

BRIEFING ON THE ETUC PROJECT 'SAFE AT HOME, SAFE AT WORK'

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

Madrid, 24-25 November, 2016

1. Background

ETUC's Strategy and Action Plan that states that "economic dependence and sexist stereotypes contribute to inequality and violence" and calls for "a new European legal instrument to combat violence against women". The ETUC gender equality work programme, adopted in 2012, set a goal to encourage trade unions to address the link between domestic violence and work-place violence. The 8th of March Survey 2014 collected information from ETUC affiliated on how they address the issue of violence against women, and identified trends and shared concerns. The findings confirmed that the ETUC should continue to work on this issue, which led to the project 'Safe at Home, Safe at Work'.

The ETUC 'Safe at Home, Safe at Work' project aims to:

- Develop and improve trade union knowledge and instruments addressing harassment and violence against women at work;
- Include harassment and violence against women in negotiating agendas;
- Improve/promote gender mainstreaming into work organisation as well as in collective bargaining and social dialogue;
- Share successful trade unions and/or social partners' initiatives on eliminating harassment and violence against women work;
- Produce material to raise awareness among a wider audience about the need for a systematic inclusion of a gender perspective when dealing with violence and harassment at workplace level and extend it at sectoral and national level;
- Make recommendations and providing a concrete contribution to the proposed international labour standard on violence at work.

The project has the following objectives to contribute to:

- Development of a trade union strategy at European level, including guidelines aiming at eradicating violence against women.
- Further encouraging trade unions' work to introduce preventive measures against violence and harassment of women at work.

2. Why is violence at work a trade union issue?

Violence at work has become an increasingly important issue for trade union negotiators. Violence at work, including the effect of domestic violence at work, affects workers' wellbeing, health, safety and job performance. As a result, violence at work is a core safety and health issue, and it remains a major and persistent barrier to the achievement of gender equality at



work and in society. Although violence at work is not a new issue, trade unions today recognize that the growing casualization of work, new forms of work organisation and related work pressures have contributed to increased levels of harassment at work and the invisibility of the problem. Women workers and especially young women workers are particularly affected as they often work in low paid and casualised sectors of the economy; many suffer in silence as they fear retaliation or loss of their jobs. As a result, many trade unions today recognize that sexual harassment is a hidden issue in the workplace and they have sought to raise awareness of the gendered nature of violence and why it needs to be addressed as a problem of unequal power relations. A key issue is to develop workplace solutions that workers trust and that tackle the underlying causes of violence at work. Similarly, domestic violence is a workplace issue – it can impact on a woman’s participation in work, her work performance and her safety at work. Negotiating workplace supports, such as flexible work, paid leave or changes in work location, can ensure that women can safely retain their jobs and have the financial independence and support at work that can help them to leave violent partners and live independently without fear of further violence.

3. Data on violence against women at work

Violence against women at work can take many forms; at work the most common is sexual harassment. A study on violence against women by the Fundamental Rights Agency (FRA) found that 55 per cent of respondents had experienced sexual harassment at least once in their lives (not limited to the workplace). A survey poll of 1,533 women in Great Britain carried out by the TUC found that the impact of harassment is devastating for victims, and is bad for productivity and workforce morale. More than half of all women and nearly two-thirds of women aged 18 to 24 said they have experienced sexual harassment at work (including sexual jokes, sexual advances, unwanted touching). A French survey of 1,005 workers, carried out in 2014 by the French Rights Defender, found that more than half of women worked in an environment where sexist jokes and remarks occur frequently and 20% of the interviewed women stated that they had been a victim of sexual harassment, of these women 30% worked on a precarious contract. A survey by the French Superior Council on Gender Equality (CSEP) found that of 15,000 women working in nine large French companies on the basis of a written questionnaire, 80% stated that they were regularly confronted with sexist attitudes or decisions, having an impact on their self-confidence, their well-being and performance.

Regarding domestic violence, the FRA study found that over one in five women has experienced physical and/or sexual violence from either a current or previous partner. Many studies have shown that domestic violence often involves systematic abuse over time, and includes physical and sexual abuse, financial abuse and other forms of coercive control such as control over children, socialising and participating in work. It can also involve violence and stalking by partners and ex-partners in the workplace.

4. ETUC ‘Safe at Home, Safe at Work’ project activities

The ‘Safe at Home, Safe at Work’ project is carrying out the following initiatives:

- Research, consisting of country visits to interview trade unions and women’s organisations, in eleven EU Member States.¹ This has led to the production of eleven country case study reports documenting union actions and good practices to address violence against women, challenges and recommendations.
- Interviews with European organisations and European trade union federations.
- European conference held in Madrid in November 2016.
- Final synthesis report, documenting national union and European actions and good practices, as well as recommendations for unions at national and European levels, and European organisations.

¹ Belgium, Bulgaria, Denmark, France, Germany, Ireland, Italy, Netherlands, Slovenia, Spain and the UK.



5. Summary of the main themes and issues in the country case studies

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

Collective bargaining is an important mechanism for agreeing measures to prevent and address violence against women at work, either as part of agreements that address violence against all workers, or in relation to specific issues, such as sexual harassment at work.

In many EU Member States, violence and harassment against women at work has largely been addressed as a wellbeing at work issue, often as part of safety and health policies or under specific initiatives addressing violence and harassment of all workers. Renewed attention was given to violence and harassment at work since the signing of the 2007 European Autonomous Framework Agreement on Violence and Harassment at Work between the European social partners (BusinessEurope, ETUC, CEEP and UEAPME). The 2007 European agreement includes an agreed definition of violence and harassment, including sexual harassment, and addresses measures to prevent, manage and eliminate violence at work. Some confederations have signed framework agreements at the national and sectoral level to implement the agreement, as is the case of Italy and France, others have inserted new clauses in existing agreements at sectoral or company level, as well as developing jointly agreed guidance, statements or declarations. For example, the Danish Confederation of Employers (DA) and the Confederation of Trade Unions (LO) issued a declaration on implementation of the EU Framework Agreement on harassment and violence at work. In Bulgaria and Slovenia, model agreements have been drawn up to implement the 2007 European agreement; however, to date employers have refused to sign the agreements. The 2007 European agreement has also informed a European agreement signed by the social partners from the commerce, private security, local government, health and education sectors (EPSU, UNI EUROPA, ETUCE, HOSPEEM, CEMR, EFEE, EUROCOMMERCE, COESS) (July 2010). It includes agreed guidelines to tackle third-party violence and harassment at work, for example, from customers and patients.

Some unions approach violence against women as a gender equality issue, others address it as a safety and health at work issue, and increasingly as a psychosocial risk in the workplace. The following are some examples of collective bargaining agreements and jointly negotiated company policies that aim to prevent and address violence against women, including sexual harassment at work:

- **Bulgaria:** Sectoral agreements in health, education and transport have been concluded in several sectors on prevention of violence against women as part of agreements on gender equality. In the transport sector, agreements have been concluded on violence against women at work through four municipal level agreements (agreed between the transport union, FTTUB, and municipal authorities). A special chapter on 'Protection against violence at the workplace and gender equality' was negotiated in the 2010-2012 sectoral collective agreement, with joint actions by employers and unions to prevent violence and a zero-tolerance approach.
- **Italy:** Several sectoral agreements have addressed sexual harassment. An agreement with the energy company ENEL under the corporate welfare agreement 'People Care in ENEL' covers wellbeing and health, and addresses sexual harassment and violence at work. In the woodworking sector an agreement on addressing and preventing sexual harassment at work was signed by the three unions in the building sector and employers. Unions are using the agreement to implement territorial and company level agreements.
- **Slovenia:** Several sectoral agreements have been signed on violence, harassment and sexual harassment. One good practice is the collective agreement in the banking sector, which specifies that the employer has the responsibility to prevent mobbing and sexual harassment, and includes the right for workers to take sick leave if they have been affected by violence at work. A good practice workplace agreement was signed between Mercator



(supermarket chain) and ZSSS (retail sector) against sexual and other harassment and mobbing at the workplace, setting out a zero-tolerance approach, clear complaints procedures and support for victims of sexual harassment, harassment and mobbing. The agreement follows a consultation process with workers and represents a good model for other company agreements in Slovenia. The company and unions have established a strong social dialogue and attempts are made to resolve all issues through dialogue.

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



5.2 Domestic violence at work

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

- **Spain:** The Organic Law 1/2004 on protection against domestic violence, seeks to combat acts of violence which are considered discriminatory, and includes measure to enable victims of domestic violence remain in work. Today, many collective bargaining agreements, harassment and violence protocols and gender equality plans have provisions in place regarding domestic violence. Clauses include informing domestic violence victims of their rights, preventing domestic violence through training, flexible working hours, and paid and unpaid leave. Clauses on paid leave to enable women to attend doctors or legal appointments are common practice. The energy company Ednesa, for example, provides for revised and flexible working hours, social care, legal assistance, protection orders and counselling for victims. Some companies help with removal, housing and travel costs, children's and school expenses, and in the banking sector victims of domestic violence are offered zero interest loans.
- **Denmark:** FIU-Equality (a training organization established as a collaboration between three unions, 3F, HK and Dansk Metal) has carried some pioneering work on domestic violence in the workplace. FIU-Equality carries out regular training for shop stewards on preventing and addressing domestic violence at the workplace, and has an annual conference and award for innovative workplace policies. An example of a recent award is the negotiation of a policy for the Danish tax office SKAT on 'Violence, intimidation and harassment', which includes a clause on support for victims of domestic violence at work. The policy covers 4,000 workers.
- **UK:** Unions have begun to address domestic violence at work through awareness raising and negotiation of workplace policies, using model domestic violence clauses and guidance drawn up by the TUC and individual unions. The public service union, UNISON, has managed to agree workplace policies in the health and local government sectors, and the union has supported negotiators through training, a guidance document and a model clause on domestic violence at work for the public sector. The UNISON guidance 'Domestic violence and abuse: a trade union issue' sets what workplace representatives can do to prevent domestic violence at work and negotiate workplace policies. The shop workers' union, USDAW, issued guidance in 2016 for trade union reps on 'Domestic Violence and Abuse', which also included violence in same-sex relationships; a shorter leaflet sets out help and support for women who might be facing domestic abuse.
- **Netherlands:** 'The New Future' project (with the union FNV in partnership with the Dutch Women's Council, and women's shelter organisations) has given a focus to women victims' participation in work and financial independence, as this is considered to be an important form of protection against domestic violence. A pilot project in 2012-2013 in the Overijssel province led to more than half of the participants participating in education, work or in the voluntary sector. Today the project is being delivered in eight local authorities.
- **France:** The 2015 La Poste agreement on professional equality includes a chapter on violence in the workplace and domestic violence at work, covering support for victims, including housing support, a free hotline number, possibilities to relocate work, and



information about specialist support organisations. The Carrefour SA Hypermarchés agreement of 2012 states that prevention of domestic violence at work is part of the company's Corporate Social Responsibility strategy to inform and to train employees on the subject. PSA Peugeot Citroën's 2014 agreement includes a clause on supporting workers who are victims of domestic violence. This led to 150 managers receiving training on how to identify violence against women and awareness raising initiatives have been organized, such as a flyer 'Are you a victim'. In the Gender Equality Plans of the Ministries of Finance and Economy reference is made to violence in the workplace and to the responsibility of HR staff and managers to have tools to prevent domestic violence at work.

5.3 Raising awareness and campaigning to end violence against women

The 'Safe at Home, Safe at Work' project and the ETUC's 2014 8th March survey show that many trade unions are actively campaigning to end violence against women. Partnerships between trade unions and NGOs have been an important part of this work. One example is the close partnership working between the TUC and the UK coalition End Violence Against Women and the Everyday Sexism Project. Another example from Italy is the partnership between the NGO Telefono Rosa and the three trade union confederations, involving training and raising awareness about violence against women.

Examples of union awareness raising programmes include:

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

6. Challenges highlighted by unions in tackling harassment and violence against women at work

The 'Safe at Home, Safe at Work' project has highlighted a range of challenges that unions currently face:



- Raising awareness about sexual harassment and violence at work remains a challenge as it is a hidden workplace issue, workers fear retaliation if they report cases, and there is still a low level of understanding of the causes of sexual harassment and other forms of violence against women.
- The economic crisis and austerity measures has led to reductions in funding for core services, including funding for specialist domestic violence support. Reduced levels of funding for health services, for example, has impacted on increasing levels of violence and harassment at work, including third-party violence.
- A growth of non-standard work and casualisation of work has increased risks of violence and harassment at work, which has predominantly affected female-dominated sectors.
- A culture of unequal gender roles and relations and gender stereotypes is perpetuated by continuing gender inequalities at work, in society and in the family.

7. Recommendations to ETUC affiliates: Ten things that unions can do to tackle harassment and violence against women work

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

8. Recommendations for the ETUC

1. Ensure that violence against women is a high priority in the work and policy of the ETUC and affiliates.
2. Draw up best practice guidance, including model workplace agreements, for affiliates to disseminate to union representatives, safety and health representatives, and collective bargaining teams to support bargaining efforts to prevent and eliminate violence against women at work.
3. Include prevention of violence against women as an issue in ETUI training programmes, and draw up training materials that can be disseminated amongst affiliates.
4. Through the work of the ETUC's Women's Committee and the Collective Bargaining Committee establish European and national objectives on how to address violence against women at work.

