |
| Recalling that Members have an important responsibility to promote a general environment of zero tolerance to violence and harassment in order to facilitate the prevention of such behaviours and practices, and that all actors in the world of work must refrain from, prevent and address violence and harassment, and | Governments have a responsibility to ensure that violence and harassment is not tolerated. |

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|--|--|
| Acknowledging that violence and harassment in the world of work affects a person's psychological, physical, and sexual health, dignity, and family and social environment, and | Violence and harassment can negatively affect health as well as workers' social and family lives. |
| Recognizing that violence and harassment also affects the quality of public and private services, and may prevent persons, particularly women, from accessing, and remaining and advancing in the labour market, and | Violence and harassment can increase the gap in labour force participation of women. |
| Noting that violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity, and | |
| Acknowledging that gender-based violence and harassment disproportionately affects women and girls, and recognizing that an inclusive, integrated and gender- responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work, and | It takes a gender perspective, emphasising that violence and harassment affect women and girls disproportionately and that any response should tackle underlying inequalities. |
| Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence, and | For the first time, the Convention recognises that domestic violence can impact work, and that the workplace is an important place to respond to the effects of domestic violence. |
| Article 1 | |
| For the purpose of this Convention: (a) the term "violence and harassment" in the world of work refers to 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; | C190 provides the first internationally agreed definition of violence and harassment in the world of work. The Convention also defines gender-based violence and harassment. |
| (b) the term "gender-based violence and harassment" means 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. | The Convention also approaches violence and harassment with a strong gender perspective. |
| 2. Without prejudice to subparagraphs (a) and (b) of paragraph 1 of this Article, definitions in national laws and regulations may provide for a single concept or separate concepts. | The intended, likely or actual impact is an important part of the definition. |

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|---|---|
| Article 2 | |
| This Convention protects workers and other persons in the world of work, 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, workers whose employment has been terminated, volunteers, jobseekers and job applicants, and individuals exercising the authority, duties or responsibilities of an employer. This Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas. | C190 protects all working people. No one is left behind. This includes all different types of contract status, and work situations. It also protects workers in all sectors - publi and private sectors, rural and urban areas, and those in the formal and informal economy. |
| Article 3 | |
| This Convention applies to violence and harassment in the world of work occurring in the course of, linked with or arising out of work: (a) in the workplace, including public and private spaces where they are a place of work; (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities; (c) during work-related trips, travel, training, events or social activities; (d) through work-related communications, including those enabled by information and communication technologies; (e) in employer-provided accommodation; and (f) when commuting to and from work. | The Convention acknowledges the diverse and changing nature of the world of work. Rather than just covering the workplace, it covers the world of work. The world of wor is a broader concept than just the physical workplace. This includes for example: Live in domestic workers or dormitories provided for seasonal agricultural workers Transport to and from work locations Public spaces as it often is for workers in the informal economy Private spaces as it is for domestic and home-based workers It also includes online violence and cybe bullying |

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|--|---|
| Article 4 | |
| Each Member which ratifies this Convention shall respect, promote and realize the right of everyone to a world of work free from violence and harassment. Each Member shall adopt, in accordance with national law and circumstances and in consultation with representative employers' and workers' organizations, an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work. Such an approach should take into | The Convention emphasises that all of us in the world of work - governments, employe and trade unions have a role to play in eliminating violence and harassment in the world of work. |
| account violence and harassment involving third parties, where applicable, and includes: (a) prohibiting in law violence and harassment; (b) ensuring that relevant policies address violence and harassment; | There are particular measures that governments and employers must take, in cooperation with organisations of workers and employers. This includes adopting laws and regulations against violence and harassment. |
| (c) adopting a comprehensive strategy in order to implement measures to prevent and combat violence and harassment; | |
| (d) establishing or strengthening enforcement and monitoring mechanisms; | In consultation with trade unions, employe |
| (e) ensuring access to remedies and support for victims; | should take appropriate measures to prevent and address violence and |
| (f) providing for sanctions; | harassment in the world of work. |
| (g) developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and | The Convention also recognises that violence and harassment can come from third parties including managers, supervisors, colleagues and peers. |
| (h) ensuring effective means of inspection and investigation of cases of violence and harassment, including through labour inspectorates or other competent bodies. | |
| 3. In adopting and implementing the approach referred to in paragraph 2 of this Article, each Member shall recognize the different and complementary roles and functions of governments, and employers and workers and their respective organizations, taking into account the varying nature and extent of their respective responsibilities. | |
| Article 5 | |
| With a view to preventing and eliminating violence and harassment in the world of work, each Member shall respect, promote and realize the fundamental principles and rights at work, namely freedom of association and the effective recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and the elimination of discrimination in respect of employment and occupation, as well as promote decent work. | Trade unions and collective bargaining hav an important role to play in tackling violend and harassment at work. |

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|---|--|
| Article 6 | · |
| Each Member shall adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work. | The Convention puts violence and harassment in the bigger picture by linking it with the right to equality and non- discrimination in employment and occupation. |
| | It also recognises that certain vulnerable groups face violence and harassment disproportionately, such as migrants, those with disabilities, ethnic minorities, indigenous workers, LGBTQI+ groups, pregnant workers, as well as those with intersecting identities. |
| Article 7 | |
| Without prejudice to and consistent with Article 1, each Member shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment. | Violence and harassment need to be clearly defined and outlawed in national laws and policies. It should take a gender perspectiv |
| Article 8 | |
| Each Member shall take appropriate measures to prevent violence and harassment in the world of work, including: (a) recognizing the important role of public authorities in the case of informal economy workers; (b) 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; and (c) taking measures to effectively protect such persons. | There are certain actions that governments must take to prevent violence and harassment. Importantly, this also highlights the responsibility of public authorities for preventing violence against informal workers. For informal workers there if often no employer to negotiate with. It also recognises that some sectors, |
| | occupations, and work arrangements can lead to a higher frequency of violence and harassment. Governments should work to effectively protect these workers. |

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|--|---|
| Article 9 | |
| Each Member shall adopt laws and regulations requiring employers to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to: | This means that employers have a responsibility to protect workers from violence and harassment and must take |
| (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment; | steps to work together with trade unions to develop a workplace policy on violence and harassment. They must also address violence and harassment in occupational safety and health, identify hazards and risks and provide training for workers. |
| (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health; | |
| (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and | |
| (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the policy referred to in subparagraph (a) of this Article. | |

WHAT DOES C190 SAY?

Article 10

Each Member shall take appropriate measures to:

- (a) monitor and enforce national laws and regulations regarding violence and harassment in the world of work;
- (b) ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures in cases of violence and harassment in the world of work, such as:
 - (i) complaint and investigation procedures, as well as, where appropriate, dispute resolution mechanisms at the workplace level;
 - (ii) dispute resolution mechanisms external to the workplace;
 - (iii) courts or tribunals;
 - (iv) protection against victimization of or retaliation against complainants, victims, witnesses and whistleblowers; and
 - (v) legal, social, medical and administrative support measures for complainants and victims;
- (c) protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate, and ensure that requirements for privacy and confidentiality are not misused;
- (d) provide for sanctions, where appropriate, in cases of violence and harassment in the world of work;
- (e) provide that victims of gender-based violence and harassment in the world of work have effective access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies;
- (f) recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work;
- (g) 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; and
- (h) ensure that labour inspectorates and other relevant authorities, as appropriate, are empowered to deal with violence and harassment in the world of work, including by issuing orders requiring measures with immediate executory force, and orders to stop work in cases of an imminent danger to life, health or safety, subject to any right of appeal to a judicial or administrative authority which may be provided by law.

The Convention makes suggestions of effective enforcement and remedies for instances of violence and harassment including:

WHAT DOES THIS MEAN?

- Monitoring and enforcing national laws and regulations
- Effective reporting and dispute resolution mechanisms and procedures
- Protecting the privacy of workers
- Introduction of sanctions
- Support measures for victims
- Gender-responsive mechanisms, support, services and remedies
- Workers' right to remove a work situation in case of imminent and serious danger to life
- Empowered labour inspectors and authorities to deal with violence and harassment

Importantly - it also recognizes for the first time that domestic violence can affect the employment and productivity of workers. It recognises that the world of work provides an entry point to mitigate the effects of domestic violence and that governments, employers' and workers' organizations can help to address the impacts of domestic violence.

WHAT DOES

| WHAT DOES C190 SAY? | WHAT DOES THIS MEAN? |
|--|--|
| Article 11 | |
| Each Member, in consultation with representative employers' and workers' organizations, shall seek to ensure that: (a) 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; (b) employers and workers and their organizations, and relevant authorities, are provided with guidance, resources, | Governments have to work with trade unions and employers' organisation to address violence and harassment in national policies, raise awareness of the problem and provide guidance on the best ways to tackle violence and harassment. |
| 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 | |
| (c) initiatives, including awareness-raising campaigns, are undertaken.Article 12 | |
| The provisions of this Convention shall be applied by means of national laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and harassment and developing specific measures where necessary. | Importantly, the Convention refers to collective agreements and occupational safety and health agreements as an important way to apply the Convention. |
| Final Provisions | This sets the official rules and procedures on ratification and implementation of the Convention. |

ACTIVITY C190 AND COLLECTIVE BARGAINING AGREEMENTS

Activity Sheet

MODULE 2

Aim:

To integrate C190 into collective bargaining agreements and workplace policies.

Task:

OPTION 1: Amending Existing Collective Bargaining Agreements

- 1. Working in groups, read the following questions and discuss:
 - a. What are the causes of violence and harassment in the world of work?
 - b. What are the risks of violence and harassment faced by LGBTQI+ workers in our workplace or sector?
- 2. Write down your answers on the flipchart paper provided. Nominate someone to report back on your discussion.
- 3. Then, read the handout that you have been given and discuss with your group.
- 4. Read the collective bargaining agreement that you have been given.
- Using the handout and the flipchart provided, identify 5 things that you would change or add to the collective bargaining agreement to improve it. Write these down on the flipchart provided.
- 6. Nominate someone to report back to the plenary.

ACTIVITY 4: C190 AND COLLECTIVE BARGAINING AGREEMENTS

OPTION 2: Developing new Collective Bargaining Clauses

- 1. Working in small groups, read the questions and discuss with your group.
 - a. What are the causes of violence and harassment in the world of work?
 - b. What are the risks of violence and harassment faced by LGBTQI+ workers in our workplace or sector?
- 2. Then, read the handout that you have been given and discuss with your group.
- Using the flipchart provided, draft four clauses as the basis for a negotiated agreement with the employer to include – practical action, procedures, training, monitoring and evaluation.

- 4. Use the following questions to help with your discussion:
 - a. What practical action should the employer take to prevent/minimise risks of violence and harassment and promote non-discrimination and equality at work?
 - b. What special procedures need to be put in place to address violence and harassment against vulnerable groups?
 - c. What procedures should be in place if a worker experiences an incidence or a threat of violence or harassment?
 - d. What training should be provided for managers and employees?
 - e. How should the employer and union monitor and evaluate policies/ procedures to prevent violence and harassment?
- Write down your answers on the flipchart provided. Make sure that you include specific reference to groups in situations of vulnerability and LGBTQI+ workers.
- 6. Nominate someone to present your proposals to the plenary.

ACTIVITY 4: RECOMMENDATIONS FOR WORKPLACE POLICIES AND COLLECTIVE BARGAINING AGREEMENTS

🔽 Resource Sheet

C190 and R206 are powerful tools for us to use when negotiating with employers. If governments ratify C190, then our employers must align policies with the new law. But the measures in C190 can be integrated into our workplace collective bargaining agreements even if C190 has not been ratified. There are two ways to do this. We can develop **workplace policies** - which outline our organisation/workplace's internal policies and procedures. We can also use **collective bargaining agreements** to prevent and address violence and harassment in the world of work.

What does C190 say about this?

C190 states that employers, workers and their union representatives should adopt and implement a workplace policy on violence and harassment. C190 also highlights the importance of collective bargaining to prevent and address violence and harassment in the world of work and promotes C190 to be applied through collective agreements. The provisions and language of C190 can be used to either develop new agreements or amend existing agreements by integrating new clauses. Measures suggested in R206 can also be very useful.

Employers are also required to provide safe and healthy workplaces, including workplaces free from violence and harassment. Unions must also hold employers to account for providing a safe environment.

What should be included in a collective bargaining agreement or workplace policy?

CBAs/policies that effectively address violence and harassment should include:

- A statement that violence and harassment will not be tolerated.
- Establishment of violence and harassment prevention programmes with objectives.
- Clearly defined employer and worker responsibilities.
- Measures to eliminate, manage and prevent violence and harassment.
- A comprehensive definition of violence and harassment.
- Cover the world of work and all workers, including vulnerable groups (and LGBTQI+ workers)
- Non-discrimination clauses and recognition of violence and harassment faced by vulnerable groups, including LGBTQI+ workers
- Investigation, dispute resolution and enforcement bodies
- Sanctions, remedies, and supports for victim/ survivors
- Joint committees to monitor implementation
- Training and awareness-raising about the policy
- Enforcement, monitoring and evaluation to ensure the policy is effective
- Take a gender responsive approach and acknowledge the realities of LGBTQI+ experiences

ACTIVITY 4: RECOMMENDATIONS FOR WORKPLACE POLICIES AND COLLECTIVE BARGAINING AGREEMENTS

C190 highlights the importance of addressing violence and harassment against vulnerable groups, which includes LGBTQI+ workers. Our agreements and policies must effectively cover all vulnerable groups, and should effectively integrate their needs, concerns, and priorities This means that there should be explicit reference to these groups.

This must be backed up by union leadership and collective action.

Violence and harassment threaten workers' health and safety. Unions must also make sure to apply **health and safety laws** to ensure all workers (including LGBTQI+) are free from violence and harassment, including genderbased violence. This should include the right to refuse work that is made unsafe due to violence or harassment. Depending on the local context, criminal law may not protect the rights of LGBTQI+ persons specifically, but most jurisdictions have criminal laws prohibiting violence and harassment. This means that **criminal law** should also be applied where needed.

ACTIVITY 4: SAMPLE COLLECTIVE BARGAINING LANGUAGE

🔽 Resource Sheet

Statement of Commitment

The parties to this agreement fully support the right of all people to be treated with dignity and respect at work. They are committed to promoting a working environment free from all forms of harassment, gender-based violence and bullying. They agree that appropriate steps must be taken to achieve this.

.....(the employer) values the contribution made by all its employees and is committed to providing conditions which are free from unnecessary anxiety, stress and fear and where employees are able to work in an atmosphere which values them as individuals.

.....(the employer) believes that any form of harassment, bullying, victimisation, or intimidation is unacceptable behaviour, undermines the dignity of an individual, is morally wrong and has a detrimental effect on the overall health of workers and our workplace. For these reasons it will not be tolerated.

All employees will be made aware of......(the employer's) policy forbidding the bullying, harassment and/or gender-based violence of any employee by another employee and will be expected to comply with this policy.

Harassment and bullying will be treated as disciplinary offences and appropriate disciplinary action, including warnings, compulsory transfers (without protection of wages or salary), and dismissal for serious offences, may be taken against any employee who violates this policy.......(the employer) also recognises that it has a responsibility to protect employees from bullying or harassment at work by members of the public, clients and contractors.

Roles and Responsibilities of Employer, Union & Workers

The Employer and the Union agree to form a **Joint Respectful Workplace Committee** whose function shall be to investigate complaints and help create a respectful workplace. This committee will comprise of equal number of representatives (2) selected by the employer and by the union. At least one (1) member of this committee from each side must be a woman. The parties agree that the representatives are required to be independent and not responsible for disciplinary decision making.

Source: Unifor Model Language

Scope of Policy

This policy applies to every member of the workplace, including management, staff, contractors, visitors, clients, subcontractors, members of the public, etc.

The workplace is defined as any employment-based facility and function including but not limited to areas such as offices, shop floors, rest rooms, cafeterias, lockers, conference rooms, client homes/external facilities and parking lots. It covers all incidents that can affect someone's ability to work, regardless of whether they happened at the worksite, on-line, off-site at a training or work-related event, etc.

This policy does not supersede other articles contained within collective agreements.

Source: Adapted from Unison Model Language

Definition of Harassment

ILO: The term "violence and harassment" in the world of work refers to 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;

(b) the term "gender-based violence and harassment" means 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.

or

Harassment includes any action by any person, in particular, by management, customer, client and \or co-worker, whether verbal or physical, on a single or repeated basis, which humiliates, insults or degrades. All employees are expected to treat others with courtesy and consideration and to discourage harassment.

"Unwelcome" or "unwanted" in this context means any actions which the harasser knows, or ought reasonably to know, are unwanted by the victim of the harassment. Harassment may take many forms: verbal, physical, sexual or psychological. It may involve a threat or an implied threat, and it may be that acceptance of harassment is perceived to be condition of employment. The following examples constitute harassment, but are not meant to cover all potential incidents:

- Unwelcome remarks, jokes, innuendos, gestures or taunting about a person's body, disability, attire or gender, racial or ethnic backgrounds, colour, place of birth, sexual orientation, citizenship or ancestry;
- Practical jokes, pushing, shoving, etc., which cause awkwardness or embarrassment;
- Posting or circulation of offensive photos or visual materials (including on-line);
- Refusal to work or converse with an employee because of their racial background or gender, etc.
- Unwanted physical conduct such as touching, patting, pinching, etc.
- Condescension or paternalism which undermines self-respect;
- Backlash or retaliation for the lodging of a complaint or for participation in an investigation

Disclosure and Reporting If an employee believes they have been harassed and/or discriminated against there are specific actions that may be taken to put a stop to it:

- *Request a stop of the unwanted behaviour;*
- Inform the individual that is doing the harassing or the discriminating against you that the behaviour is unwanted and unwelcome;
- Seek assistance from any union representative;
- Document the events, complete with times, dates, location, witnesses and details;
- Report the incident to the Joint Building a Respectful Workplace Committee.

However, it is also understood that some victims of discrimination or harassment are reluctant to confront their harasser, or they may fear reprisals, lack of support from their work group, or disbelief by their supervisor or others. In this event, the victim may seek assistance by reporting the incident directly to any Union representative or any Union member of the Joint Respectful Workplace Committee before taking the complaint to this committee in writing. If the employee believes their safety is in jeopardy s/he can exercise right to refuse unsafe work.

This should also:

- Prohibit reprisals and retaliation
- Emphasize accountability and transparency
- Commit to maintaining confidentiality on a 'need to know' basis, but acknowledges parameters (i.e., ensuring worker safety)
- Allows for disclosure to any member of the union or management Outlines a clear process for reporting incidents
- Includes timelines for investigation and resolution
- Does not have a statute of limitations on reporting

Investigation Process

The Employer and the Union agree to the following process for investigating any complaints of harassment, discrimination and bullying

Upon receipt of a complaint, the contacted Union Representative/Employer Official or Joint Respectful Workplace Committee member will immediately inform their Union or Employer counterpart and together they will then interview the employee and advise the employee if the complaint can be resolved immediately and informally or if the complaint should be formalized in writing. Properly completed copies of this complaint will be forwarded to the agreed upon Joint Respectful Workplace Committee.

The Respondent will be provided with sufficient details of the allegations, either verbally or in writing, to formulate an appropriate response to those allegations and give their version of events. A formal investigation of the complaint will then begin by the Joint Respectful Workplace Committee as follows:

- This committee will appoint at least one (1) representative selected by the employer and at least one (1) representative selected by the union from the trained committee members each side have available to conduct investigations. The committee must meet to begin their investigation as soon as possible but no later than five (5) working days after receiving the written complaint. All investigation meetings and or work shall be done on employer paid time.
- Any employee who is to appear before such committee may request to have an independent union representative or member present as a witness for them during any part of the investigation they are part of.
- Where the Complainant is a woman and the complaint involves sexual harassment or gender discrimination, the Joint Investigation Committee will include at least one woman from each side.
- The issue must be handled with utmost confidentiality, and is to be resolved within ten (10) working days of notifying the joint committee with a complaint in writing. Once the committee has finalized their investigation, a written statement of their findings shall be given to the human resources manager for resolution. Copies of which shall be given to the union chairperson. Summary findings will be given to the applicant and the respondent. The report is confidential and must be treated as such, unless required to be produced by law or by an arbitrator. All documents related to the investigation will be stored in a secured location. A copy shall be sent to the assigned union head office representative as well as the union's Human Rights Department.
- The committee shall not be used to determine discipline in any way but rather that remains the exclusive function of the employer. Any discipline implemented by the employer that is based on the report shall be done as per the existing practices and collective agreement including the right to grieve and arbitrate any such discipline.

If the matter remains unresolved because the joint committee cannot reach a consensus, the complaint will be inserted into the last step of the grievance procedure for resolution. In the event that the complaint is not resolved by the parties at the last step of the grievance procedure, the union may refer the matter to arbitration in accordance with the provisions of the collective agreement.

The parties agree that this procedure is an alternative complaint mechanism and as such, complaints should not be pursued through both the grievance procedure and the Human Rights Complaint Procedure. However, the parties acknowledge the right of individuals to file a complaint with the appropriate Federal/Provincial bodies and to seek redress. Note that these federal/ provincial bodies have specific timeframes as to when the complaint must be filed. When a complaint is filed under this procedure, it should be noted that statutory time limits are not extended. However the grievance procedure is put in abeyance/suspended until the joint workplace harassment process is completed.

The pursuit of frivolous allegations through the Human Rights Complaint Procedure has a detrimental effect on the spirit and intent for which this policy was rightfully developed and should be discouraged.

Training & Additional Supports

All committee members (and any subsequent committee members) shall receive the agreed to Workplace Harassment Investigation Joint Training and any agreed to or needed refresher or advanced training courses.

All employees must receive Respectful Workplace Training by (a specific date). All new employees will receive this training as well. Additionally, all union representatives and members of management shall receive three-day "Building a Respectful Workplace Leadership" training.

All training will be delivered by union facilitator(s). The Employer agrees to pay all course costs including union facilitator(s), any travel / accommodation, materials costs, etc.

ACTIVITY 5 ADDRESSING BULLYING AND HARASSMENT AT WORK

MODULE 2

O Part 1: Activity Sheet

Aim:

To come up with an action plan to handle a case of violence and harassment at work.

Task:

- 1. Working in small groups, imagine that an LGBTQI+ member has come to you with a complaint of bullying and harassment in the workplace. Your job is to come up with an action plan to deal with the incident.
- 2. In groups, come up with an action plan that you would take to deal with the incident. You should consider what actions you would take in the *short term*, in the *medium term*, and in the *long term*.

Example:

- 3. Write down your responses on the flipchart paper provided in a table format (see example below).
- 4. Based on your discussion, come up with a plan of how you would go about dealing with the incident. Make sure that you include the specific considerations for LGTBQI+ workers and the vulnerabilities and inequalities that they might experience.
- 5. Nominate someone to report back to the plenary.

| SHORT TERM | MEDIUM TERM | LONG TERM |
|------------|-------------|-----------|
| | | |
| | | |
| | | |
| | | |

ACTIVITY 5: CHECKLIST ON DEALING WITH COMPLAINTS

🔽 Resource Sheet

Trade unions should help to establish effective guidelines and procedures for complaints and investigations systems and ensure that information about these procedures are included in the workplace policy. Trade unions should then raise workers' awareness of grievance mechanisms by providing information and training. Procedures will be different for every workplace, but some general principles to remember are:

- **Recognise the problem:** Look for sudden and/or unexplained changes in behaviour, appearance, or work performance by one or more workers. If you notice violence inside the workplace, speak out and report it.
- Respond quickly and seriously: If someone discloses violence and harassment, it should be taken seriously and acted upon. Reports should be dealt with within established timeframes. It is important to have clear informal and formal procedures set out.
- **Reassure:** Make sure that workers feel supported and understand the assistance available to them.
- Refer: Refer the complaint to the trained contact person or someone from HR, who should also make the employer/manager aware of the situation. In cases of domestic violence, the individual should be referred to any support services that exist. In other cases, the agreed formal process should be followed, including opening an investigation.
- **Gender-responsive:** Investigations and outcomes should be genderresponsive – unbiased and acknowledging underlying unequal genderbased power relations, stereotypes, and intersectional inequalities such as race, class, sexual orientation. Outcomes should work to tackle the power inequalities that allow violence and harassment to happen.

- Vulnerable groups: Agreements must effectively and explicitly cover groups in situations of vulnerability, including LGBTQI+ groups. They should also ensure that they acknowledge and address underlying unequal relations and intersectional inequalities. Outcomes should work to tackle the power inequalities that allow violence and harassment to happen.
- **Confidentiality and Fairness:** Make sure that the confidentiality of everyone involved is maintained. Everyone should be treated impartially throughout the process to avoid bias.
- **Support:** All parties should be informed of the process, timeframe, expectations, and reason for actions being taken, and should be told what support is available.
- **Protection:** Measures should be included to protect complainants, victims, witnesses and whistle-blowers against victimisation or retaliation.
- **Record:** Transparent and gender disaggregated (data collected separately on men and women) records should be kept.
- **Communicate:** The procedures and decisions taken should be clear and communicated to all parties involved.

ACTIVITY 5: ADDRESSING BULLYING AND HARASSMENT AT WORK

O Part 2: Activity Sheet

Aim:

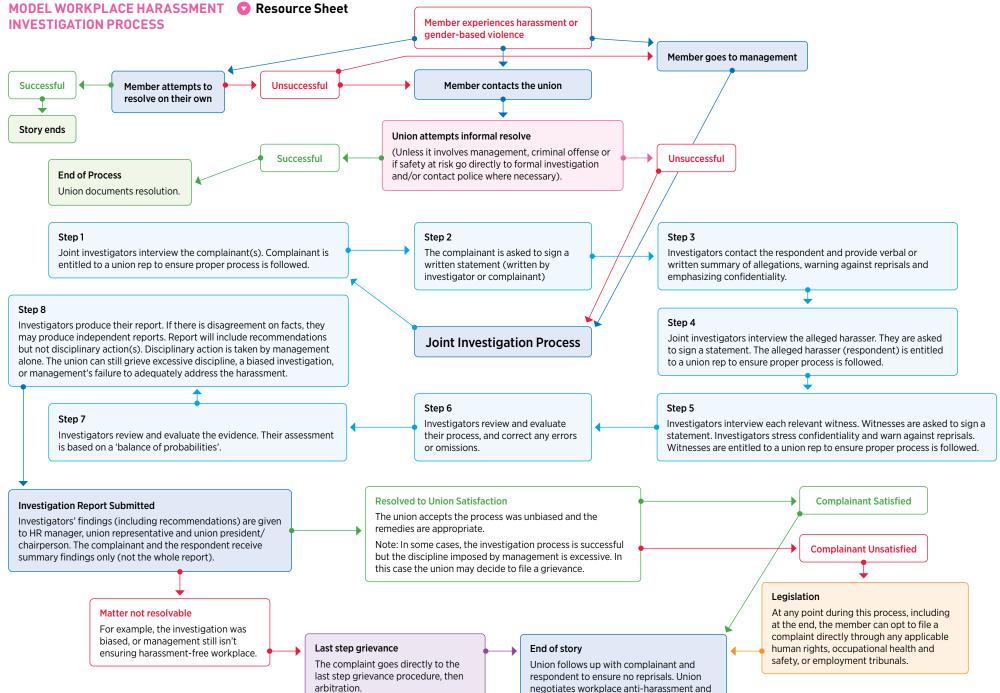
To develop a grievance policy on violence and harassment in the world of work.

Task:

- 1. Working in small groups, read or listen to the facilitator read the handout that you have been given. If you don't understand anything in the handout, make sure to ask questions.
- Using the flipchart provided and using the handout, write a grievance policy that would be useful in your local context. Make sure that you properly include the needs, priorities, and concerns of LGBTQI+ workers in the procedure, including ensuring fair and equal outcomes of investigations.

- 3. You can use the following questions to help with your discussions:
 - a. What should be the immediate priority for dealing with cases of violence and harassment? What should your first steps be?
 - b. How can we ensure that all parties involved in the grievance get the support and information that they need?
 - c. How can we protect people involved in the grievance?
 - d. What specific inequalities or biases might LGBTQI+ workers face in a grievance procedure? What actions can we take to ensure that procedures are fair for these groups?
 - e. What specific grievance policy does your employer/workplace already have? How could it be improved?
 - f. What should be the medium-term and long-term action that should be taken?
 - g. How can we monitor the effectiveness of the grievance procedure?
- 4. Write down your ideas on the flipchart provided.
- 5. Nominate someone to report back the plenary.

ACTIVITY 5:



gender-based violence prevention training.

ACTIVITY 6 DOMESTIC VIOLENCE AS A UNION ISSUE

MODULE 2

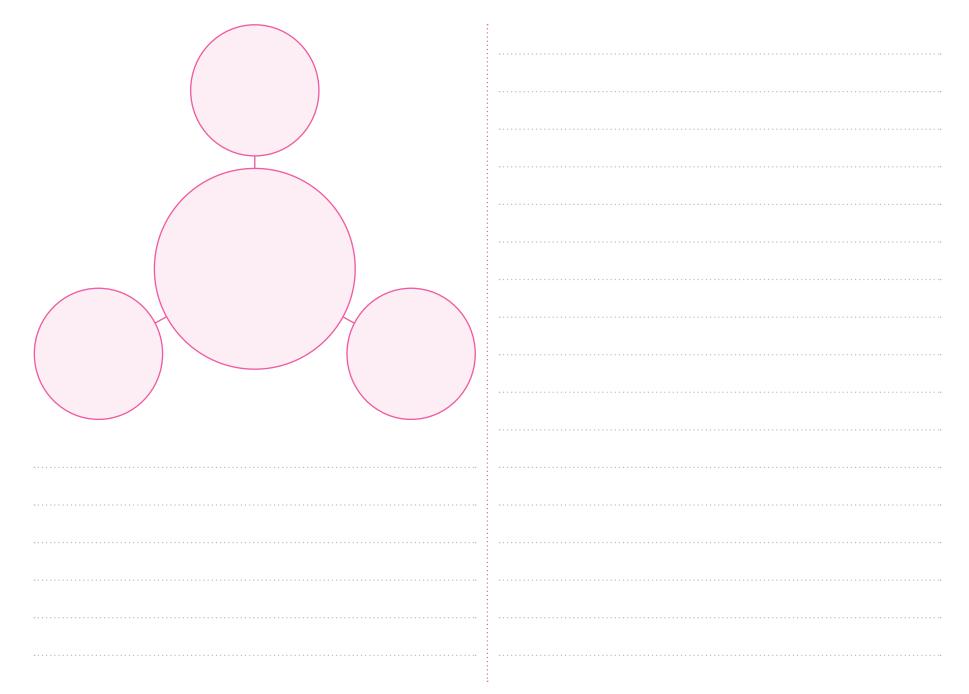
O Part 1: Activity Sheet

Aim:

To understand why domestic violence is a trade union and workplace issue.

- 1. Working in small groups, read out or listen to the facilitator read the handout.
- 2. Then, discuss the following questions:
 - a. What is domestic violence?
 - b. What kinds of behaviours or actions constitute domestic violence?
 - c. How does this/could this affect the person at home?
 - d. How might this impact on the workplace?
- 3. Write down your answers on a flipchart arranged in a mind-map (see example included).
- 4. Nominate someone to report back to the plenary.





ACTIVITY 6: WHY IS DOMESTIC VIOLENCE A TRADE UNION ISSUE?

Part 1: Resource Sheet

What is domestic violence?

Domestic violence is one of the worst forms of violence and harassment. It is violence and harassment that takes place between members of the family or domestic unit. It can also be carried out by former partners. Domestic violence is also referred to as 'domestic abuse', 'family violence' or 'intimate partner violence.' It can take many forms, including:

- **Coercive control:** This is an act or pattern of acts of assault, sexual coercion, threats, humiliation, and intimidation used to harm, punish, or frighten
- **Psychological/emotional abuse:** This might include humiliation, threats, intimidation, name-calling.
- **Physical abuse:** Actions could include hitting, slapping, punching, kicking, pushing, confining
- **Sexual abuse:** This can include rape, forced sexual activities, sexual accusations, forced pregnancy or termination of pregnancy.
- **Economic/financial violence:** This includes actions such as preventing person from getting a job, taking their money, controlling their finances.
- Harassment and stalking
- **Online abuse:** This includes threats, sharing of sensitive or intimate information on social media.

Who does domestic violence impact?

Although anyone can experience domestic violence, women are more likely to be victims/survivors and men predominantly the perpetrators. This is because domestic violence is rooted in power inequalities. Worldwide around 35% of women have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence in their lifetime. Often, domestic violence is seen as purely a women's issue, and men always the perpetrator. But this is not always the case. Evidence suggests that some LGBTQI+ people experience equal or even higher prevalence of domestic violence and abuse, compared to straight women.

ACTIVITY 6: WHY IS DOMESTIC VIOLENCE A TRADE UNION ISSUE?

What impact does domestic violence have?

Domestic violence can have devastating effects on physical and psychological health as well as economic consequences. It can have negative impacts on the wellbeing of workers, families, businesses and the economy.

Although domestic violence happens behind closed doors it has far reaching consequences. Although it starts in the home, it can impact the world of work.

- Workers may have to take time off from work to recover.
- Perpetrators often stalk or threaten victims/survivors to/in their places of work, prevent them from going to work, or withhold earning.
- Workers might be late for work, miss work, or their work performance may be impacted.
- They might lose their jobs which is disastrous without economic independence they cannot escape the violence.

Domestic violence can also impact colleagues:

- Perpetrators may threaten or hurt colleagues.
- A person suffering from domestic violence may be absent, or tired and under so much pressure that they are less vigilant at work.
- This may create occupational health and safety risks or increase workload for others.

Despite the huge impact that it has on the world of work, many continue to believe that domestic violence is a private issue that should not be dealt with in the workplace. But domestic violence is not a private issue. It is a societal issue. The world of work is an important place to mitigate the impacts of domestic violence. Employers and trade unions have important roles to play in recognising and addressing the impacts of domestic violence.

ACTIVITY 6: DOMESTIC VIOLENCE AS A UNION ISSUE

O Part 2: Activity Sheet

Aim:

To identify the barriers faced by LGBTQI+ workers when seeking support for domestic violence.

Task:

1. Working in small groups and using the flipchart that you have been given, draw a table with three columns. Label one column 'Workplace', the second column 'Society' and the third column 'Support' *(see example below).*

- 2. Using what you have learnt so far, consider the main barriers that LGBTQI+ persons face when trying to access support for experiencing domestic violence:
 - a. in the workplace
 - b. in society
- 3. Write down your ideas in the relevant column.
- 4. Then, think about what action or further support might be needed to address some of these barriers in the workplace and in society. Write down your responses in the relevant column.
- 5. Nominate someone to report back to the plenary.

Example:

| WORKPLACE | SOCIETY | SUPPORT |
|-----------|---------|---------|
| | | |
| | | |
| | | |
| | | |

MODULE 3

ACTIVITY **7** REFORMING UNION CULTURE

v Part 1: Activity Sheet

Aim:

To identify the role of the union in advocating for an end to violence and harassment.

- 1. Working in small groups, consider and discuss the following questions from your own experience:
 - a. What is the purpose of a trade union?
 - b. What power does your trade union have to make change?
 - c. What role do unions currently play in advocating for equality and justice?
 - d. What role should they play?
- 2. Write down your responses on the cards that you have been given one response per card.
- 3. Nominate someone to report back on your discussion to the plenary discussion and to stick the cards up in the relevant display area.

ACTIVITY 7: REFORMING UNION CULTURE

Or Part 2: Activity Sheet

Aim:

To explore how violence and harassment against LGBTQI+ persons takes place in the union.

Task:

- 1. Working in small groups, think about examples of violence and harassment against LGBTQI+ persons that have taken place in the union.
- 2. Consider the following questions to assist with your discussion:
 - a. Who were the victims/survivors?
 - b. Who were the perpetrators?
 - c. What were the circumstances surrounding the incident?
 - d. What were the causes?
 - e. What impact did it have?
- 3. Write down the main points raised in your discussion on the flipchart provided.
- 4. Remember to pay attention to the possible root causes and risk factors for violence and harassment.
- 5. Nominate someone to report back to the plenary.

🔽 Part 3: Activity Sheet

Aim:

To consider practical proposals for action to improve the union's culture, structures, and procedures to prevent violence and harassment against LGBTQI+ persons.

- 1. Working in small groups, consider what you have learned about the provisions of C190.
- 2. Read the handout that you have been given and think about what possible reforms could be introduced to reduce the risk of violence and harassment in the union.
- 3. Consider potential ideas that fit into the following categories:
 - a. New or amended rules, policies, and procedures
 - b. New or amended union structures or spaces (e.g. informal groups, caucuses, networks)
 - c. Education and training
- 4. Write down your ideas on the cards that you have been given, one idea per card. Make sure that you consider and address the specific experiences of LGBTQI+ persons
- 5. Once you have finished completing the cards, stick them up in the relevant display areas.

ACTIVITY 7: REFORMING THE UNION FOR VULNERABLE GROUPS

Part 3: Resource Sheet

Measures for improving our trade union culture, structures and procedures to prevent violence and harassment might include:

- **Risk Assessment:** Undertaking a risk assessment of trade union structures to identify risk factors and hazards increasing the likelihood of violence and harassment. Based on this we can take measures to prevent and control the risk factors.
- Internal Policies and Procedures: We should review our union's internal policies and procedures and adopt and implement new policies on violence and harassment that effectively address violence and harassment against vulnerable groups.
- Information, Training and Awareness Raising: Our unions should provide accessible information and training on risks and hazards, internal policies, responding to cases of violence and harassment, and violence and harassment should be mainstreamed into all union training and education. Awareness-raising amongst all members is an essential tool to break myths and prejudices around violence and can enable us to challenge harmful stereotypes and discriminatory behaviour towards LGBTQI+ persons. This should include bystander intervention training.
- **Collective Bargaining:** We should mainstream the provisions of C190, with special attention for vulnerable groups, into our union bargaining agendas.

- Committees and Networks: Amending our constitutions to create committee structures or developing informal networks or caucuses for vulnerable groups, including LGBTQI+ workers, is an excellent way to provide a safe space to share experiences and struggles, and to develop confidence and ideas.
- Quotas, Targets, Seats: Constitutional amendments can also be made to reserve seats or set targets or minimum percentages to improve representation of vulnerable groups in union structures and decisionmaking bodies.
- Building Capacity & Strengthening Confidence: Undertaking empowerment and confidence building activities among vulnerable groups can be a great way to encourage active participation in the union

 whether through leadership training, mentoring programmes, or caucuses.

ACTIVITY **8** INCLUSIVE ENGAGEMENT

MODULE 3

Part 1: Activity Sheet

Aim:

To consider how we can be better allies in the fight against violence and harassment.

- 1. Working in small groups, think about and describe an example of an incident of violence or harassment against an LGBTQI+ persons, or another vulnerable group in the union that you have witnessed.
- 2. Then, discuss the following questions with the incident in mind:
 - a. Who was the violence and harassment inflicted against?
 - b. Who was the perpetrator?
 - c. What were the circumstances and the causes? What were the impacts?
 - d. How was the incident dealt with?
 - e. Did you take any action? Did the union take any action?
 - f. What LGBTQI+ sensitive measures were taken to protect the victim/ survivor?

- 3. Write down your response on the flipchart provided and nominate someone to report back.
- 4. After you have done this, read the handout that you have been given. Then, taking into consideration the information included on the handout consider what you might do differently next time.
- 5. Use the following questions to help with your discussion:
 - a. Would you do anything differently?
 - b. How would you support those experiencing violence and harassment?
 - c. What action would you take?
 - d. What steps do you think that the union should take to ensure that people speak out against incidences of violence and harassment?
 - e. What additional measures / steps should be introduced to protect vulnerable groups?
- 6. Write down your answers on the flipchart provided.
- 7. Nominate someone to report back.

ACTIVITY 8: BYSTANDER INTERVENTION TIP SHEET

O Part 1: Resource Sheet

Support LGBTQI+ Community:

Bystander Intervention Tip Sheet

Intervening means stopping the harassment and building a culture of accountability and respect. Use your privilege and speak out.

01

Ask

If you see someone being harassed or bullied, name what you see and ask if they want assistance. Follow their lead.

02

Be ready

Practice. You will have the opportunity to say "not okay" or "I don't agree" or "that's not funny", or "where's the evidence for that?" or simply "please stop". Do this whether or not there are LGBTQI+ people in the room.

03

Model

Get in the habit of using gender- neutral language (like 'partner', 'friends', 'comrades') and always use the names and pronouns people use to introduce themselves.

If you hear someone misgendering an out trans person, correct them. If they persist let them know it's not okay and can be a form of harassment.

04 Expand your comfort zone

Believe people when they tell you they experience harassment or gender- based violence.

Be prepared to be a witness. Speak out.

Call for help if it's needed. Follow-up.

05

Respect privacy

Interrupt gossip, speculation, intrusive questions and 'outing'.

Keep at it

Learn more at: www.lgbtiworkers.org

ACTIVITY 8: INCLUSIVE ENGAGEMENT

Or Part 2: Activity Sheet

Aim:

To consider how we might deal with resistance in the union when advocating for the inclusion of LGBTQI+ issues.

Task:

OPTION 1: Own Experiences

- 1. Working in small groups, think about an example of when you have faced resistance to the inclusion of LGBTQI+ issues in the union.
- 2. Discuss the following questions from your own experiences and consider how you dealt with the resistance at the time.
 - a. What issues and/or measures did you want to be addressed by the union?
 - b. What resistance was faced? Why do you think this was faced?
 - c. Who did you face resistance from?
 - d. How did you deal with the resistance at the time?
- 3. Write down your answers on the flipchart provided.
- 4. Nominate someone to report back to the plenary.

OPTION 2: Sample Scenario

- Working in small groups, imagine that some union leaders have been reluctant to take up the issue of violence and harassment against LGBTQI+ workers in the union.
- 2. Prepare a 10-minute presentation to explain why violence and harassment against LGBTQI+ workers is a priority issue for the union and should be treated as such.
- 3. Use the following questions to help with your discussion:
 - a. What are the best arguments for violence and harassment against LGBTQI+ workers to be considered a priority issue for the union?
 - b. Why could some people be reluctant to take up the issue?
 - c. How can we encourage them to change their minds?
- 4. Write down your answers on the flipchart provided.
- 5. Nominate someone to report back to the plenary.

ACTIVITY 8: BEING AN ALLY

🔽 Part 2: Resource Sheet

Being an LGBTQIA+ Ally Requires Action!

Listen to how we define ourselves

Show your solidarity by referring to us by the name, gender and pronouns we use for ourselves. If you're unsure, and you need to know, you can ask.

Get used to using gender inclusive language all the time:

The brother who just spoke. The member who just spoke. Brothers and sisters. Brothers, sisters, friends. Hey guys. Hey folks. Hi everyone. Did he leave his badge? Did they leave their badge? What does your wife do? What does your partner do?

Respect our privacy

Do not 'out' us to others as lesbian, gay, bi, trans, two- spirit or non-binary to others. It is our private information to share, or not.

Don't ask questions about our bodies, medical history, or sex lives. If we share something with you, do not share it with others.

Support our safety

We need strong workplace policies and protection against harassment and genderbased violence. Help us ensure reporting mechanisms are safe and fair, that the process is confidential and that real, appropriate remedies and consequences are put in place.

Help create a culture of respect in our workplaces by intervening when you hear or see harassment, bias, stereotyping, prejudice or harassment against us.

Stand with us.

Challenge others

If you hear someone using the wrong name or pronoun for someone, correct them in a way that doesn't further embarrass the misgendered person. Use the correct pronoun and say "By the way, Sam's pronouns are she and her."

If someone keeps using the wrong pronouns, be more assertive; explain that repeatedly misgendering someone can be harassment and works against our goal of worker solidarity and strength.

Don't make assumptions

If you address us using the wrong pronoun, or make an assumption about our sexuality or gender, apologize and move on.

Don't make it about you. It can be tempting to say how bad you feel or how hard you're working. That won't help. An ally is someone who has the courage to apologize and keep learning and working to make things better. Follow our lead.

Challenge yourself

- Educate yourself about lesbian, gay, bi, trans, two-spirit and non-binary histories,
- cultures, and concerns.
- Ask your union for gender diversity training for your workplace.
- Get involved; support organizations and campaigns of LGBTQ2+ in your community
- Support an LGBTQ2+ committee at your local, or expand your human rights committee.

Use your voice

- Be aware of your privilege, and use it to challenge oppression.
- Challenge hurtful behaviour that you see or hear. Support organizations and campaigns of trans, two- spirit and non-binary groups.
- Create an LGBTQ2+ committee at your local, or expand your human rights committee.
- Advocate for gender-inclusive washrooms, uniforms and other policies that respect a person's choices. Bargain equity on gender diversity, for example in benefits, antidiscrimination, employment equity, transition workplace plans and other clauses in the collective agreement.
- Make way for lesbian, gay, bi, trans, two-spirit and non-binary activists in the union; support their leadership.

ACTIVITY BUILDING ALLIANCES

MODULE 3

Activity Sheet

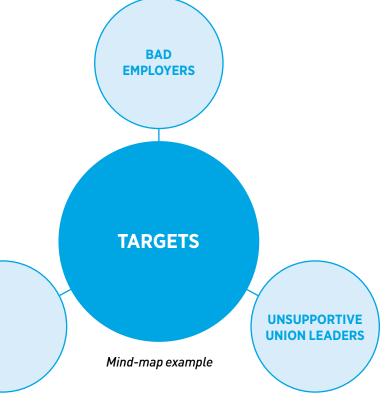
Aim:

To identify key targets and allies in the fight against violence and harassment against LGBTQI+ workers.

Task: Targets

- 1. Working in small groups, consider the targets in advocating for C190 and in the fight against violence and harassment. Try and be as specific as possible.
- 2. Think about the targets that you might have at different levels:
 - a. In the union movement
 - b. In the community
 - c. At the national level
- 3. Use the following questions to assist with your discussion:
 - a. Who are the targets?
 - b. Who will you need to persuade? Who might you face resistance from?
 - c. Who will you need to negotiate with?

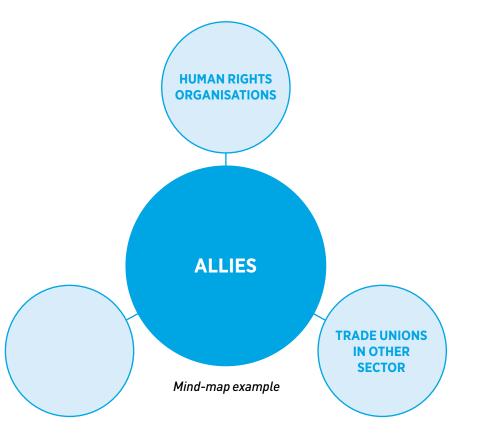
- 4. Write down your answers on a flipchart arranged in a mind-map (see example included).
- 5. When you have completed your mind-map, nominate someone to report back to the plenary.

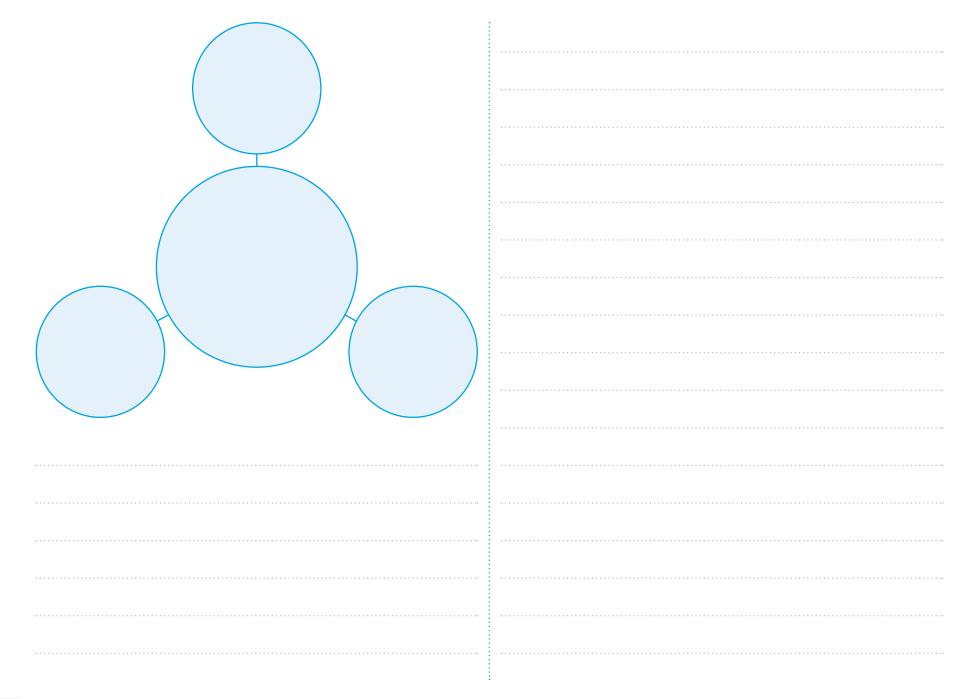


ACTIVITY 9: BUILDING ALLIANCES

Task: Allies

- 1. Working in small groups, consider the allies in advocating for C190 and in the fight against violence and harassment. Try and be as specific as possible.
- 2. Think about the targets that you might have at different levels:
 - a. In the union movement
 - b. In the community
 - c. At the national level
- 3. Use the following questions to assist with your discussion:
 - a. Who are the allies?
 - b. Who might join us in campaigning against violence and harassment against LGBTQI+ workers?
- 4. Write down your answers on a flipchart arranged in a mind-map (see example included).
- 5. When you have completed your mind-map, nominate someone to report back to the plenary.





ACTIVITY 9: TARGET AND ALLIES

Resource Sheet

There are both targets and allies in our fight to address violence and harassment. There may be those who are still resistant to taking up the issue and so we must win them over. There are also many allies who will be strong partners in the fight. Targets and allies might include:

- Trade union members, staff and activists, both within our own trade unions and within other unions with common issues and objectives.
- Community groups and networks, which might include LGBTQI+ rights and feminist movements and organisations, human rights groups and academic and research institutions focused on LGBTQI+ rights.
- National and local governments, members of parliament, ministers, and government departments, regional governmental bodies, and international organisations who support the development and implementation of international labour and human rights standards.



Global Labour Institute

The Global Labour Institute in Manchester (GLI Network Ltd) is a not-for-profit company providing research and education for the international trade union movement. GLI is a member of the GLI Network, an alliance of organisations promoting international solidarity among trade unions and other organisations and movements of civil society. Alongside GLI Manchester are GLI Geneva, ReAct (GLI Paris), the Praxis Center (GLI Moscow) and City University of New York School of Labor and Urban Studies (GLI New York).

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