

SAFE AT HOME, SAFE AT WORK

Trade union strategies to prevent, manage and eliminate work-place harassment and violence against women



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Dr. Jane Pillinger

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ABBREVIATIONS

CBA	Collective bargaining agreement
CEMR	Council of European Municipalities and Regions
COESS	Confederation of European Security Services
CSR	Corporate Social Responsibility
EFEE	European Federation of Education Employers
EIGE	European Institute for Gender Equality
EPSU	European Federation of Public Service Unions
ETF	European Transport Federation
ETUC	European Trade Union Confederation
ETUCE	European Trade Union Committee for Education
EU	European Union
EUROCOMMERCE	Represents the Retail, Wholesale and International Trade Employers
FRA	EU Fundamental Rights Agency
HOSPEEM	European Hospital and Healthcare Employers' Association
ILO	International Labour Organization
ITUC	International Trade Union Confederation
LGBTI	Lesbian, gay, bisexual, transgender and intersex
EU-OSHA	European Agency for Safety and Health at Work
TFEU	Treaty on the Functioning of the European Union
TUC	Trade Union Congress
UCU	University and College Union
UNI	Global union in commerce, services and related sectors
UNI-EUROPA	European trade union federation for service sectors, such as private security, commerce, etc.
VAWG	Violence Against Women and Girls

EXECUTIVE SUMMARY

SECTION 1: INTRODUCTION

This report – produced as part of the ‘Safe at Home, Safe at Work’ Project of the European Trade Union Confederation (ETUC) – draws together evidence collected from interviews carried out as part of 11 detailed country case studies of European-level developments on gender-based violence and harassment at work, including domestic violence at work. Gender-based violence and harassment is a form of discrimination that causes significant harm to women, whether it take place in the workplace, in public places, on public transport, in schools and colleges, or in the family. The report shows how trade unions and/or social partners have approached the issue in negotiations, collective bargaining, union awareness-raising, training and campaigns, and partnerships with women’s organisations working to end gender-based violence. The report points to good practices in the workplace and shows the added value of trade unions actions, innovations and negotiations to support victims and create workplaces free from violence and harassment.

The ETUC and many of its affiliates have long campaigned to end gender-based violence, and it has been a core objective of recent action programmes. One of the objectives of the ETUC’s Action Programme on Gender Equality, 2016-2019, is to contribute to eliminating gender-based violence and harassment at work and to continue to make the link between domestic violence and work-level protection.

This report aims to raise awareness amongst a wider audience about the need for the systematic inclusion of gender when dealing with violence and harassment at work, and to make recommendations for national and European-level policy developments, as well as for trade union and/or social partner action and future policy developments. The report has been prepared at time of rising violence and harassment at work, continued and widening gender inequalities at work, and a culture of sexism in the workplace. It also shows that the workplace is closely connected to women’s wider roles that extend beyond it, in public places, in the community and in the private domain of the home and family. The workplace has long been recognised as playing an important role in preventing and eliminating gender-based violence, and is one of many settings that should be included in an integrated and multifaceted approach to this task.

The work on this report has been done at a time of significant national, European and international debate about gender-based violence at work. The International Labour Organization (ILO) has made a commitment to introduce a new instrument in 2018, in the form of a Convention or Recommendation on violence against women and men in the world at

work. Trade unions are campaigning to ensure that there is a strong focus on gender-based violence in the new instrument. The ratification by the EU (and by individual Member States) of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) provides an important framework for an integrated approach to tackling violence against women. The EU ratification of the Convention will need an EU-level legal framework and strategy for implementation, entailing the involvement of all stakeholders, including the social partners.

SECTION 2: GENDER-BASED VIOLENCE AND HARASSMENT AT WORK

Section 2 discusses trade union and social partner strategies relating to gender-based violence and harassment at work. This covers sexual harassment by colleagues, managers and supervisors in the workplace; third-party violence committed by clients, customers, students, etc.; and violence in public places connected to work, including during travel to and from work. It provides evidence, including data and feedback from trade unions and other stakeholders, that if gender-based violence is to be eliminated, then there is a need for a specific gender focus to tackle its underlying causes, which relate to wider structural gender inequalities.

Despite many challenges, including working within patriarchal structures and cultures, the report documents many inspiring and innovative ways in which women and men in trade unions have campaigned against gender-based violence and brought the issue into workplace negotiations, safety and health programmes, and initiatives on wellbeing at work. Examples are given from 80 collective bargaining agreements and union negotiated workplace policies, as well as union initiatives to raise awareness, train negotiators and campaign for an end to violence against women.

SECTION 3: DOMESTIC VIOLENCE AT WORK

Section 3 addresses the other main dimension of violence and harassment at work, that is, the spill-over of domestic violence at work. Domestic violence can involve a wide range of abuses including emotional and financial abuse, sometimes referred to as ‘coercive control’, which can affect a woman’s capacity to get to work and to participate effectively and productively in the workplace.

Although this is a relatively new bargaining issue in some countries, the report shows that an increasing number of trade unions and some employers recognise the role of the

workplace in preventing domestic violence, and the social and economic benefits that result from this. Workplace 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 in which trade union representatives have supported victims and negotiated measures for their protection and temporary leave from work, particularly when they leave a violent partner. These supportive measures can enable victims to stay in their jobs and retain their financial independence, while also ensuring that workers are safe at work.

The report draws on over 40 examples of collective bargaining agreements and union-negotiated workplace policies on tackling domestic violence at work, as well as awareness raising, training and campaigns carried out by unions, often in partnership with domestic violence organisations. In addition, the report shows that trade union representatives can play a key role in inter-agency and coordinated responses to domestic violence, and are well placed to show how violence and harassment in the workplace are closely connected to women's roles and their experiences of gender-based violence in the community, in public places and in the family.

SECTION 4: CONCLUSIONS AND RECOMMENDATIONS

A major conclusion from the report is that collective bargaining is one of the most important mechanisms for preventing and addressing 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, third-party violence or preventing domestic violence at work. However, the general trend towards reduced bargaining coverage and the decentralisation of bargaining reduces the capacity of trade unions in some countries to address gender-based violence and harassment. A further issue is that, as violence and harassment have become a mainstream safety and health and wellbeing at work issue, they are in danger of becoming de-gendered. Many unions therefore argue for effective gender mainstreaming strategies that will ensure that violence and harassment are addressed as a structural gender equality issue.

Having a strong legal framework as a backdrop is also viewed as being essential to enabling unions to negotiate concrete sectoral and workplace measures. Many unions point to Spain as demonstrating good practice in this respect: the Organic Law 1/2004 on protection from domestic violence seeks to combat acts of violence that are considered discriminatory and includes measures to enable victims of domestic violence to remain in work. This has resulted in many collective bargaining agreements, harassment and violence protocols and gender-equality plans containing provisions on both sexual harassment at work and domestic violence at work.

Raising awareness, and training union negotiators and workplace representatives to have the skills and knowledge to integrate gender-based violence, including domestic violence, is a further priority identified by trade unions. Similarly, having women in senior and decision-making roles, and as key negotiators in collective bargaining teams, is vital to ensuring that the issues are raised in negotiations. Some unions have used model agreements as a way of raising awareness, while also giving negotiators an evidence-based framework and appropriate language to be used in negotiations.

The report makes detailed recommendations for the ETUC, ETUC affiliates at the national level and European Trade Union Federations regarding the importance of integrating a gender dimension into violence and harassment programmes in the workplace and in negotiations with employers. Recommendations are also made for European-level guidelines on gender-based violence at work, and European lobbying and campaigns to ensure appropriate policy responses and a strong EU legal framework on the issue.

Recommendations are also made to the Council of Europe, the European Commission, Eurofound, the European Institute for Gender Equality and EU-OSHA, in areas such as robust data collection, the need for a strong accompanying legal framework following the EU ratification of the Istanbul Convention, and for greater attention to be given to gender mainstreaming in workplace programmes on violence and harassment at work, and in relation to domestic violence at work.

Finally, as part of the interviews and discussions held with trade unions and other stakeholders during the course of the project, and at the ETUC's European conference from 24 to 25 November 2016 in Madrid, the following 'Ten things to do' are a starting point for future actions at the national and European level.

SAFE AT HOME, SAFE AT WORK

Ten things that the ETUC and ETUC affiliates can do to tackle gender-based violence and harassment at work

1. Prioritise sectoral and company-based social dialogue between unions and employers, jointly agreeing workplace policies, procedures and awareness raising actions 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 gender-based violence and harassment onto bargaining agendas, particularly in male-dominated sectors.
3. Produce guidance and model workplace policies, and train workplace representatives to negotiate agreements and policies to tackle violence and sexual harassment at work, third-party violence, and the prevention of domestic violence at work.
4. Ensure that safety and health and wellbeing at work initiatives include a strong gender-based focus on the causes of and solutions to harassment and violence against women at work, and that they take into account gender inequalities and discrimination.
5. Give information and support to workers experiencing gender-based violence and harassment and domestic violence.
6. Work in partnership with NGOs and specialist violence against women organisations, for example in carrying out campaigns and union surveys to raise awareness about the extent and nature of gender-based violence at work.
7. Encourage women and men in leadership, negotiating and decision-making positions to raise public awareness and act as champions for a zero-tolerance approach to violence against women.
8. Highlight the economic and social case for tackling violence at work, including the business arguments such as improving workplace relations, enhancing wellbeing at work, retaining workers, reducing absence from work, and increasing motivation and productivity.
9. Lobby for the inclusion of effective measures to address gender-based violence at work and domestic violence at work in governments' national action plans on violence against women, as well as in the implementation of the Istanbul Convention and the proposed ILO instrument on violence against women and men in the world of work.
10. Implement measures to include and address gender-based violence and harassment in European sectoral social dialogue agreements and joint statements.

SECTION 1: INTRODUCTION

“The ETUC’s ‘Safe at Home, Safe at work’ project aims to share good practices and, with the support of experts, employers and the European Commission, to end gender-based violence. Our mission and objective is to support our affiliates in eradicating gender-based violence at work... This is not only because it is a cost for society, but because behind it, there are victims.” *(Montserrat Mir, Confederal Secretary, ETUC)*

1.1 GENDER-BASED VIOLENCE AT WORK: A TRADE UNION ISSUE

Gender-based violence and harassment at work is a core trade union and workplace issue affecting workers’ safety, health and dignity. It is strongly associated with high rates of absenteeism, high staff turnover and low health and wellbeing at work. It affects productivity and results in considerable costs to employers (ILO, 2016; EU-OSHA, 2011 and 2015; Eurofound, 2016). One Italian study found that 16% of workers resigned following violence at work, which affected twice as many women as men (ISTAT, 2010). In addition, violence and harassment are closely tied to stress at work – evidence shows that workers in stressful work environments are more likely to experience violence (Chappel & Martino, 2006; ILO, 2016b). Stress, along with other workplace issues such as an adverse working environment, work pressures and work intensity, are increasingly defined as psychosocial hazards for violence in the world of work (ILO, 2016b; Eurofound, 2015a). Ending gender-based violence and harassment in the workplace is an integral part of the objective of achieving equality at work and in society. The workplace has long been recognised as playing an important role in preventing and eliminating violence against women, and as such is one of many settings that can be included in an integrated and multifaceted approach to preventing gender-based violence (Kelly & Lovett, 2012; Hagemann-White et al., 2010).

Trade unions have been instrumental in broadening the concept of work and the reach of the workplace to include issues such as travel to and from work, travel for work meetings, third-party violence perpetrated by customers and clients, and the impact of domestic violence in the workplace. In this context, the ILO has used the terminology ‘world of work’ to capture the inter-relation between work, community and

family (Cruz & Klinger, 2011). From a gender-equality perspective it is a helpful development to view the workplace in the broader context of work and society, and it is important in helping to build an understanding of how domestic violence is a world-of-work issue that belongs in integrated workplace strategies and policies on violence and harassment. ‘Violence and harassment’ are increasingly defined as overarching concepts capturing “... a continuum of unacceptable behaviours and practices that are likely to result in physical, psychological or sexual harm or suffering. Within this continuum, there should be a particular focus on gender-based violence” (ILO, 2016b, para. 7.)

Gender-based violence is closely connected to women’s unequal status in society and the unequal distribution of social, economic and political power between women and men. As the ETUC’s 2014 study “Bargaining for Equality” showed, the economic crisis damaged women’s wages and rights at work and led to challenges for trade unions in collective bargaining and in their efforts to progress gender equality (Pillinger, 2014). The effects of crisis on women has been exacerbated by women’s employment insecurity, lower working hours, part-time work, and occupational segregation, which have often been neglected in assessments of the crisis (Karamessini and Rubery, 2013; European Commission, 2013; Villa and Smith, 2014). This has led to an increased risk of violence and harassment, particularly against women.

Gender-based violence can take many forms, and it results in physical, sexual, psychological or economic harm or suffering to women, as well as having negative impacts on families, communities, workplaces and societies as a whole (Council of Europe, 2011). Gender-based violence can occur in multiple settings: in the family, in the workplace, at school or college, on the street, in public transport – perpetrators can be family members, intimate partners, employers, co-workers, or strangers, amongst others.

1.2 THE ETUC'S 'SAFE AT HOME, SAFE AT WORK' PROJECT

The European Trade Union Confederation (ETUC) and its affiliates have a long history of campaigning and working to end gender inequalities, including gender-based violence.

The ETUC Action Programme on Gender Equality (2012-2015) focused particularly on gender-based violence, stating that “economic dependence and sexist stereotypes contribute to inequality and violence” and calling for “a new European legal instrument to combat violence against women”. It also set the goal of encouraging trade unions to address the link between domestic violence and workplace rights (Objective 5). The ETUC Action Programme on Gender Equality (2016-2019) (see Box 1) further elaborated on this priority and called on the ETUC and its members to continue to lobby for a strong legal framework at European level and for an ILO convention on gender-based violence, amongst other aims.

BOX 1: ETUC ACTION PROGRAMME ON GENDER EQUALITY (2016-2019)

PRIORITY 5: COMBAT SEXUAL HARASSMENT AND VIOLENCE AT WORK

Objective: To contribute to eliminating gender-based violence and harassment at work through adequate measures and actions protecting those people (most usually women) and those sectors mostly exposed to violence and harassment, also by third parties. Continue to make the link between domestic violence and work-level protection.

Key actions to reach this objective to be undertaken by the ETUC and its members include:

- ▶ Finalise the ETUC's 'Safe at Home, Safe at Work' project and consider the adoption of a policy resolution;
- ▶ Continue to lobby for a legislative framework at European level, on the basis of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;
- ▶ Continue to support the implementation of the European social partners' agreement on combating harassment and violence at work, also in coordination with the members of the Social Dialogue Committee;
- ▶ Call for an ILO convention on gender-based violence;
- ▶ Promote good practice guidance developed by affiliates at national and sectoral level.

In 2014 the ETUC's 8th March Survey for the first time collected information on how ETUC affiliates have addressed the issue of violence against women, identifying trends and shared concerns. The survey showed that some unions have been active in developing strategies and actions, including guidelines and collective bargaining agreements (CBAs), to address violence against women. The findings confirmed that the ETUC should continue to work on this issue, which led to the 'Safe at Home, Safe at Work' project. In addition, the ETUC gained inspiration from unions in Australia and Canada, and in particular from an Australian expert with a background of working in the domestic violence sector, Ludo McFerron of the University of Sydney, who had pioneered initiatives and agreements on domestic violence at work with Australian unions.

“Domestic violence at work became a bargaining issue in Australia because of the change in policy to supporting women affected by domestic violence to stay safely in their homes (excluding if necessary the violent family member). Many of these women were in employment, and they found that the support of their workplace was critical. Trade unions and domestic violence advocates worked together to make this support a standardised right by introducing a domestic violence clause into collective bargaining. The clause contains the right to paid domestic violence leave (e.g. to attend court for a protection order), the right to safety plans against domestic violence, and protection from discrimination.”

(Ludo McFerron, speaking at the ETUC's Madrid Conference)

This report is one of several actions carried out under the ETUC's 'Safe at work, Safe at Home' project, which aims to develop and improve trade union knowledge and instruments addressing gender-based violence and harassment at the workplace and in the negotiating agenda. The project has the following objectives:

- ▶ To contribute to the development of a trade union strategy at European level, including guidelines aimed at eradicating violence against women.

- ▶ To further encourage trade unions' work to deal with preventive measures against violence and harassment towards women in the labour market.

METHODOLOGY

The report draws on evidence collected in 11 country case studies of trade unions' and social partners' strategies and practices in tackling the two related dimensions of gender-based violence at work and the consequences of domestic violence at work.¹ More than 80 interviews were held at the national level with representatives from trade unions, NGOs and women's organisations/associations and gender experts in eleven Member States.² The interviews sought to identify how trade unions have approached the issue in social dialogue, collective bargaining, awareness raising and campaigns. As well as collecting examples of promising practices, the interviews also identified challenges faced by unions and suggested strategies to overcome them.

At the European level, interviews were held with thirteen EU stakeholders, NGOs and European trade union representatives.³

In addition, discussions both in the Project Steering Group,⁴ which met on four occasions during the project, and at the two-day European conference held in Madrid, 24-25 November 2016, also informed the evidence and recommendations provided in this report (see Box 2).

The report also draws on existing published national, European and international literature and evidence, including survey data from relevant sources such as the European Institute for Gender Equality (EIGE), Eurofound and EU-OSHA, amongst others.

BOX 2: ETUC 'SAFE AT HOME, SAFE AT WORK' CONFERENCE, MADRID, 24-25 NOVEMBER 2016

The ETUC 'Safe at home, Safe at work' conference was held to mark International Day against Violence against Women and discuss how the ETUC and its affiliates can strategically move forward together to end gender-based violence at work. The conference brought together nearly 120 representatives from trade unions and other stakeholders across Europe. Panel discussions were held with representatives from different countries and trade unions, and included representatives from European NGOs such as the European Women's Lobby and Companies Against Gender Violence (CARVE). Representatives from the European Commission, the European Institute for Gender Equality and the International Labour Organization spoke about their institutional roles in contributing to ending gender-based violence. The panel discussion addressed why gender-based violence is a trade union issue and how it has been approached by different unions.

Two workshop sessions examined, in further detail, strategies to address gender-based violence (in particular, sexual harassment in the workplace) and to raise awareness and address the prevention of domestic violence at work. Their conclusions have helped to inform the recommendations made in this report. A clear message from participants attending the conference is that a culture of discrimination and inequality at work cannot be separated from patriarchy and unequal gender relations in society, in the community and in the family.

1.3 THE IMPORTANCE OF A GENDER PERSPECTIVE

DEFINITIONS OF GENDER-BASED VIOLENCE

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) is based on the understanding that violence against women is a form of gender-based violence that is committed against women because they are women. The Convention states that violence against women is "... a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life..." (Article 3(a)). The UN Office of the High Commissioner for Human

1 Separate country case study reports have been produced on Belgium, Bulgaria, Denmark, France, Germany, Ireland, Italy, Netherlands, Slovenia, Spain and the UK. The reports cover gender-based violence at work and domestic violence at work. They detail the legal context, existing data, collective agreements and workplace policies, union awareness raising and campaigns, partnerships between unions and women's organisations, challenges faced by unions, and recommendations. The country case studies are published separately on the ETUC's website. The country reports also provide further information about the people and organisations that participated in interviews.

2 A list of the people and organisations interviewed in the country case studies can be found in the separate country reports published on the ETUC website.

3 At the European level, interviews were held with Emilie Jarrett, Policy Officer responsible for GBV, DG Justice, European Commission; Sarah Copey, EU-OSHA; Agnes Parent-Thirion, Eurofound; Iliana Stoicheva, Vice-President of the European Women's Lobby; Gigi Guizzo, CEPS Projectes Sociaux, CARVE Project, and Christina Olsen, Violence Against Women Division, Council of Europe. Interviews with European trade unions included Inga-Lena Heinisch and Christina Tilling, European Transport Federation; Veronica Fernandez Mendez, UNI Europa; Christine Jakob and Nadja Salson, European Federation of Public Service Unions; Ulisses Garrido, Education Director, ETUI; and Fabienne Scandella, Senior Researcher, ETUI Health and Safety Officer.

4 The Steering Group was made up of Scarlet Harris (TUC, UK), Rosanna Ruscito (CISL, Italy), Ekaterina Yordanova (FTTUB, Bulgaria), Andreja Poje (ZSSS, Slovenia), Tine Skov Jensen (LO, Denmark), Inga-Lena Heinisch (ETF), as well as ETUC representatives Montserrat Mir, Barbara

Rights' Committee on the Elimination of Discrimination against Women (CEDAW) defines gender-based violence as "violence that is directed against a woman because she is a woman or that affects women disproportionately".

CEDAW General Recommendation 19 identifies specific forms of gender-based violence in the workplace, including sexual coercion; gender-based workplace discrimination, stigmatisation and social exclusion; sexual harassment; and sexual exploitation and abuse; while gender inequalities result in a greater risk of being exploited or trafficked for forced labour or sexual exploitation.

Gender-based violence at work differs from other workplace issues because it is an invisible, highly sensitive and generally unreported issue. It is a major obstacle to the achievement of gender equality, and one of the most significant indicators of unequal gender roles and relations. It has the effect of reducing women's access to economic and social independence and is closely connected to discrimination. If there is tolerance of discrimination in the workplace, this has the effect of creating an environment where violence and harassment are likely to occur (Pina *et al.* 2009). Conversely, workplaces that have progressive human resource and equality policies, including on the prevention of harassment, as well as good consultation of workers and participation by them, are associated with higher earnings, reduced work pressure and a more satisfying work environment (Russell & McGinnity, 2011).

As well as affecting women disproportionately, violence and harassment at work particularly affect workers in vulnerable work situations. If a worker has limited protection, he/she will not only be more at risk of violence and harassment, but will be less likely to report it for fear of losing his/her job or being subjected to retaliation in the workplace. In addition, workplace dynamics, such as changes in the organisation of work or in working conditions, may be closely connected to violence and harassment. They affect women workers because of unequal power relations, low pay, precarious working conditions and other forms of abuse in the workplace, and on account of the economic crisis this situation has been worsening.

One in three women has experienced some form of physical and/or sexual assault since the age of 15 years (62 million women in the EU). Of women in senior management positions, 75% had experienced sexual harassment at work. (Fundamental Rights Agency, 2014)

A Eurobarometer survey carried out by the European Commission in 2016 found that 70% of Europeans believe that sexual harassment is a problem in their country – this ranged from 89% in Italy to 32% in Estonia. (European Commission, 2009)

As the ETUC and its affiliates have argued for many years, women face inequalities in the labour market and they often hold little decision-making or bargaining power over their terms and conditions of employment. The economic crisis has further exacerbated gender inequalities and the occupational segregation of women, and the labour market is increasingly typified by casualised and insecure forms of employment. As a result, trade union strategies to address gender-based violence at work have to be closely connected to struggles against inequality and gender-based discrimination.

The ETUC and unions across Europe have raised the issue of how austerity measures have had a disproportionate impact on women working in precarious jobs. Poverty and restricted access to decent jobs have contributed to violence against women and girls. Unions in Spain have highlighted the very negative impact of austerity cuts on resources to combat domestic violence, and have supported community-based campaigns to end cuts in services. In the UK, cuts in frontline services led the UN Special Rapporteur on Violence against Women to note that current austerity measures were having a disproportionate impact on the provision of services relating to violence against women, "but more generally, on other cross-cutting areas affecting women, such as poverty and unemployment, which are contributory factors to violence against women and girls" (UN, 2014, p. 6).

MULTIPLE AND INTERSECTING FORMS OF INEQUALITY

In addition, there is growing recognition of discrimination-related harassment and violence, including the risks faced by workers who are subjected to multiple and intersecting forms of discrimination. A strong message from unions across Europe is that violence and harassment at work need to be addressed within the context of broader struggles against inequality, gender-based discrimination and the over-representation of some groups of women in low paid, part-time and insecure work. Migrant women and women from black and minority ethnic communities are particularly affected by inequalities and low wages and are disproportionately represented in low-paid care work (European Parliament, 2017; UN, 2014). As a result, it is important that strategies to address gender-based violence at work take into account multiple and intersecting forms of discrimination and inequalities, and the strong connection between them and the unequal social and economic position of women. Very often, women who face multiple discrimination are not protected by labour laws, and unions interviewed in this report pointed to the risks faced by women migrant domestic and agricultural workers who face psychological, physical and sexual abuse as a result of their precarious employment situation.

The structuring of work around race and gender, and other forms of discrimination, have consequences for workplace relations and the mitigation of the psychosocial risks associated with violence and harassment. Struggles for women's agency (to enable women make decisions about their lives)

and voice (to participate, speak up and be heard) have been crucial in tackling the risks of violence and harassment. This also means that it is crucial for unions to recognise that violence against women is rooted in multiple and intersecting forms of discrimination and inequalities, which in turn are strongly linked to the social and economic situation of women. According to the UN Special Rapporteur on Violence Against Women "... the intersections between gender-based discrimination and other forms of discrimination that contributes to and exacerbates violence against women" are important for governments to take on board (UN, 2014). Similarly, as Fiona Williams (2016) argues, multiple social relations of gender, race and class not only help to reveal women's struggles around issues such as violence, they also show a capacity for "relational self-determination" in areas such as paid work and access to public services. In addition, psychosocial risks faced by migrant workers, for example, also suggest the need to understand the dynamics in the wider context of global neo-liberalism, and how they are reflected in gendered and racialised inequalities (Pillinger, 2017).

Women who experience multiple discrimination are disproportionately affected by violence and harassment at work, and many are in jobs where there is a risk of third-party violence. An intersectional approach can therefore be helpful in understanding risks and vulnerabilities to violence and harassment and recognising that discrimination (for example, in relation to gender, race and ethnicity, age, disability, LGBT, poverty and migration) is closely connected to unequal power relations. This understanding can help shift mainstream trade union activity towards considering the impact of gendered power relations, as well as race, ethnicity and migration, for example in the union work in organising, recruiting and representing workers. In particular, workplaces where the predominant workforce is one gender or one ethnicity are often more hostile to individuals who do not conform to established gender norms or who come from under-represented groups.

- ▶ Racialised workers are more exposed to workplace harassment than white workers, and experience different forms of harassment, often taking the form of attacks on their personal characteristics, while black and ethnic minority women report more frequent incidents of unwanted sexual attention and sexual coercion than white women (Einarsen et al., 2010; TUC, 2015). Black and ethnic minority women's over-representation in high-risk and insecure occupations – for example in health, education and the social care services – also puts them at greater risk of violence and harassment. The UK TUC has issued guidance for negotiators and workplace representatives on challenging racist abuse and violence in the workplace in the light of a recent increase in racist abuse and violence in the workplace (TUC, 2016a).
- ▶ Violence and harassment against lesbian, gay, bisexual, transgender and intersex (LGBTI) workers has become increasingly commonplace (FRA, 2013; OHCHR, 2012; Guas, 2012), and trade unions are addressing the issue through awareness-raising campaigns and collective

bargaining. Examples of this are the training of LGBTI workplace equality representatives in the UK public service union UNISON, and bargaining for workplace representatives to address LGBTI violence at work by the Spanish CCOO union, where "LGBTI-phobia" is identified as a psychosocial risk.

1.4 THE ROLE AND STRUCTURE OF COLLECTIVE BARGAINING

This report has a specific focus on collective bargaining as one of many tools for an integrated approach to combating gender-based violence. Collective bargaining remains the most effective tool used by unions to reduce gender inequalities and prevent and combat violence and harassment at work (Pillinger, 2014; Dickens, 1998; Pillinger, Schmidt & Wintour, 2016). Collective bargaining agreements that address violence and harassment at work often make reference to sexual harassment as one dimension of violence and harassment, which are frequently viewed as a psychosocial risk. In some cases, CBAs deal exclusively with the issue of preventing and combating sexual harassment. These cases typically commit employers to developing policies and procedures for dealing with complaints and preventing violence, training for managers and workplace representatives in identifying signs of violence and harassment, data collection and the monitoring of incidents of violence and harassment at work, and the provision of practical, health and psychological support for victims.

Some CBAs refer to a wide range of types of violence and harassment at work, including third-party violence and domestic violence at work. Collective bargaining is an effective model for addressing the spill-over of domestic violence into the workplace, and employers are increasingly recognising that the workplace can play a role in supporting workers to stay in their jobs, which enables them to continue living in their homes and their communities (as discussed further in Section 3).

In interviews, however, unions spoke of the negative economic and political environment surrounding collective bargaining, including the increasing decentralisation of bargaining, a reluctance on the part of some employers in some sectors to conclude agreements, lower levels of collective bargaining coverage, and, in some countries, government policies that openly discourage social dialogue or that have reduced the rights of trade unions to negotiate and bargain.

Table 1 gives a brief overview of the collective bargaining structure for each of the country case studies and indicates how this affects the overall role of unions in their bargaining to prevent and tackle violence and harassment at work.

TABLE 1: BRIEF OVERVIEW OF COLLECTIVE BARGAINING IN THE ELEVEN CASE-STUDY COUNTRIES

COUNTRY	COLLECTIVE BARGAINING
Belgium	CBAs are legally binding and cover most of the private sector through central-level, sector-level bargaining and company-level negotiations. In the public sector, unions negotiate protocols, which are agreed through the mandatory negotiation of proposed changes in regulations. CBAs can be made binding through a Royal Decree, which will apply to all employers/workers concerned. An example is CBA No. 25 on equal pay, agreed in the National Labour Council on 15 October 1975 and made binding under a Royal Decree on 9 December 1975. No national CBA on violence and harassment at work has been signed.
Bulgaria	Article 4 of the Labour Code specifies that employers and unions can formulate agreements at three levels (national, sectoral and company/municipal) for a period of up to two years. Unions in several sectors have sought to strengthen the social dialogue with municipalities, and there are currently 210 municipal collective CBAs covering workers in the education and transport sectors. CBAs allow for non-trade union members to join the agreement, under certain conditions. Sectoral agreements have become more significant in recent years with this possibility of extending an agreement across all companies in a sector. CBAs have been signed in several sectors, including health, education and transport.
Denmark	National-level bargaining provides the framework for collective bargaining, and negotiations at company level have become increasingly important. The social partners are responsible for drawing up policies and agreements to combat gender-based violence in the workplace, as part of bargaining on all aspects of working life. In the past two decades, stress, violence and harassment have become an important part of the bargaining agenda. Subjects regulated by legislation have appeared in CBAs, including leave schemes, stress, violence and harassment.
France	Collective bargaining takes place at the national, sectoral and company levels; at each level there are detailed rules about who can negotiate and what is required for an agreement to be valid. Since 2001 companies in France with at least 50 employees are under an obligation to bargain on the topic of gender equality at the workplace (égalité professionnelle). There is no mention of violence in the workplace, harassment or domestic violence in the list of the subjects to be dealt with, although many negotiations do include these issues.
Germany	Under the Works Council Constitution Act, the Works Council has the (important) right to participate in decision-making on a long list of subjects, such as recruitment, time management, work organisation, etc. Sexual harassment and harassment are not directly listed as obligatory topics for negotiation, but they can be proposed by one of the two parties.
Ireland	Collective bargaining in Ireland is voluntary and takes place largely at sectoral and workplace level. It was put under severe strain during the economic crisis. The introduction of the Industrial Relations (Amendment) Act 2015, however, marked a significant change in Irish industrial relations by providing a new definition of collective bargaining, and any engagements or negotiations must have the object of reaching an agreement on wages or other conditions of employment. Agreements and workplace policies on violence and harassment at work, including a Code of Practice on violence and harassment, have been agreed between the social partners.
Italy	Collective bargaining takes place at national sector, sectoral, workplace and territorial levels. In the public sector there has been no national agreement since 2007, and the general trend is to decentralise bargaining. The trilateral agreement of 2009 (signed by the government, the employers' organisation, Confindustria, and the main union confederations, with the exception of CGIL) permitted decentralised bargaining and enabling workplace agreements to undercut sectoral CBAs. Under the national agreement of 28 June 2011 (passed into law as Article 8 of Decree 138/2011), the three main confederations agreed a joint position with Confindustria, granting them stronger control over workplace agreements. A national agreement on violence and harassment was signed by the social partners in 2015, and several sectoral agreements have followed this framework.
Netherlands	Bargaining principally takes place at sectoral level through framework agreements and in the public sector through 15 sub-sector agreements. Since the economic crisis, agreements have been more difficult to conclude. Bipartite and tripartite agreements can be translated into legislation. At company level, works councils are mandatory in companies with more than 50 employees, who have rights relating to information and consultation and who are entitled to take part in decision making. CBAs on violence and harassment have been agreed in the context of wellbeing at work.
Slovenia	The majority of workers are covered by collective bargaining. In the private sector, negotiations take place at sectoral and company level. National bargaining for the private sector ceased in 2005, but was followed by a national CBA on pay in 2008. In the public sector, agreements are made at the national, sectoral and company levels. Tripartite national agreements between the unions, employers and government cover a range of labour, economic and social issues. Several sectoral CBAs include clauses on violence and harassment and bullying at work. Agreements and policies on violence, sexual or other harassment and bullying at work have been agreed at company level.

Spain

Collective bargaining in Spain is typified by sectoral CBAs (on a national, regional and provincial level), as well as individual company agreements. Some company agreements take priority over sectoral agreements in areas such as work-life balance and working hours. Organic Law 3/2007 on gender equality has paved the way for unions concluding agreements at company level through equality plans which include preventing sexual and gender-based harassment.

UK

In the private sector bargaining takes place mainly at company or workplace level, whereas in the public sector, national sectoral agreements are common. An increasing number of public-sector employers bargain at the level of a single organisation. There is no legal requirement for the employer to negotiate with the union except where there has been a legally binding decision that the unions should be recognised for bargaining. UK unions have criticised the government's attempts to reduce the rights of trade unions, including the right to strike under the 2016 Trade Union Act, which further curbs unions' ability to organise and bargain on issues relating to gender equality and gender-based violence. Unions have principally put their efforts into negotiating agreements and policies on harassment and violence at workplace level.

1.5 EUROPEAN POLICY RELEVANT TO GENDER-BASED VIOLENCE AT WORK

The ETUC's 'Safe at Home, Safe at Work' project took place at a time of significant national, European and global discussion about violence and harassment at work. The Istanbul Convention, which represents one of the most comprehensive frameworks on violence against women, has been signed by all EU Member States and was adopted by the EU on 11 May 2017 (discussed below). The ILO is discussing the introduction of a new global standard (Convention and/or Recommendation) on violence against women and men in the world of work. Trade unions at the European level and globally are involved in a range of activities, including ITUC's "No to gender-based violence at work" campaign, to ensure that trade unions take a systematic approach and campaign in preparation for the development of a standard-setting item at the International Labour Conference in 2018. The EU is also a signatory to several international treaties and conventions that have framed the scope and definitions used. They include the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform for Action (BPfA).

Tackling gender-based violence has been an important priority for the EU and a core issue in EU gender-equality initiatives and programmes. It has involved a focus on female genital mutilation, trafficking for sexual exploitation, and domestic violence and abuse, as well as sexual harassment at work. It has been a consistent priority in recent European Commission gender-equality strategies and has been implemented through a range of 'soft' non-legislative measures on awareness raising and mutual learning, and through EU-funded national campaigns on violence against women⁵ and through DAPHNE-funded projects.

EU legislation has played a key role in promoting gender equality across Europe in a wide range of areas relating to equality and non-discrimination in the workplace, and equal

pay for work of equal value, among others. Violence and harassment are included in several EU Directives on equality and non-discrimination, and are an important issue in new Directives on victims' rights and European protection orders (see below). Although there is no one Directive dealing with the issue of gender-based violence, trade unions and NGOs across Europe have called for a strong legal framework in the form of a Directive, which would help to strengthen the implementation of the Istanbul Convention, which was signed by the European Council on 11 May 2017. The European Parliament (2017) has similarly called on the Commission to draw up a comprehensive EU-wide strategy for preventing and combating gender-based violence, which should contain a binding legislative act.

The following are the main European Union Directives that are relevant to addressing the issue of violence against women:

- ▶ Sexual harassment is part of the scope of the three main Directives on the principle of equal treatment of women and men: Directive 2006/54/EC⁶ on equal treatment in employment and occupation; Directive 2004/113/EC⁷ on equal treatment in goods and services; and Directive 2010/41/EU⁸ on equal treatment in self-employment. Directive 2006/54/EC defines sexual harassment as "any form of unwanted verbal, non-verbal or physical conduct of a sexual nature [...] with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment." Under Article 26 (prevention of discrimination): "Member States shall encourage, in accordance with national law, CBAs or practice, employers and those responsible for access to vocational training to take effective measures to prevent all forms of discrimination on grounds of sex, in particular har-

5 The most recent funding programme is the Rights, Equality and Citizenship Programme 2014-2020. See: http://ec.europa.eu/justice/grants1/programmes-2014-2020/rec/index_en.htm

6 Council Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).

7 Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.

8 Council Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.

assessment and sexual harassment in the workplace, in access to employment, vocational training and promotion.”

- ▶ Harassment is included in Directives on race equality and on equal treatment/non-discrimination in employment. Directive 2000/43/EC⁹ on race equality prohibits discrimination and harassment on the grounds of race and ethnic origin, and Council Directive 2000/78/EC¹⁰ sets out a framework for combating discrimination in employment, including harassment, on the grounds of religion or belief, disability, age or sexual orientation.
- ▶ Directive 2011/36/EU¹¹ on preventing and combating trafficking in human beings, and protecting the rights of victims of trafficking, includes provisions on law enforcement with regard to perpetrators of human trafficking, the prevention of human trafficking and the protection of victims.
- ▶ Directive 2011/99/EU¹² on the European Protection Order, and Regulation (EU) No 606/2013 on mutual recognition of protection measures in civil matters, ensure that civil and criminal protection orders mean that women who have suffered domestic violence are protected from the perpetrators if the victims travel or move anywhere in the EU. Protection orders, especially emergency protection orders, offer women and children important protection in situations of immediate danger. In relation to the workplace, there may be situations where employers will need to address breaches of protection orders in the workplace.
- ▶ The victims’ rights directive, Directive 2012/29/EU¹³ on common minimum standards on the rights, support and protection of victims, contains some important measures for women victims of violence. The Directive strengthens the rights of victims of crime so that any victim in the EU is entitled to a minimum level of rights, protection, support, access to justice, whatever their nationality and wherever in the EU the crime takes place. The Directive is particularly important in giving protection against retaliation and repeat victimisation, for example when a woman reports a crime, or initiates court proceedings, which could also potentially impact on the workplace.

Combating violence against women was a priority in the European Commission’s Strategy for Equality between Women and Men 2010-2015, and is included as a priority in its Strategic Engagement for Gender Equality (2016-2019) (European Commission, 2015). This states that combating gender-based violence and protecting and supporting victims is a continued priority, requiring effort from all actors to improve data, raise

awareness, change attitudes and improve victim support and access to justice. These objectives will be achieved through the EU’s accession to and implementation of the Istanbul Convention, the Victims’ Rights Directive and laws on European protection orders. The Strategy includes the launch of awareness-raising campaigns and the establishment by Eurostat of a multi-disciplinary task force to conduct an EU-wide prevalence survey on gender-based violence, and in 2017 EIGE will introduce a measurement framework for violence against women for the Gender Equality Index, to aid common definitions and harmonised indicators across the EU-27.

In addition to carrying out preparatory work for the EU’s ratification of the Istanbul Convention, the European Commission’s Gender Equality Unit (DG Justice) is currently engaged in a range of activities on combating violence against women.¹⁴

- ▶ On 25 November 2016, Commissioner Jourová launched the “Focused Actions to Combat Violence against Women” in fulfilment of the commitment to eradicating all forms of violence against women and girls, and to step up efforts across the European Union and engage all stakeholders collectively to combat violence against women. (European Commission, 2016a)
- ▶ A Eurobarometer survey on attitudes to violence against women was published on 25 November 2016 (European Commission, 2016b)
- ▶ The Commission has issued several calls for proposals to support transnational grassroots projects to prevent violence against women or support victims, including a new call issued in 2017.
- ▶ Other actions included a conference on gender-based violence held under the Maltese Presidency of the EU in 2016, and plans for two seminars on violence against women on policies in Member States to tackle violence against women or help victims, under the Commission’s Mutual Learning Programme. The Commission has launched a social media campaign with the message “Say no! Stop violence against women”.
- ▶ With Eurostat, the Commission has begun to collect existing national administrative data on violence against women, including rape, sexual assault and intentional homicide. A new European prevalence survey to identify the extent of gender-based violence is also planned to be carried out via national statistical offices.
- ▶ Other activities finally include a greater effort to disseminate good practices across the Member States and to mainstream gender-based violence in other policy areas, e.g. in DG Employment and DG SANTE.

As an occupational safety and health risk, several EU policies have recognised the importance of new risk factors associated with sexual and psychological harassment. Examples of this are the opinion of the European Commission Advisory Committee on Safety, Hygiene and Health Protection at Work on “Violence at the Workplace” (adopted in 2001) and

9 Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

10 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation lay down a general framework for combating discrimination on the grounds of religion or belief, disability, age or sexual orientation as regards employment and occupation, with a view to putting into effect in the Member States the principle of equal treatment.

11 Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA

12 Directive 2011/99/EU of the European Parliament and of the Council of 13 December 2011 on the European protection order

13 Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA

14 Information provided in an interview with Emily Jarret, DG Justice.

the Community strategy 2007–2012 on health and safety at work, the latter of which highlighted “the emergence of new risk factors, including violence at work, sexual and psychological harassment”. There are some concerns, however, that the European Commission is backtracking on its commitments to implement measures to tackle the growing psychosocial risks at work. This is suggested by, for example, the failure to produce a new EU strategy on health and safety at work since the ending of the most recent strategy in 2012, a more individualised approach to the mental health of workers, and a reduced focus on workplace prevention.¹⁵

1.6 ISTANBUL CONVENTION

The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) entered into force on 1 August 2014. At the time of writing this report it had been signed by all 27 EU Member States and ratified by 14 of them (Austria, Belgium, Denmark, Finland, France, Italy, Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain and Sweden). Some Member States have already amended their legislation in line with the Convention, including by introducing new laws on stalking. The Convention sets out a framework for national laws and programmes to prevent and end violence against women through an integrated approach, with the overall objective of changing socially and culturally based attitudes and behaviour. It also introduces a set of obligations for States, in accordance with the due diligence principle, to take the measures necessary to prevent, investigate, punish and provide reparation for acts of violence against women. Reference is made to the workplace in relation to sexual harassment at work, and programmes on preventing domestic violence can be construed as having a role for employers and the workplace.

Although trade unions across Europe are disappointed that the Convention does not go further in specifying more concrete measures for employers and unions, particularly with regard to the prevention of domestic violence at work, the Convention is widely welcomed as a significant driver for better policies on violence against women and for progress to be made on these policies through integrated, coordinated programmes that have the potential to involve trade unions and employers.

- ▶ Article 12 of the Convention sets out a range of measures to prevent violence against women, which can be interpreted widely to include workplace measures by: “... encouraging employers, including those in the private sector, to promote women’s participation in the labour force and to adopt policies acknowledging that violence is an obstacle to women’s employment.” At an institutional level, campaigns can be used to mobilise both the public and the private sectors in prevention, for example by targeting employers’ associations or trade unions (Hester &

Lilley, 2014). Although no specific reference is made to how employers and unions in the workplace can play a role in providing support for victims and in preventing violence against women, including domestic violence, Article 12 can be broadly interpreted as including measures to encourage employers “to promote women’s participation in the labour force and to adopt policies acknowledging that violence is an obstacle to women’s employment” (Hester & Lilley, 2014, p. 19).

- ▶ Article 20 refers to “general support services”, which include training and assistance with finding employment.
- ▶ Article 40 defines sexual harassment in employment using the definition given in the EU Directive. This includes “verbal, non-verbal or physical conduct of a sexual nature unwanted by the victim” (para. 208), where the conduct in question creates an intimidating, hostile, degrading, humiliating or offensive environment. This is further explained: “Typically, the above acts are carried out in a context of abuse of power, promise of reward or threat of reprisal.” (para. 209).
- ▶ Under Article 17(1), policies, guidelines and self-regulatory standards to prevent violence against women should be construed as encouraging more private companies to establish protocols or guidelines on, for example, how to deal with cases of sexual harassment in the workplace. A report for the Council of Europe on the implementation of Article 17 stresses: “The importance of trade unions in putting the prevention of violence against women on the agenda must also be recognised.” Trade unions can be a vital partner as well as a forum for the exchange of ideas and visions of ways to combat gender-based violence from the perspective of the private sector (Morbeck, 2016, p. 20).
- ▶ An independent expert body, GREVIO, has been appointed to monitor the implementation of the Convention. GREVIO will evaluate legislative and other measures taken by the Parties to the Convention and can issue general recommendations on the themes and concepts of the Convention.¹⁶

On 11 May 2017, the European Council adopted two decisions on the signing of the Istanbul Convention. This was based on two proposals adopted by the European Commission, issued on 4 March 2016, for a Council Decision on the signing/conclusion of the Istanbul Convention on behalf of the European Union (European Commission, 2016c and 2016d). The European Commission’s view is that a wide and meaningful scope will help to bolster coordination across the EU on combating violence against women. Ratification is widely believed to have potentially far-reaching consequences, including by placing a legal obligation on the EU to ensure that all Member States implement the Convention, as well as providing the basis for the establishment of measures for this at the EU level (Freixes *et al.*, 2016).

¹⁵ Interview with Fabienne Scandella, Senior Researcher, responsible for psychosocial risk in occupational safety and health, ETUI.

¹⁶ GREVIO submitted the first monitoring reports of Austria and Monaco in 2016 and in 2017 will submit reports from Albania, Denmark, Montenegro, Turkey, Portugal and Sweden.

“The signing of the Convention would send a strong political message about the EU’s commitment to combating violence against women, create coherence between its internal and external action, as well as complementarity between national and EU levels, and reinforce its credibility and accountability towards its international partners. It would also consolidate the EU’s action targeting violence against women by achieving a more coordinated approach internally and giving it a more effective role in international fora.”

(European Commission, 2016d, p. 7)

The commitment to ratify the Convention was also reinforced by a Joint Statement of the three main EU institutions issued at the 2017 EU Presidency Conference on EU responses to violence against women held in Malta (see Box 3).

BOX 3: JOINT STATEMENT OF THE EUROPEAN COMMISSION, PARLIAMENT AND COUNCIL PRESIDENCY, 2017¹⁷

At the EU presidency conference on EU responses to violence against women held in Malta on 3 February 2017 the three European Institutions (European Commission, Parliament and Council Presidency) signed a Joint Statement calling the Member States to:

- ▶ To ratify the Council of Europe’s Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) for those Member States not having done so yet;
- ▶ To fully and effectively implement the Istanbul Convention;
- ▶ To conclude and finalise the decision on the EU accession to the Convention with a meaningful scope; and
- ▶ To engage in a constructive and open dialogue with the Presidency, the Commission and the Council of Europe to clarify that the definition of gender-based violence is the violence that happens to women because they are women and to reaffirm the ongoing commitment to solve the outstanding issues.

The three European institutions also commit themselves to zero tolerance of violence against women and girls.

The ETUC and European NGOs believe that the ratification of the Istanbul Convention should be carried out with the broadest scope possible. Research commissioned by the feminist think-tank G5+ argues that the EU should sign and ratify the Convention as it has jurisdiction over large parts of it, for example under Article 157 of the TFEU, and in areas such as sexual harassment, employment and occupation, access to goods and services, the protection of victims, the sexual exploitation of women and children, asylum and migration, third-country mobility, cross-border cooperation, and data protection. Obligations in relation to the protection of women, girls and children with disabilities also exist under the United Nations Convention on the Rights of Persons with Disabilities, to which the EU and its Member States are Contracting Parties. The study by G5+ also proposed that the EU should adopt a Directive to ensure that the Istanbul Convention becomes part of the legal system of Member States, allowing for direct applicability in the event of a Member State’s not transposing the Directive and with recourse to judgments of Court of Justice of the European Union (Freixes et al., 2016).

The European Coalition to End Violence Against Women and Girls, which is made up of 26 European NGOs, including the ETUC, has called on the EU to fully ratify and integrate the Convention into EU legislation, and on Member States to ratify and fully implement the Convention. The Coalition has also called for funding for sustainable services and cooperation with civil society and women’s rights organisations. The Coalition believes that ratification will be a major step for the EU in combating violence against women (see Box 4).

¹⁷ See Press Release: <http://www.europarl.europa.eu/news/en/news-room/20170206IPR61393/malta-joint-statement-european-institutions%E2%80%99-call-for-action>

BOX 4: EUROPEAN COALITION TO END VIOLENCE AGAINST WOMEN AND GIRLS

The European Coalition to End Violence Against Women and Girls calls on:

- ▶ The EU Member States and the Council of the European Union to sign and conclude (ratify) the Istanbul Convention in 2017, and within the broadest scope of EU competence as possible.
- ▶ The European Parliament to adopt a strong resolution consenting to the EU conclusion of the Istanbul Convention.
- ▶ The European Commission to develop a comprehensive EU Strategy to prevent and combat all forms of violence against women that is coordinated and monitored by an EU coordinator body against VAWG.
- ▶ The EU institutions to fully integrate the Istanbul Convention into the EU legislation and policy framework, establishing a relevant and representative EU monitoring framework.
- ▶ The EU Member States to ratify the Istanbul Convention without reservations and to put in place the necessary legislative and policy changes to ensure its adequate implementation, including allocating sustainable and adequate funding to, and cooperating with, civil society and women's rights organisations.

SECTION 2: GENDER-BASED VIOLENCE AND HARASSMENT AT WORK

2.1 VIOLENCE AND HARASSMENT AGAINST WOMEN AT WORK: AN IMPORTANT AND (RE)EMERGING WORKPLACE ISSUE

This section discusses the role that unions play in tackling the first theme discussed in this report, namely, gender-based violence and harassment in the workplace. It identifies key successes, promising practices and challenges faced by unions, with a view to identifying what has been learned from this work for future trade union negotiations and actions. It discusses measures to deal with violence and harassment perpetrated in the workplace by managers, supervisors and co-workers, and violence and harassment by third parties such as customers, clients or pupils. The next section, Section 3, discusses the related issue of how trade unions have addressed the spill-over of domestic violence into the workplace.

Although violence and harassment at work are not new issues in the workplace, there are a range of dynamics that have led to increasing attention being given to violence and harassment as both a gender equality issue and an occupational safety and health issue, particularly in relation to rising levels of psychosocial forms of violence at work. This is a positive development of mainstreaming; however, the shift in focus to recognising violence and harassment as a psychosocial risk – and one that needs to be dealt with in policies on safety and health and wellbeing at work – has not been without its problems. One concern expressed by women interviewed in this report is that occupational safety and health measures do not always give visibility to gender-based forms of violence and harassment, where the issue is often presented in gender-neutral language. This is relevant, as psychosocial risks have become a growing problem and persistent gender inequalities have been exacerbated by increasing levels of pressure, stress and insecurity at work, and a labour market across Europe increasingly typified by casualisation and precarious working conditions. Psychosocial forms of violence have increased as new risks have emerged from the economic crisis, such as changing patterns of work and growing work pressures, and casual and precarious forms of employment, which disproportionately affect women workers.

2.2 LAW AND POLICY ON GENDER-BASED VIOLENCE AT WORK

Law and policy to combat and prevent gender-based violence at work exist in some form or other in all EU Member States, where they have been implemented through governmental programmes, strategies and national action plans. An overwhelming message from the unions involved in the ETUC project is the importance of a strong legal framework on gender equality and gender-based violence, particularly in defining specific obligations on employers and ensuring that unions are present both in consultations on government policies and in negotiations on developing workplace policies. One problem identified by unions is the gap in the legislative coverage of small companies and casual forms of employment, in which women predominantly work.

The current legal framework on gender-based violence at work in the eleven country case studies can be found in Appendix 1. This shows that recently adopted legal frameworks governing harassment and violence at work for all workers feature widely in wellbeing at work/safety and health legislation, while specific equal opportunities or anti-discrimination laws spell out harassment and sexual harassment as they affect women and other groups who are protected by that legislation. In most countries, wellbeing at work and equal opportunities/anti-discrimination legislation use the same definitions, and attempts have been made to streamline the law. Some laws on harassment and violence specify clear roles for trade unions, as is the case with the wellbeing at work legislation in Belgium and the Netherlands, the relationships at work legislation in Slovenia, and Organic Law 3/2007 in Spain. Some recent legislation – for example, in Denmark, Slovenia, the Netherlands and Belgium – includes psychosocial factors that cause stress and harassment, such as working conditions and the organisation of work. Some legal frameworks cover third-party violence at work, although this protection was recently removed from legislation in the UK

In some Member States, legislation sets out requirements for CBAs to be concluded at sectoral or workplace level to ensure that effective procedures are established in workplaces. This is the case, for example, with the Belgian Act on Wellbeing at Work of 28 February 2014, which gives employers, the role of prevention and sets out detailed requirements for them, e.g.

to develop effective procedures under joint employer-union Safety and Health Committees, and through workplace 'persons of confidence' who are to provide confidential support for victims. In Spain, workplace equality plans, which are provided for under Organic Law 3/2007, also include provisions on preventing sexual harassment. Nevertheless, unions point to the lack of coverage in small enterprises, where the majority of women work.

2.3 DATA AND EVIDENCE

One in six workers across Europe report having been subjected to acts of violence, harassment and unwanted sexual attention (Eurofound, 2015a). Data from the 2005–2010 European Working Conditions Surveys show that although physical violence at work has declined, other forms of violence and harassment, such as threats, intimidation, bullying, harassment and unwanted sexual attention, are prevalent at work (Eurofound, 2015b). Increased attention to psychological violence and a growing body of research evidence have highlighted the growing problem of psychological violence, particularly bullying/mobbing, which negatively affects the health and wellbeing of workers (Eurofound & EU-OSHA, 2014). Indeed, psychological forms of violence are a major and growing problem and are often invisible in the workplace (ILO, 2016a; EU-OSHA, 2011; Eurofound, 2016). Evidence from trade-union and other surveys discussed in this report also points to significant problems of sexual harassment at work, and has led to trade union mobilisation, awareness raising and negotiations in recent years.

Appendix 2 gives a snapshot of data (collected in the 11 country case studies) from recent national surveys that has helped to give visibility to the hidden issue of sexual harassment at work. This data shows that estimates of the prevalence of sexual harassment at work range from 3% of workers in Belgium, between 4% and 20% of workers in Denmark, and between 16% and 20% and in France. A TUC (2016) survey on sexual harassment at work in Great Britain found that more than half of all women and nearly two-thirds of women aged 18 to 24 years said they had experienced sexual harassment at work. In a 2016 survey of women members of the UK University and College Union (UCU), on sexual harassment in the university/college sector, 54% reported a personal experience of some form of sexual harassment at work. Of interest is that the TUC and UCU surveys showed that many women did not trust the system, fearing retaliation and/or loss of career advancement and promotional opportunities, and very few reported sexual harassment to a union representative. Young women in particular, for example academics on precarious contracts, were very vulnerable to sexual harassment. Some women in the UCU survey spoke about how they had changed the way they dressed and behaved in the workplace, and how sexual harassment had wrecked their lives and careers. A survey in Ireland found that there had been a 14% increase in the number of cases of bullying of nurses and midwives reported over the previous four years, and 6% of respondents said they were bullied daily (INMO, 2014). This was largely put

down to greater stress and pressure at work, and reductions in staffing levels.

Cases of sexual harassment in public places are also documented in recent surveys, which indicate that this is a growing problem affecting women's safety and mobility, travel to and from work and access to safe spaces. In one official survey in Germany, 52.2% of the women interviewed had experienced sexual violence and harassment either in a public space, at work or in the private sphere (BMFSFJ, 2003). A 2016 survey of sexual harassment in public places by the End Violence Against Women coalition (EVAW, 2016) found that 85% of women aged 18–24 years had experienced sexual harassment/unwanted sexual attention in public places and 45% had experienced unwanted sexual touching.

In relation to third-party violence, estimates range from 2% to 23% of all workers; this rises to 42% of those who work in direct contact with the public, many of who are women (EPSU et al, 2013). A union survey in Bulgaria found that over half of women transport workers experienced violence from passengers (FTTUB, 2010). Health workers are another group reporting high rates of third-party violence in Bulgaria (CITUB, 2003), and in the education sector in Denmark there was a 50% increase in physical violence against teachers by pupils (Danish Teachers Organisation, 2015). In the hotel and catering sector, a survey by 3F found that 24% of workers had experienced sexual harassment at work, mainly from clients. The Netherlands Working Conditions Survey 2011 (TNO/CBS, 2011) found that 24% of workers were exposed at least once to some form of third-party violence from people such as customers, clients, students and passengers.

According to the survey by the European Fundamental Rights Agency (FRA, 2014), Denmark has one of the highest reported rates of sexual harassment in Europe, with 80% of women respondents stating that they had been sexually harassed (in places not confined to the workplace) at some point in their lives and 37% had experienced sexual harassment in the previous year. Analysis of the FRA survey by the Dutch Institute for Gender Equality and Women's History, ATRIA (Römkens et al., 2016), found that in the Netherlands 78% of respondents had experienced sexual harassment (not solely in the workplace), as against the EU average of 55%. There, 26% of respondents had been victims of stalking, in contrast to the EU average of 18%.

Some unions are so concerned about rising levels of sexual harassment at work, and the low rate of reporting of the problem, that they are seeking to carry out surveys to use as an evidence base for negotiations with employers. This was the motivation behind the recent TUC and UCU surveys on sexual harassment carried out in 2016. In 2017, the CSC-Alimentation et Services union in Belgium, which organises workers in female-dominated jobs in the cleaning, services, catering and home help sectors, launched a survey, the results of which will be published in mid-2017. An ETF survey of women transport workers with affiliates across Europe, will be published in May 2017. Sexual harassment in the workplace in Denmark is the subject of a new research study being carried out by Professor Anette

Borchorst, Aalborg University, with the involvement of several trade unions.

2.4 NEW AND EMERGING ISSUES RELATING TO VIOLENCE AND HARASSMENT AT WORK

“Sexual harassment at work is a serious problem which can have far-reaching repercussions for the victims and impacts on the whole workplace. Together with the employers, we have the means to address it effectively through collective agreements.”

(Montserrat Mir, Confederal Secretary, ETUC)

As mentioned above, violence and harassment, including sexual harassment at work, are not new workplace issues. However, some new and emerging issues in recent years, including a focus on a broad ‘world of work’ perspective, have helped to shift both the focus and the attention given to violence and harassment, particularly as they affect women workers.

THIRD-PARTY VIOLENCE AND HARASSMENT

In some sectors, working with clients or customers exposes workers to a higher risk of violence, for example in night-time services such as bars and cafés where alcohol is consumed, and in places where criminal justice or policing are carried out, where front-line services are provided by emergency first responders, where money or prescription drugs are handled, where care or education services are provided, and where work is done in isolated or mobile locations or at unsocial hours. Significant risks of violence from third parties are faced by transport workers such as bus drivers, ticket collectors, conductors and air stewards; and in predominantly female occupations, shop assistants, bar and restaurant workers, teachers, nurses and social care workers are often exposed to violence and harassment. Unions in the public sector report that in some sectors, such as social care for older people, disabled people and people with mental health difficulties, aggression from service users has become commonplace. A lack of staffing can contribute to aggressive behaviour, particularly where service users may have complex needs that are not being met. In the health sector, where austerity measures have led to insufficient resources for staffing and for high-quality services, there has been an increase in both the incidence and the severity of violence in the workplace.

▶ In Denmark, rising levels of harassment are put down to a more aggressive working environment and an increase in the number of patients with mental health and addiction

problems (Danish Nurses Organisation, 2015). New government spending, amounting to 21 million kroner for 2015-2018, was allocated to the prevention of violence against hospital staff. However, a large part of the funding has already been spent, and the union believes that additional resources are needed to deal with this growing problem.

- ▶ The FOA union of health and social care workers and the Danish Nurses’ Organisation held a joint conference on 29 May 2012 to discuss how to deal with the problem of violence in psychiatric care. The unions note that increased pressure of work, the risks involved in working alone and the shortage of staff have contributed to the problem. Since 2012, five women health-care workers have been killed by patients in psychiatric care and treatment facilities. Unions believe, however, that little priority is given to addressing this issue. Recently, when a male police officer was killed, almost all politicians and the prime minister expressed their sympathy and publicly condemned the killing. The FOA union attempted to question why the killings of the health-care workers did not receive the same amount of political attention. FOA believe that underlying this is the perception that working as a public servant in a female-dominated field is not as important or prestigious as being from a male-dominated field, even though it may be just as dangerous.
- ▶ Research by Nordic unions on sexual harassment in the hotel, restaurant and tourism industry (HRCT, 2015) highlights significant problems, especially third-party sexual harassment directed at women, in particular young women with insecure jobs. In the tourism industry, alcohol consumption, the tipping culture, irregular working hours and the notion that the customer is always right, and that harassment is part of the job, all contribute to a culture of third-party harassment. The research highlights the key role the social partners could play in challenging and addressing endemic sexual harassment in the sector.
- ▶ Teachers’ unions in Ireland have been involved in discussions with employers about addressing bullying and sexual harassment in schools. For example, teachers’ unions participated in the Anti-Bullying Forum and an Anti-Bullying Working Group, established in 2012 by the Department of Education and Skills and the Department of Children and Youth Affairs. A public consultation with stakeholders and the wider community informed a new Anti-Bullying Action plan, which paid particular attention to homophobic bullying and sexualised forms of bullying.
- ▶ An ETUCE-EFEE project has supported teacher unions and education employers to become more proactive in their national social dialogue structures when reducing and preventing third-party violence and harassment (ETUCE-EFEE, 2012). It has included support to include third-party violence and harassment as issues in collective agreements in the education sector, and to assist teachers’ unions and education employers to set up strategies on health and safety for schools, focusing in particular on preventing and tackling third-party violence in schools. The results of the project show inspiration and increased knowledge on the part of teachers’ trade unions and education employers of

strategies and good-practice examples of how to prevent, mitigate and tackle third-party violence. It also led to the dissemination of the multi-sectoral guidelines on third-party violence and a guide for the education sector about how to prevent and mitigate it.

BOX 5: MULTI-SECTORAL GUIDELINES TO TACKLE THIRD-PARTY VIOLENCE AND HARASSMENT AT WORK

The social partners from the commerce, private security, local government, health and education sectors have agreed 'Multi-sectoral guidelines to tackle third-party violence and harassment at the workplace'. The guidelines were signed on 16 July 2010 by European social partners (EPSU, UNI Europa, ETUCE, HOSPEEM, CEMR, EFEE, EuroCommerce, CoESS, 2013). The guidelines were drawn up to address the growing concern about the impact of third-party violence on workers' health and dignity, as well as the economic impact on absence from the workplace, morale and staff turnover. In addition, the social partners note that third-party violence can also create an environment that is unsafe for, and even frightening to, the public and service users, and thus has a negative social impact. According to the guidelines, different studies show that between 2% and 23% of all workers have experienced third-party violence. Owing to the concentration of female workers in the sectors where contact with members of the public is most prevalent, women are more often confronted with third-party violence than men.

The guidelines set out the practical steps that can be taken by employers, workers and their representatives/trade unions to prevent and mitigate problems of third-party violence and harassment. The steps reflect best practice developed in the sector while shaping joint approaches to health and safety, and build on the existing obligations on employers and workers in the field of health and safety. In particular, employers also have an obligation to consult workers and/or their representatives on all matters relating to health and safety at work.

The joint evaluation report on the follow-up to the implementation of the multi-sectoral guidelines (EPSU-HOSPEEM-CEMR-UNIEUROPA-EUROCOMMERCE-ETUCE-EFEE-CoESS, 2013) contains examples of how they have been used and promoted within the framework of projects, campaigns, awareness raising and concrete actions. Examples include the signing of an agreement on third-party violence in local and municipal government in Denmark, an information and awareness-raising campaign in Finland, and seminars and training in Germany, France, the Czech Republic, the Netherlands, Latvia and the UK. A range of difficulties were identified, such as low awareness about and understanding of third-party violence, cuts in public spending, insufficient

resources and the need for more specific, detailed guidelines for some sectors, such as health. Some EPSU affiliates in local government have stated that they would be prepared to go beyond the guidelines and conclude an agreement. Public-sector workers also highlighted the problems associated with austerity measures, which have led to greater exposure to third-party violence. The evaluation suggested a range of ways forward, including further research, a social partner agreement on third-party violence, and further implementation of the agreement through Sectoral Social Dialogue work programmes.

The report recommended additional steps to be taken, including negotiations for a social partner agreement on preventing third-party violence, the implementation of the guidelines as an integral part of all the Sectoral Social Dialogue work programmes of the respective social dialogue committees, training for social partners in implementing the guidelines, and more financial support from the European Commission for national projects.

TRAVEL TO AND FROM WORK

The risk of violence against workers travelling to and from work is a new 'world of work' issue affecting those on early or late shifts, including those who work at night because of late opening hours in retail. In the UK, the Freedom from Fear campaign organised by the shop workers' union, USDAW, is a good example of negotiations to enhance the safety of women shop workers on their way to and from work late at night or early in the morning.

- ▶ The 'Freedom from Fear' campaign run by the UK retail union, USDAW, has focused on increasing safety for women shop workers who travel to and from work either late at night or very early in the morning. An USDAW survey on the issue showed management that it needed to be tackled jointly. Concrete examples of what has been agreed include giving women time to come off the supermarket checkouts, once the store had closed, so that they could move their cars to directly outside it, as car parking for staff was often the furthest away. Another example is fitting a loud bell to the staff entrance, so that when women arrive for their shift in the early hours of the morning they can be heard and let into the store straight away. Previously they could find themselves standing outside for up to twenty minutes as they could not be heard. In one case, reps got a manager to agree to walk to the local train station at night to see the route that women who were finishing at 22hrs had to walk. It was then agreed that women could change their shifts if they were concerned about their safety. Other examples include keeping car park lights on until staff have left the premises, and agreeing to finish a shift early to enable staff to catch the last bus home.

GENDER-BASED VIOLENCE AS AN OCCUPATIONAL SAFETY AND HEALTH ISSUE

As we have shown, violence and harassment at work are increasingly understood as an occupational safety and health risk affecting workers' physical and psychological wellbeing, and as a core safety and health issue in occupational risk assessments and prevention programmes (EU-OSHA, 2011). This has helped unions to extend workplace prevention programmes on violence and harassment. Adverse working conditions are increasingly defined as occupational risks to be tackled through occupational risk assessments and prevention programmes. In Belgium, for example, sexual harassment and violence are principally dealt with as psychosocial risks in the workplace under the 2014 Act on Wellbeing at Work. Under the Act, stress, psychological harassment and sexual harassment at work can result from workers being exposed to an aspect of the work environment or behaviour over which the employer has some control (e.g. work organisation, work content, working and living conditions at the workplace or interpersonal relationships).

Although integrating gender-based violence into occupational safety and health initiatives has presented challenges, some unions have put considerable effort into mainstreaming gender-based violence in occupational safety and health measures, especially by addressing psychosocial risks in risk assessments and in company policies.

- ▶ Unions in the Netherlands see that one potential way to address violence and harassment in joint employer-union negotiations is through the agreement of 'Health and Safety Catalogues', which are legally binding. Under the Social and Economic Council, social partner representatives at sector or company level are required to agree on detailed policies, and their agreements are recorded in a Health and Safety Catalogue. They also inform the work of the labour inspectorate. Some of catalogues have been drawn up with specific guidance on violence and harassment. Examples include catalogues in the service sector, including for pharmacists, taxis and petrol stations, and also for vocational training schools, ambulance services, banks, utility companies, and various government institutions. However, unions interviewed for the country case study stated that in this work, sexual harassment and gender-based violence are rarely addressed in the safety catalogues.
- ▶ The TUC gender and occupational safety and health Gender Sensitivity Checklist provides guidance on how to include a wide range of gender equality issues, including violence against women and sexual harassment. This checklist is currently being updated, and it is anticipated that a strengthened priority will be given to preventing and tackling sexual harassment at work.
- ▶ A Women's Health and Safety at Work Toolkit drawn up by the Scottish Trade Union Confederation (STUC) Women's Committee sets out a range of hazards affecting women in the workplace. It argues that "Discrimination against women can heighten safety hazards. Low pay and income, the burden of caring for others or domestic violence can add to workplace stress; women working alone or on night shifts may feel more vulnerable." The guidance shows that unionised workplaces are safer for women, and that workplace reps, equality reps and safety reps play a key role in negotiating better health and safety for members at work. Violence against women is one of the issues covered in the toolkit, which includes a model policy and checklist to help union reps address domestic violence at work, together with a sexual harassment checklist for them.
- ▶ A similar approach has been taken by the Italian confederation, CISL, in a booklet which set out a gender-based approach to safety and health, including psychosocial risks and work-related stress, a gender-based approach to company risk assessments and a ten-point plan for workers to promote safety and health at work (based on Legislative Decree 81/08). Shifting the focus to an occupational safety and health issue has enabled unions to strengthen and mainstream violence against women throughout the union.
- ▶ 'Workers' safety representatives training for better occupational health of workers', a project run by the Slovenian confederation ZSSS and co-financed by the Health Insurance Institute of Slovenia, was carried out in 2013-2014 to enhance workers' occupational health and to increase the number of workplaces with an elected worker safety representative. The trade union has provided professional training for workers' safety representatives and has set up an e-network for them. ZSSS see this network as being important in addressing sexual harassment at work in the future. A further project run jointly by ZSSS and the main health insurance institution has been exploring ways to reduce absenteeism at work. The project has trained workplace representatives to identify and address health and wellbeing, and to promote good relations between colleagues in the workplace. It has also examined psychosocial risks and violence at work. Harassment and violence at work were revealed to be a significant problem. Workshops have been held with the health insurance institute and with experts, including some from the USA. The project has helped to reduce absenteeism, and the insurance companies have stated that their return on their investment in the project has been four times what they put into it.

“Harassment and violence are a workplace risk... We tried to find out what is wrong and why people are absent from work, and we look at how health and wellbeing can be improved and violence prevented in the workplace. In practice we found that harassment was reported as a significant issue by many participants.” *(Andreja Poje, Executive Secretary, Economics and Equal Opportunities, ZSSS)*

- ▶ The Danish Strategy for safety and health measures up to 2020 was agreed in consultation with the social partners in 2011. The strategy states that a good psychological working environment is important for communities, businesses and individuals, and it can increase productivity, improve efficiency and reduce absenteeism among employees. Guidelines, drawn up by the Danish Work Environment Authority in consultation with the social partners, were a response to growing concern about sexual harassment at work. The guidelines, entitled ‘A good psychological working environment: prevention of sexual harassment’, were sent out to all employers in Denmark in 2016 with the aim of preventing sexual harassment in the workplace and giving employers practical advice on how to handle it. Unions involved in drafting the guidelines wanted to include stronger regulatory measures setting out the obligations on employers.
- ▶ A further resource is the Dutch Labour Inspectorate’s health and safety check online tool, introduced in 2016 to help employers and workplace representatives to assess the state of play of occupational health and safety. It includes checklists on psychosocial risks and work pressure, including ‘bullying, intimidation, sexual intimidation’ and ‘third-party violence’. This enables employers to identify areas of risk and to carry out a more detailed thematic review to address the problem.
- ▶ In Italy, through a network of ‘mobbing and stalking counters’, the state agency INAIL (Occupational Health and Workers Compensation Authority) has introduced assistance for workers who have been mobbed and harassed. Some unions also run mobbing and stalking counters. See Box 6 below on union action to prevent and tackle mobbing at work.

BOX 6: UNION ACTION TO PREVENT AND TACKLE MOBBING AT WORK: THE ROLE OF ‘MOBBING AND STALKING COUNTERS’

In Italy, mobbing is recognised as an urgent health and safety risk in the workplace, and one that results in physical, psychological strain and suffering. It is a growing problem, linked to changes in the organisation of work and an increase in work demands. Several unions spoke about the growing danger of mobbing being viewed as a gender-neutral issue, although in practice the majority of victims are women, and mobbing often takes the form of sexual harassment. As Mole (2012) argues, workers are not viewed as sexualised or gendered subjects, and this limits the understanding of the issue as a form of gender discrimination and unequal gender relations. Interviews with those responsible for both the government’s mobbing counter (Sportello Mobbing INAS) and the counters run by the unions UILPA and CGIL spoke of the growing problem of mobbing at work, including sexualised forms of it. Overall, it is estimated that 80% of workers contacting mobbing counters are women – many are victims of either sexual harassment or domestic violence.

In addition to the mobbing and stalking counters run by the state agency INAIL (Occupational Health and Workers Compensation Authority), unions have also established mobbing and stalking counters across the country. These services are often more accessible to workers when they are provided and run by unions, and they are often trusted by workers. The counters provide advice, support, information and the informal and formal resolution of complaints made by victims of mobbing. The dedicated mobbing and stalking counter in Naples has a good practice, whereby a network of psychologists, mediators, lawyers and police aim to reduce violence and mobbing. According to Anna Letizia (coordinamento donne Napoli, CISL), this network “plays a pragmatic role and through the network they help us, along with municipal social workers, to make the best possible decisions for victims.” The counter was established in 2010 and is run by volunteer workers, lawyers and psychologists. It is led by an energetic and committed women’s officer, who has built a network with all sectors – health, education, social work, police, lawyers, courts – to ensure that service providers are aware of the needs of women experiencing violence. The counter deals with violence against women and stalking (as the majority of cases are about women), and its staff support and accompany women to court and help them to make decisions. Since 2010, approximately 100 cases have been reported to the police. Ongoing support is offered to women as investigations are carried out. The Naples counter disseminates leaflets, raises awareness and conducts training with judges.

In many large workplaces, and particularly in the public sector, mediators/advisors provide confidential advice and support for victims of harassment. In Belgium and the Netherlands, legislation provides for the appointment of workplace ‘persons of confidence’ who ensure confidential support to victims of violence. In Slovenia, the introduction of the 2009 decree on measures to protect workers’ dignity at work in state administration led to the appointment and training of workplace counsellors. To date the Ministry of Labour, Family, Social Affairs and Equal Opportunities has trained over 600 workplace counsellors to this end, and the head of each public administration service is required to publicise the role of the counsellors. The counsellor gives advice and helps to mediate and resolve an issue. Good practices have been established in the police and army; these are sectors where complaints of sexual harassment had been made in the past.

2.5 COLLECTIVE BARGAINING AGREEMENTS AND WORKPLACE POLICES

The CBAs collected in the ETUC ‘Safe at Home, Safe at Work’ project show a variety of approaches to collective bargaining, from statements of principle and requirements to be elaborated in workplace or in sectoral policies or agreements, to more detailed provisions that define different elements of violence and harassment at work, setting out prevention programmes, awareness raising, workplace procedures and employers’ responsibilities, as well as providing for psychological or other support to victims. Some CBAs focus on all forms of violence (physical, psychosocial, sexual harassment), while others address solely the problem of sexual harassment. Often the issue is addressed from a gender perspective, as part of equality bargaining and gender mainstreaming strategies, in recognition of the fact that sexual harassment and violence are discrimination-related violations of women’s rights (ETUC, 2014). Some agreements have addressed the issue of third-party violence, particularly in female-dominated sectors.

Appendix 3 lists nearly 120 agreements and workplace policies collected in the eleven country case studies, 80 of which address violence and harassment at work, with a particular focus on sexual harassment at work.

A further 40 agreements and policies on domestic violence at work were collected – they are discussed in the next section of this report. A summary of these, including examples of good practice agreements and policies identified in the eleven country case studies, are set out below.

An analysis of these agreements shows a range of different approaches taken by unions in their collective negotiations on violence and harassment at work. These tend to fall within one or more of the following three areas:

- ▶ ‘Gender equality/sex discrimination’: As a gender equality issue, violence and harassment are integrated into agreements on gender equality in the workplace, with a particular focus on sexual harassment.

- ▶ An ‘integrated equality approach/non-discrimination’: This is where violence and harassment are considered part of an integrated equality/non-discrimination approach where gender is one of multiple grounds (race, disability, gender, religion or belief, sexual orientation, age, etc.). The main focus is on discrimination-related harassment affecting one or more of these groups.
- ▶ A ‘dignity harm/wellbeing at work’ approach: Violence and harassment are included in health, safety and wellbeing at work programmes covering all workers. In most cases violence is viewed as a psychosocial risk and reference is also made to sexual harassment.

a) European Social Partners’ Autonomous ‘Framework Agreement on Harassment and Harassment at Work’ (2007)

An overarching framework on violence and harassment, which has framed a large number of CBAs across Europe, is the 2007 autonomous ‘Framework Agreement on Harassment and Harassment at Work’ (hereinafter referred to as the 2007 European Social Partners’ Framework Agreement), signed by the European social partners (BusinessEurope, ETUC, CEEP and UEAPME) in 2007. The framework agreement applies to all workplaces and all workers, irrespective of the form of employment contract or relationship. A useful definition of violence and harassment at work is found in the agreement, encompassing physical, psychological and/or sexual dimensions, whether in one-off incidents or more systematic patterns of behaviour. It states that violence can be perpetrated amongst colleagues, between supervisors and subordinates or by third parties (e.g. customers, clients, patients, pupils), and that harassment and violence can be carried out by one or more managers or workers with the objective of creating a hostile work environment.

According to the final joint report by the European Social Partners on the implementation of the agreement, it has led to the introduction of a substantial number of national- and sectoral-level agreements, as well as legislation, to protect workers from violence, including harassment and sexual harassment (BusinessEurope, ETUC, CEEP and UEAPME, 2011).

The following are some examples of how the European Social Partners’ Framework agreement has been implemented at national level.

- ▶ Renewed attention has been given to violence and harassment at work by unions and employers in Italy since the signing of a national agreement in 2015, after ten years of negotiation. The agreement, signed by the three trade union confederations (CGIL, UIL and CISL) and the employer’s organisation (Confindustria) adopts the definitions and text of the 2007 European Social Partners’ Framework Agreement in an annex. It specifies that, within three months of signing a declaration, employers’ associations and trade unions at territorial level must meet to identify procedures and structures to provide support,

including psychological and legal counselling, for victims of workplace violence and harassment. A declaration annexed to the agreement can be directly implemented at company level and aims to ensure that all companies, including small ones, sign a declaration. On this basis it is up to every company to implement its own procedures and internal declarations in conformity with the contents of the agreement. Currently, unions are engaging in discussions with employers and are raising awareness in order to get the employers of medium-sized and small enterprises to sign the agreement, and sectoral and territorial agreements are being agreed. Examples include recent territorial agreements between employers and unions, signed in 2016 in Vicenza and Sicily. They include a three-year plan of positive actions in the workplace. Unions recognise that more needs to be done at company level to help workers report cases of violence and harassment. Some union representatives believe that the agreement is the first step in implementing stronger measures in the workplace, including sanctions and measures to prevent violence.

- ▶ The French social partners signed a national inter-professional CBA 'on harassment and violence at the workplace' on 26 March 2010, and the government extended the agreement by a ministerial decision on 23 July 2010. It transposes the 2007 European Social Partners' Framework Agreement and complements the national inter-professional agreement on stress at the workplace signed on 2 July 2008, which was also based on a European framework agreement and was made compulsory by a ministerial decision on 23 April 2009. The agreement is mandatory for all employees and employers, and unions and companies are invited to "adopt the agreement at company level, to declare that violence and harassment in the workplace are not tolerated and to envisage concrete and appropriate measures to prevent them and to respond if they occur". Further, the national agreement provides a list of items which should be dealt with at company level, including an appeal procedure, respect for confidentiality, disciplinary sanctions, mediation and consultation of an external expert. It also underlines the responsibility of the employer to intervene and to adopt appropriate measures and sanctions with the involvement of the social partners.
- ▶ In Belgium, the 2007 European Social Partners' Framework Agreement has informed both the new law on Wellbeing at Work and guidance issued by the National Labour Council.
- ▶ In Denmark, sexual harassment has largely been addressed as a work environment issue, and several agreements comply with the 2007 European Social Partners' Framework Agreement. The main labour market organisations – the Danish Confederation of Employers (DA) and the Confederation of Trade Unions (LO) – issued a declaration on implementing the EU Framework Agreement on harassment and violence at work in 2008. The social partners in the Danish State Sector also implemented the agreement as part of the 2008 CBA on Cooperation and Joint Consultation Committees in State Sector Enterprises and Institutions.

- ▶ The 2007 Social Partners' European Framework Agreement has been translated into Dutch and is annexed to the implementing recommendation agreed by the Dutch social partners in November 2008 in the National Labour Foundation. It recommends that the parties should engage in collective bargaining at sector and company level and should take serious steps to prevent and combat harassment and violence at work. It states that it is in everyone's interests to promote mutual respect in the workplace, as this contributes to a company's success and to employees' job satisfaction.
- ▶ Slovenian and Bulgarian unions have drafted national framework agreements on violence, harassment and stress, implementing the European Social Partners' Framework Agreement on Work-Related Stress (2004) and the European Social Partners' Framework Agreement on Harassment and Violence at Work (2007). However, in both countries employers have refused to sign the agreement, and have preferred to implement the European framework agreements through awareness-raising measures such as seminars and training events, awareness-raising materials and sample company procedures.

b) National and sectoral agreements and workplace policies

In **Belgium**, all workplaces are required by law to have policies and procedures in place to deal with harassment and violence. The national CBA on the prevention of stress at work, concluded in 1999 between the social partners and the National Labour Council (CCT No. 72 of 30 March 1999) covers violence and harassment. Negotiating workplace agreements is the responsibility of the social partners inside each company. In practice, most companies have established specific procedures and complaints mechanisms, including action plans for managing psychosocial risks and the appointment of 'persons of confidence'. These workplace policies have been negotiated through agreements between the social partners in workplace committees on safety and health at work ('prevention committees'). In addition, the National Committee on Wellbeing ('l'humanisation du travail') plays an important role in supporting social dialogue at company level. The EU-OSHA ESENER (2009) survey found that Belgium, along with Scandinavian countries, had the greatest number of implemented workplace procedures on bullying and harassment at work, with more than 60% of Belgian companies involved. However, trade union confederations do not monitor agreements or policies agreed by the social partners in the workplace. This has made it difficult to identify how sexual harassment has been addressed in agreements and policies.

In **Bulgaria**, most sectoral agreements in the last ten years have included clauses either on non-discrimination and/or on the prevention of violence and harassment, although few specifically define or set out measures to combat sexual harassment at work. The three main sectors where good practice CBAs have been concluded on the issue are health, education

and transport, which are also the sectors that have the highest levels of violence at work.

- ▶ The health sector was the first in Bulgaria to address violence systematically as an occupational safety and health issue, particularly in relation to third-party violence in sectoral CBAs and the establishment of occupational safety and health committees in the workplace. As a result of Bulgaria's participation in the Joint Programme on Workplace Violence in the Health Sector, with the ILO, ICN, WHO and PSI (2010) the Federation of Health Trade Unions (affiliated to CITUB) and the Medical Federation (PODKREPA) participated in a national survey and seminars on workplace violence in the health sector, which subsequently informed agreements on violence at work.
- ▶ The Federation of Health Service Unions and the CITUB first agreed clauses on violence at work in 2004, including the introduction of better security in public spaces to reduce third-party violence. Clauses on violence and harassment have been included and maintained in agreements since 2006 (under Part III of the sectoral CBA on 'Health and safety at work'). This includes prevention measures to be taken jointly between employers and trade unions and the establishment of Working Conditions Committees to investigate and deal with complaints. A further agreement, of 14 May 2015, between the Bulgarian national health insurance fund and the Union of Civil Servants (PODKREPA) and the Federation of Health Care Unions (CITUB), states that the employer shall protect the dignity and honour of the employee and undertake measures to prevent the moral or physical violation of the employee (Art. 6).
- ▶ In the transport sector, specific agreements on violence against women have been signed with employers, based on the long-term campaign initiated by the FTTUB. (See the example of the FTTUB campaign in Box 11 in the next section.) The 2012–2014 CBA in the transport sector includes a special chapter on 'Protection against violence at the workplace and gender equality', which provides for joint actions by employers and trade unions to prevent violence and harassment as part of a zero-tolerance approach. Since 2010, FTTUB has negotiated the same clauses in eight company-level agreements (covering companies in freight, public transport, etc.). The process of persuading employers to sign sectoral agreements was assisted by the guidelines drawn up by the European sectoral social dialogue (CER employers' association and unions) for the railway sector. Additional agreements with a specific focus are the CBA with Bulgarian Rail against violence against women at the workplace, signed on 7 March 2012, and the CBA with Sofia airport on violence against women in the workplace, signed on 25 November 2012. Municipal-level non-binding agreements were concluded on joint actions to prevent work-related harassment and violence against women.
- ▶ A CBA with the Municipality of Sofia covers cooperation and joint action on the prevention of work-related harassment and violence against women in the city's urban

transport companies. The agreement was signed by the Mayor of Sofia on 25 November 2009 and paved the way for similar agreements in other municipalities across Bulgaria. The same text was signed with the municipalities of Varna, Burgas and Sliven on 25 November 2013. These municipal agreements have been used as the basis for signing further CBAs in municipal factories and plants, including in city transport. A new agreement with Gabrovo Municipality was signed in 2015 and a public awareness-raising campaign was launched in the four cities across Bulgaria where FTTUB has an agreement on urban transport in place (Sofia, Varna, Burgas and Gabrovo), and also on rail passenger transport (the national railway company BDZ). One of the successes of the campaign was that stickers reading 'Stop gender-based violence at work' were displayed in buses, trams, trolleys and trains.

- ▶ Other agreements to prevent discrimination and to protect the most vulnerable workers were signed in the metal sector by CITUB, PODKREPA and the Employers' Union in the Metal Industry on 16 April 2015. A Sectoral CBA on the Mining of Mineral Resources, 2015, states that the parties to the contract must monitor discrimination that results in the violation of the dignity of a person or the creation of a hostile or dangerous work environment, together with other indicators, as set out in the anti-discrimination act. The Bulgarian Post CBA, 2014-2016, on the prevention of discrimination, states that "The employer commits to zero tolerance of discrimination and violence (physical, psychological or sexual) at the workplace." The sectoral CBA on Breweries, of 27 August 2015, states that the employer must undertake the measures necessary to avoid any form of discrimination, including by creating a healthy social environment at work. The National Federation of Energy Workers' sectoral CBA, 2013, sets out measures to prevent the moral and physical abuse of a worker or employee performing their duties at the workplace, and to improve their safety and health.

In **Denmark**, violence, harassment and sexual harassment are principally dealt with through workplace policies, some of which are drawn up on the basis of CBAs. Many employers, particularly in large companies, have drawn up internal complaints procedures in the workplace to combat harassment and sexual harassment. These often have a focus on prevention. In the majority of cases they are drawn up in consultation with trade unions. Although most workplaces have implemented policies on sexual harassment at work, in some sectors either such policies do not exist or workers are unaware of them. As 3Fs study of sexual harassment in the hotel and restaurant sector (cited above) found, only around one-quarter of workers knew of a formal policy for handling sexual harassment (Analyse Denmark, 2015).

- ▶ A workplace policy that demonstrates good practice is the agreement between unions and Post Danmark, the largest postal company in Denmark with approximately 15,000 employees. The policy for the Funen and South Jutland postal area was agreed with unions and is regarded as a

good practice because it includes detailed guidelines and measures on bullying, harassment and sexual harassment, as well as domestic violence at work.

- ▶ A national agreement signed by the Danish Working Environment Authority, the Employers' Confederation and LO-Trade Union Confederation, dating back to 2001, stipulates that local agreements have to be adopted to tackle mobbing, harassment and sexual harassment at work. Guidelines have been adopted and an amendment has been made to the labour law to affirm that "the work does not entail any risk of physical or mental health deterioration owing to bullying/harassment, including sexual harassment". The agreement has led to a wide range of local agreements both at company level and in municipalities/regions. In the 2008 Agreement on Cooperation and Joint Consultation Committees in State Sector Enterprises and Institutions, the parties to the agreement (the State Employers' Authority and the Confederation of Danish State Employees' Organisations) added a new clause on harassment and violence: "The Cooperation Committee shall lay down guidelines that ensure a working environment where employees are not exposed to mobbing, (sexual) harassment or violence from colleagues, management or a third party. The Cooperation Committee must continuously see that the guidelines fulfil their purpose" (Article 5(10)).
- ▶ The general CBA for the Danish regional and municipalities sector was signed in 2008 by the two employers' unions (Local Government Denmark and Danish Regions) and the Danish Association of Local Government Employees' Organisations. It contained a new agreement on preventing, identifying and managing harassment and violence, including sexual harassment and third-party violence at work, and specified that workplace co-determination committees in each region/municipality had to actively prepare guidelines on how to prevent harassment and violence by 1 April 2010. In 2009, two booklets were produced, jointly, to assist the co-determination committees in drawing up the guidelines. Good practice case studies have been highlighted in three municipalities, a regional institution, a hospital and a campaign partnership between a municipality, a region and a traffic company (Local Government Denmark, Danish Regions and the KTO, 2010).
- ▶ A further agreement, signed by the employers and the Danish Association of Local Government Employees' Organisations on 1 April 2015, set aside two million Danish crowns to fund a study on the psychosocial working environment in the sector. However, unions have found that employers are resistant to addressing this issue (harassment, bullying, mobbing and discrimination). When unions put the psychosocial working environment on the table for tripartite discussions in 2016, the employers refused to discuss it, claiming that it was not a severe problem and that the existing legal framework already secured a good psychosocial working environment (Eurofound, 2016).

In **France**, violence and harassment at work are regularly included in sectoral and workplace collective agreements and negotiations on gender equality conducted at company level.

- ▶ Examples of good agreements negotiated by French unions include an agreement adopted in June 2013 with SAFRAN (aerospace/defence/security) on the 'prevention of sexual harassment and violence at the workplace'. The agreement defines harassment and violence at the workplace, and identifies measures to be taken in order to prevent violence and harassment and to guarantee the safety and health of workers.
- ▶ The agreement with La Poste includes a Section VIII in its CBA on 'professional equality', signed by all unions on 3 July 2015, which refers to 'violence and sexual harassment at the workplace, violence committed by clients and domestic violence'. It states that the company will not tolerate, and will sanction, moral and sexual harassment; it will support workers by paying legal fees when cases of third-party violence are taken to court; and HR and management are encouraged to carry out regular information campaigns for the benefit of workers.
- ▶ UDES (union of employers in the social and solidarity economy), with twelve branches, concluded a CBA on professional equality between women and men in November 2015. Article 9 deals with combating gender-based and sexual violence.
- ▶ On 8 March 2013 the French public sector adopted the first CBA on the issue of "professional gender equality" and Chapter 4 of the agreement deals with the obligation to prevent all kinds of gender-based violence at the workplace as well as domestic violence detected at the workplace. Amongst the definition of the concepts, the legal obligations and sanctions, it foresees training sessions for all new civil servants and management. It underlines the importance of the role of the occupational safety and health committee to detect and prevent violence.

In **Germany**, gender-based violence has been addressed in CBAs under four main headings: constructive conflict management; fair and loyal behaviour at the workplace; protection against discrimination, mobbing and diversity; and (less often) sexual harassment. Few agreements, however, refer explicitly to sexual harassment at work.

- ▶ An agreement with Volkswagen AG, dating back to 1996, entitled 'Partnerschaftliches Arbeiten am Arbeitsplatz' (collegial working at the workplace,) which was an initiative of the Works Council to prevent and inform workers about all kind of discrimination, mobbing and sexual harassment.
- ▶ A company policy agreed in 2009 with unions at Deutsche Telekom AG (DTAG) includes violence, violence prevention and sexual harassment at the workplace. A company directive, 'Policy on personal security', entitles each employee to have a workplace free of physical and psychological

violence and a 'fear-free' working environment. DTAG also runs training workshops for managers. It has trained 'harassment managers' who give advice, guidance and support to employees and victims, and who are themselves advised and supervised by a 'harassment management' working group which meets regularly.

- ▶ In January 2016 Deutsche Bahn AG adopted a company agreement 'for equal treatment and protection against (sexual) harassment and discrimination'. It goes further than what is provided for in the legislation by organising training sessions for managers and employees and setting up help-lines for staff, and it is active in empowering and training female employees, including by training them in self defence against physical and sexual violence perpetrated by clients.

A further good practice is the agreement signed in 2012 with the Charité – University Hospital Berlin on sexual harassment. Two brochures have been published on the topic, giving practical advice to employees, students, patients and managers about the internal appeal procedure and victim's rights. In 2014 Charité initiated a project called 'Watch-Protect-Prevent' and in the same year it launched a survey on the topic amongst its employees. This led to the development of a policy on the prevention and treatment of sexual harassment in 2016.

In **Italy**, unions in many sectors have negotiated agreements on violence and harassment or are in the process of negotiating new agreements following the implementation of the 2007 European Social Partners' Framework agreement (discussed above). Certain sectors stand out as being particularly innovative in highlighting gender-based violence at work:

- ▶ Transport sector unions have ensured that most company-based agreements make reference to the prevention of violence against women. An increase in women bus and train drivers and conductors in recent years has led to a much greater focus on women's safety and on the growing incidence of third-party violence and harassment against women. This has led the unions in the transport sector to propose a single protocol with actions for each transport sub-sector. Two innovative national agreements on gender-based violence in the workplace have been signed: one with the ANAS (the national road management authority), which sets out a commitment to prevent and address workplace harassment through an agreed protocol, and one with ENAV (the national air traffic controllers' organisation) which sets out the principle that employment relations have to take place in a suitable environment, with methods and conditions to guarantee equal dignity between women and men, to identify cases of harassment, to change behaviour and to correct attitudes that may jeopardise the development of good relationships in the workplace. Company-based agreements have been signed in the transport sector to prevent harassment and violence in the workplace. The unions have identified three examples of good practice, one being that, on 25 Janu-

ary 2016, in the freight sector the company TNT agreed a declaration of accountability (based on the 2007 European Social Partners' Framework Agreement), stating that it will promote a work environment where the dignity of everyone is respected, based on principles of equal opportunity. In the air transport sector, the EasyJet airline signed an agreement on 4 March 2015 on procedures to protect worker's dignity and prevent sexual harassment, while an agreement with Busitalia on 18 February 2015 is based on the principles set out in the national agreement, and parties commit to implementing equal opportunities and positive action measures, and to preventing, eliminating and sanctioning any undesired behaviours which offend people's dignity and which can be defined as harassment, including sexual harassment (in accordance with Legislative Decree 198/2006).

- ▶ In the water and energy sectors, violence against women has been given a new focus in negotiations, through the development of ethical codes, drawn up as part of CSR policies to link sustainability provisions to gender equality and dignity at work for women. A good example is the CSR Code developed by the water company in Rome (ACEA), which protects the dignity of workers and has a focus on addressing discrimination and sexual harassment. In the gas and water sectors, national agreements with six employers' associations were amended in 2010 and now refer to the principle of non-discrimination and the prevention of violence at work. In the energy and petrol sector, the national agreement includes a section on "Protecting men's and women's dignity in the workplace", with a focus on prevention and information about discrimination and sexual harassment.
- ▶ In the energy sector, the national agreement for energy and oil principally covers the energy company ENEL, which has adopted an ethical code on equal opportunities, women's career paths, and preventing violence and harassment. The national agreement refers to 'equal dignity to prevent sexual harassment and the limiting of one's freedom; to safeguard the dignity of men and women in the workplace'. A 2012 report by ENEL's National Committee on Equal Opportunities for Promoting Equality, Diversity and Respect sets out objectives to further promote equality and dignity at work, which are currently being discussed under ENEL's 'Policy Project for Diversity'. The platform negotiating the renewal of the FILCTEM CGIL, FEMCACISL, UILTEC gas and water agreement (2016-2018) contains provisions for training plans including sessions on disseminating a gender culture and promoting respect, with the aim of preventing the abuse and harassment of women. The bargaining proposal by FILCTEM CGIL, CISLReti, UILTEC for the renewal of the national electrical agreement (2016-2018) makes reference to workplace harassment and violence, specifying that all companies are requested to sign a public intolerance statement.
- ▶ On 5 February 2016 a national agreement was signed for the food sector on the prevention of discrimination

(between the unions FAI-CISL, FLAI-CGIL, UILA-UIL and 15 employers' associations from the employers' body Confindustria). The agreement sets out a memorandum of understanding (Joint Statement) based on the National Framework Agreement on violence and harassment at work, signed by the three main trade union confederations. It also includes a clause setting out the legislative provisions for three months' paid leave for victims of domestic violence, with an additional three-month leave period, which is in addition to the three months' leave in the legislation (see Section 4). It contains a commitment by the parties to the agreement that they will draw up and finalise a national behavioural code against sexual harassment and mobbing. Unions in the sector want to encourage more women to report cases of sexual harassment and violence, and see the agreement as one way to encourage them to do so.

- ▶ Progress has come to a halt in the public sector, where there has been no national agreement for seven years, despite the fact that harassment and sexual harassment are identified as growing problems. The public administration union, UILPA, anticipates that a bargaining process will commence soon to include provisions on sexual harassment in all CBAs in the public administration. To date, all national CBAs in the public sector since 2003 have contained a reference to the prevention of sexual harassment and mobbing, and have included the establishment of Joint Committees on Mobbing, which have the role of preventing and dealing with harassment and violence at work, while a model 'Code of Behaviour against Sexual Violence at Work' has been implemented across the public sector. One good practice in this sector is that 'advisors' have been appointed at workplace level to help victims of violence.
- ▶ Unions in the woodworking sector have bargained effectively to address sexual harassment at work (see Box 7 below). This has resulted from union activity over a long time to address gender-based violence, driven by a key woman negotiator and an active women's network. The agreement gives detailed definitions and procedures for preventing and addressing sexual harassment at work. Since it was signed, unions have been prioritising work to implement territorial and company-level agreements, and to engage in dialogue with companies. This is particularly important as the economic crisis has prompted changes in work organisation, which are leading to more violence.

BOX 7: AGREEMENT ON SEXUAL HARASSMENT IN THE WOODWORKING SECTOR SIGNED BY THE THREE UNIONS IN THE SECTOR (FENEAL-UIL, FILCA-CISL, FILLEA-CGIL) AND THE EMPLOYER (FEDERLEGNOARREDO)

In the woodworking sector, unions have been very active in addressing gender-based violence. A woman heads up the bargaining team and there is an active women's network in the sector, where women represent 30% of workers, unlike in the building sector, where they account for only 10% of workers. The agreement to address sexual harassment in the woodworking sector was signed as part of the four-year woodwork sectoral agreement in 2015. A detailed Code of Conduct on sexual harassment and mobbing is annexed to the agreement, which has set the language for all future bargaining proposals in the building sector. It provides simple but comprehensive definitions and solutions that could be implemented and that employers would find acceptable. The Code of Conduct provides for the establishment of workplace committees made up of union and employer representatives who are responsible for raising awareness amongst employers and workers. The agreement requests individual companies to undertake to sign the Code within one year of the establishment of the committee. The agreement states that "Any sexual harassment or mobbing behaviour, as defined below, is unacceptable. Men and women workers are entitled to be treated with dignity and their personal freedom must be respected" and that "men and women workers and companies must both contribute to maintaining a work environment where everybody's dignity is respected and interpersonal relations are encouraged, on the basis of the principles of equality and mutual respect." The parties to the agreement agree to disseminate the code of conduct widely within the manufacturing sites.

The Code gives a detailed definition of sexual harassment and mobbing, with examples of the different forms they take, and it describes the roles of the Provincial Counsellor for Equal Opportunities and the Company HR Manager and other designated individuals. The agreement provides for an informal procedure and arbitration by mutual consent, and for formal procedures to be implemented in cases of sexual harassment and mobbing. In relation to the training of managers, it specifies prevention and awareness-raising activities, the dissemination of information to workers about procedures, and joint employer/union monitoring of the code.

- ▶ There is a good deal of anecdotal evidence of sexual harassment and violence against women in the agricultural sector, much of it psychological harassment, connected to stress on workers and issues such as forced night work and shift changes. Italian unions in the agricultural sector (FAI-CISL, FLAI-CGIL, UILA-UIL) have begun organising workers in this sector and are of the view that negotiators at workplace level will need to be trained on how to implement the national agreement on violence and harassment. Unions have begun a process of informing women of their rights.

In the **Netherlands**, during the 1990s FNV adopted a series of recommendations on the position of women in the labour market. One was a special recommendation on sexual intimidation in the workplace, which included proposals to develop a complaints procedure and to appoint 'persons of confidence' trained to deal with sexual harassment. This led to a lot of activity in collective bargaining. One example at the time was an agreement in the catering industry, which covered workers who had to travel to, and work in, other locations to provide catering services. The union was able to persuade all employers to sign agreements on preventing sexual harassment, on the basis that if all catering employers adopted agreements on the issue, it would reduce unfair competition between catering companies, some of which might otherwise may lose contracts if they were not prepared to address sexual harassment. Over time the 'person of confidence' role was broadened to cover all forms of undesirable behaviour, bullying and harassment. Today 90% of workplaces have 'persons of confidence', but few deal specifically with sexual harassment. The interviews with union representatives in the FNV indicated a general assumption that the issue of sexual harassment had been solved, leading to its not being currently prioritised by unions. Since the mid-1990s, a large number of CBAs have included provisions obliging employers to prohibit sexual harassment and/or to set up a complaints procedure and provide for counselling in the workplace. According to Rikki Holtmaat (2011), in 2004, 44% of workers in the Netherlands fell under a CBA that contained provisions concerning (sexual) harassment at work. She argues, however, that since then CBAs have become a less important mechanism, as more employers have introduced their own codes of conduct and complaints procedures. Codes of conduct and internal policies on workplace procedures for tackling sexual harassment have been issued in many different sectors of the economy, in particular by large employers in industry and retail, healthcare, education, and sports.

Many CBAs provide for complaints committees and prevention measures. In the public sector, codes and voluntary agreements on safety and health at work have been established between the social partners.

- ▶ A voluntary safe workplace framework agreement in 2009 led to a number of workplace agreements with rules on prevention, on reporting and dealing with cases and on giving support to victims. The 2010 agreement of the Association of Netherlands Municipalities (VNG) and municipal trade unions contained a new section on policies to reduce

harassment and violence. It provides for the appointment in municipalities of a harassment and violence coordinator, the adoption of best practices and procedures, and an incident reporting system. This joint action between employers and trade unions has, according to VNG, led a reduction in the number of incidents in local government.

- ▶ The CBA for Hospitals 2009-2011 recommended a number of measures to prevent violence, including a risk inventory that pays special attention to "tackling work pressure, aggression, physical strain and violence". In the health sector, unions have highlighted the need to do more to tackle sexual harassment by third parties (clients and patients).
- ▶ In transport, the CBA for the public transport sector, "Multimodaal vervoer" 2014-2015, pays particular attention to sexual intimidation and discrimination and makes recommendations such as appointing a confidential counsellor and establishing a complaints procedure, introducing prevention measures, and developing a workplace policy with consultation between management and the works council. The CBA also recommends the appointment of a person of trust, who has the confidence of the workers and to whom they can turn for advice and support in the event of incidents of sexual harassment, together with the establishment of a complaints committee.

In **Ireland**, violence and harassment are addressed in agreements as either an issue of equality and/or of workplace bullying, which includes the issue of sexualised bullying. Irish employers and unions appear to use the language of bullying more frequently than harassment or sexual harassment. In most cases, unions are involved in negotiations with employers to agree a workplace policy.

- ▶ With the social partners, the Equality Authority has drawn up a Code of Practice on harassment and sexual harassment, which gives guidance on workplace policies with a focus on equality and non-discrimination (see Box 8 below). However, no follow-up or evaluation of the Code has been carried out to see how it has been implemented in practice. In the public sector and large companies, workplace agreements and policies on workplace bullying are commonplace, and workplace employee advisors provide confidential advice and support on bullying, harassment and sexual harassment.
- ▶ The Civil Service 'Anti-Bullying, Harassment and Sexual Harassment Policy – A Positive Working Environment' was first negotiated in 1999. A review of the policy in 2005 led to a new one, 'Dignity at Work – An Anti-Bullying, Harassment and Sexual Harassment Policy for the Irish Civil Service' in 2015 with greater emphasis on mediation and informal procedures as a means of resolving complaints. However, an Equality and Diversity Survey carried out by the civil service union, CPSU, in 2015 found that 95% of respondents had never used the policy, and 86% said they would not know what to do if they had a complaint to make.

- ▶ An Anti-Bullying, Harassment and Sexual Harassment Policy and Procedure that has been agreed in the Irish health service recognises the right of all employees to be treated with dignity and respect and to work in an environment free from all forms of bullying, sexual harassment and harassment. Confidential support persons are employed and trained in the health sector who provide information for victims of bullying, harassment and or sexual harassment.

BOX 8: CODE OF PRACTICE ON SEXUAL HARASSMENT AND HARASSMENT AT WORK, REPUBLIC OF IRELAND (2012)

The Code of Practice, prepared by the Equality Authority with the approval of the Minister for Justice and Equality, was agreed in consultation with IBEC (employers), ICTU (unions) and other relevant organisations representing equality interests. The Code aims to give practical guidance to employers, employers' organisations, trade unions and employees on what is meant by sexual harassment and harassment in the workplace, how it may be prevented, and what steps to take if it does occur to ensure that adequate procedures are readily available to deal with the problem and to prevent its recurrence. The Code seeks to promote the implementation of policies and procedures in order to establish "working environments free of sexual harassment and harassment and in which the dignity of everyone is respected".

The Code states that "An employer is legally responsible for the sexual harassment and harassment suffered by employees in the course of their work unless he/she took reasonably practicable steps to prevent sexual harassment and harassment from occurring, to reverse the effects of it and to prevent its recurrence." Guidelines are provided on drawing up effective policies and procedures to deal with sexual harassment and harassment, which should be agreed by the employers with the relevant trade union or employee representatives. In so far as practicable, clients, customers and business contacts should also be consulted.

- ▶ Employers and unions in the banking sector were the first to sign an agreement that includes clauses on mobbing at work, including sexual harassment, prior to the introduction of legislation. The agreement is widely regarded by trade unions as a best-practice agreement. Article 8 states that the employer is responsible for ensuring a normal working environment and good psychosocial conditions for work; for ensuring that there are measures to prevent psychological, physical and sexual harassment and mobbing at the workplace; and for protecting victims from such acts. The employer is obliged to regulate the prevention of discrimination, sexual and other harassment and mobbing at work, and to adopt practical preventive measures. The management board and the trade union must unanimously appoint an authorised person to address and resolve cases of psychological, physical or sexual violence and bullying at the workplace. If no consensus is reached within 15 days, the employer appoints the authorised person. A report on the cases dealt with in this area, and measures taken, must be submitted every year to the trade union. The employer must inform workers of their right to dignity at work, the protection of privacy and personal integrity. Article 67 states that "workers who took sick leave because of mobbing, discrimination, sexual or other harassment, which is formally established by the management or by court with a final judgement [have] the right to 100% payment compensation for sick leave." Under Article 8, the employer "is obliged to regulate the prevention of discrimination, sexual and other forms of harassment and mobbing", and Article 11 states that the employer "has to take a position towards the opinion of the trade union on the proposed general acts or to discuss those proposals with the trade union."
- ▶ Other sectoral CBAs that address violence and harassment in Slovenia include the Slovenian hospitality and tourism sector, a CBA in the non-metal production, extraction and processing industry and a CBA in the electro and metal industry. The 2014 company agreement between the Petrol oil company and ZSSS set out employers' obligations to provide a working environment in which no worker will be exposed to sexual or other forms of harassment or mobbing by the employer, supervisor or colleagues, and stipulates that to that end the employer should adopt appropriate measures to protect the workers from sexual and other forms of harassment or mobbing at the workplace and to protect their personal data. A further good-practice company agreement, involving the Mercator supermarket chain, can be found in Box 9 below.

Sectoral CBAs signed by unions and employers in **Slovenia** often include sexual harassment within a broader framework of mobbing and harassment. A review of framework agreements on gender equality (Institute for Labour Law, University of Ljubljana and ZSSS, 2014) recommended that CBAs at sectoral and company level should contain explicit clauses on zero tolerance of sexual harassment and violence, including policies and procedures at workplace level, and training for management and workers.

BOX 9: MERCATOR WORKPLACE POLICY (SLOVENIA)

A good-practice workplace policy was defined and agreed by Mercator (supermarket chain) and Mercator Trade Union (ZSSS, commerce sector) against sexual and other harassment and bullying/mobbing at the workplace. It sets out a zero tolerance approach, clear procedures for making complaints on sexual and other forms of harassment, and support for victims. The policy follows a consultation process with workers in the 500+ Mercator supermarket chain. The workplace policy is regarded as a 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. It is an example of how a senior female negotiator was able to persuade the company to prepare effective rules, which have led to standardised rules and procedures on harassment, bullying and sexual harassment. The agreement covers all Mercator workplaces and the 10,000 employees working in the supermarket chain. The President of the Slovenian Trade Union of Workers in the Trade Sector and President of the Mercator Trade Union group, Vesna Stojanovi, played an instrumental role in getting the rules and procedures agreed with the company.

A dedicated company team deals with bullying/mobbing and harassment, with involvement by trade unions, and trade union representatives have been trained in how to handle cases. The company has seen a higher rate of reporting of sexual harassment since the policy was implemented; and in practice most cases of bullying/mobbing are of sexual harassment by a manager. Between 15 and 20 cases have been handled by the trade union since the agreement was signed, 80% of which have been successfully resolved. One successful aspect of the agreement is the involvement of workers, first through a consultation process and later in disseminating information about the company's rules to all workers. The agreement has been incorporated into the company's business standards, which have been rewarded with certification as a family-friendly company.

Spanish unions have adopted a range of strategies to prevent and tackle violence and harassment at work, including the negotiation of CBAs, harassment protocols and gender equality plans in the workplace. Most CBAs and equality plans state their commitment to non-discrimination and equal treatment, particularly as this applies to sexual, gender-based or workplace harassment. Gender-based violence at work has been included in many workplace equality plans in companies with more than 250 workers. Collective bargaining agreements and equality plans frequently include a reference to the need to raise awareness about sexual and gender-based harassment, including training for management, workers' representatives, and health and safety delegates, amongst others.

CCOO's analysis of 266 sectoral agreements shows good progress in including sexual harassment and sex-based harassment in collective agreements. Of the agreements evaluated, 207 (77.8%) had clauses on sexual harassment, 101 (38%) had clauses on harassment based on sex, and 64 (24%) had protocols on sexual harassment. However, this is a low level given that the protocols against sexual harassment and harassment based on sex are mandatory for all companies, and each company must have its own protocol. CCOO argues that it is a good practice that, when sectoral agreements are being negotiated, companies are made aware of the requirement to draw up a protocol. Of the 207 agreements on sexual harassment, 86.9% include sanctions. Over half of the agreements (56%) give detailed definitions of sexual harassment, which has been a useful tool for raising awareness. Of the 101 agreements on sex-based harassment, 60.4% have introduced sanctions and only 44.5% define sexual harassment (CCOO, 2014).

- ▶ Examples of protocols on sexual harassment include the Paradores de Turismo, agreed on 16 April 2016 and Renault España, of 18 April 2013, which differentiate between formal and informal procedures. The CBA of Telefonica Ingeniería de Seguridad, of 28 June 2016, includes the sanctioning of the use of electronic devices to cause or incite sexual, gender-based or workplace harassment. In 2010 UGT and CCOO, with the federation of passenger transport companies (Asintra) and the national business federation of bus transport, (Fenebús), published a protocol for preventing violence at work among Spanish bus drivers.
- ▶ Some harassment protocols enable the complainant and the accused to request the assistance of a staff representative or a person they trust within the company. In sexual harassment cases, the claimant may request their hearing to be with a person of the same sex. The gender equality plan of Alcatel-Lucent, of 21 January 2016, stipulates that all those who intervene in such cases must adhere to strict confidentiality agreements. Some harassment protocols have defined what constitutes sexual, gender-based or moral harassment, the processes for dealing with complaints, and the type of behaviour that should be punished.

BOX 10: VODAFONE WORKPLACE POLICY

A good-practice workplace policy negotiated with Vodafone covers both sexual harassment at work, and leave and support for victims of domestic violence. The third national agreement on employment and collective bargaining, signed by the social partners on 8 June 2015, signalled the need for gender-based harassment to be addressed through preventive measures, such as the setting up of protocols that help businesses to eradicate these types of acts and attitudes in the workplace.

A good-practice workplace agreement with Vodafone arose after shop stewards in the company denounced sexual harassment suffered by colleagues. This led to an agreement to include a Protocol on Sexual Harassment and Harassment for Sexual Reasons in the company's Equality Plan. The Vodafone Equality Plan contains a range of measures to encourage the reconciliation of work and family life, the prevention of any form of discrimination and/or harassment, the expansion and enhancement women's participation at work, the promotion of the effective implementation of the principle of equality between men and women, and ensuring equal opportunities. The separate protocol on sexual harassment sets out the additional instruments that the company will implement to detect evidence of harassment and/or discrimination among its staff, including a fact-finding phase and disciplinary measures or dismissal for a harasser. Since Spanish legislation permits legal proceedings regardless of the settlement within the enterprise, a harassed woman worker can also lodge a complaint in court. In one case, supported by the FSC union, a woman is awaiting a ruling. In addition, the plan contains measures to improve the situation of victims of domestic violence in the workplace.

- ▶ The CBA with Endesa, 13 February 2014, addresses violence in the workplace as a health issue, with a focus on safeguarding the working environment so that workers' psychological health is never at risk. Special attention is paid to detecting and evaluating psychosocial risk factors and applying preventive and/or corrective measures. Endesa also provides for victims of sexual harassment to be granted paid leave of absence while they undergo psychological treatment or attend legal proceedings. Endesa extends its rules regarding sexual, gender-based and workplace harassment to all staff, including those who have temporary contracts through employment agencies and contractors.

In the **UK**, negotiations for workplace policies have typically been based on the non-discrimination approach, particularly in the public sector and in large companies. Specific clauses

and procedures include gender as one of multiple grounds. In some cases, reference is made to an equality and diversity policy in a separate anti-bullying policy. However, where anti-bullying codes and policies exist, they do not always refer to sexual harassment or define the specific nature of sexual harassment in the workplace. This is a particularly important issue as the TUC's recent Equality Audit (TUC, 2016b) identified harassment, bullying and discrimination as prominent issues that are dealt with by shop stewards, many of whom state that they require more guidance on how to tackle the issue in negotiations.

- ▶ An example of an agreement is the GMB-negotiated 'Respect at Work' policy with the security company G4S. The policy states that G4S is "committed to conducting business with integrity and utilising the talents of everyone providing a working environment free from any unfair discrimination, harassment, bullying and victimisation". The policy includes a detailed explanation for the basis of the policy, clear and detailed definitions of bullying and harassment, the processes laid down for managing harassment and bullying, training for managers and supervisors, and the collection of data on complaints by gender.

2.6 AWARENESS RAISING, TRAINING AND CAMPAIGNS ON GENDER-BASED VIOLENCE AT WORK

The evidence from the eleven country case study reports, as well as the ETUC's 8th March survey (2014), point to significant and sustained programmes of awareness raising, training and campaigning on gender-based violence, initiated by women's sections of unions and often dating back to the 1990s.

Many awareness-raising initiatives and campaigns have been broad-ranging and have included violence in the workplace as well as the spill-over of domestic violence at work (see Section 3 for more information on specific campaigns on domestic violence at work). Many unions have been proactive in organising meetings, seminars and training on violence against women at local and national levels. Unions regularly publish articles on violence against women in union journals, newsletters and national newspapers, as well as leaflets, posters and campaign materials which are disseminated to members, and sometimes to the general public. Many unions have held annual national, regional and local events to raise awareness of violence against women on the International Day for the Elimination of Violence Against Women and International Women's Rights Day.

a) Trade union awareness-raising initiatives on gender-based violence at work

The following examples of union awareness raising on gender-based violence at work reflect both broad-ranging awareness-raising initiatives and ones that are focused specifically on sexual violence and harassment at work. All of

them are targeted at union members, while some are also aimed at the general public and other stakeholders.

- ▶ Three round tables on violence against women held by the Italian confederation UIL in 2011, 2013 and 2015. The first event brought together stakeholders (police, health authorities, women's associations, women legal experts and members of parliament) to discuss what is being done at the institutional level. The second event, held in 2013, discussed how violence against women can be addressed as a safety and health issue in the workplace and was attended by national experts, representatives from the health sector, law enforcement agencies, universities and women's associations. In 2015 a round table – attended by academic experts, government ministries, women's associations, Interpol, the inland revenue, police and the national statistics institute – discussed a range of needs and strategies in relation to violence against women and trafficking.
- ▶ In 2011, CISL drew up a 'Platform on the prevention of violence against women and children' with recommendations on how to address the problem jointly. A CISL campaign has recently been launched to implement the national agreement on violence and harassment at work. The campaign, entitled 'Together we are happy at work', aims to convey a modern message and seeks to raise awareness and carry out ongoing monitoring.
- ▶ A guide for workers and union members, 'Know your Rights: Protection from Sexual Harassment', has been drawn up by the TUC, setting out the legal framework on sexual harassment at work, the impact of sexual harassment, what workers can do if they are being sexually harassed, and how to take claims to employment tribunals.
- ▶ The United Federation of Danish Workers, 3F, has recently refocused attention on the issue of sexual harassment at work. It has produced a range of awareness-raising and guidance materials for union members about sexual harassment, and has created a 'No to sexual harassment' Facebook page. A 3F booklet 'When everything becomes sex at the workplace', disseminated to all members, addresses the problem that people are talking about sex all the time. It was produced to help improve understanding of sexual harassment and is an attempt to reach union members who are victims of sexual harassment and give them information about their rights, what they can do and who they can contact for help. The booklet was seen as particularly important for reaching the women who work in small and isolated workplaces and for helping victims understand that perpetrators of sexual harassment are often in a powerful position and that it is an abuse of power.

“The union wanted to find a way to approach its members and tell them that sexual harassment is unacceptable and that the union can help them. Sexual harassment is about power – rarely about sex, more often about power. This is what we need to address if we are to tackle sexual harassment.”

(Marianne Bruun, Equality Advisor on Gender Equality, 3F)

b) Awareness-raising Initiatives on third-party violence

There has also been an increase in the attention given to raising awareness about third-party violence as a basis for persuading employers to participate in negotiations for agreements.

- ▶ Unions in Slovenia have been involved in raising awareness in the hospitality and tourism sector, as it is one where there is little recognition that the problem of sexual harassment exists. An example was given of the requirement for some women workers to wear short skirts, which workers argue exposes them to a sexist culture and to sexual harassment from clients. Unions have attempted to persuade employers of the need to adopt a dignified approach and to implement measures to address third-party violence, including a rising number of severe forms of violence from guests in hotels and from patients in a health-care setting. However, this is a sector where it has been difficult to negotiate and sign agreements with employers.
- ▶ An increase in third-party violence against shop workers has also been identified by unions in the UK and Slovenia. The ZSSS commerce sector union in Slovenia has seen an increase in physical forms of third-party violence affecting small shop keepers. The union has worked with small employers and trade union representatives to raise awareness about how they can prevent violence at work. With the assistance of labour inspection services, the union has successfully agreed rules and company policies on preventing violence at work.
- ▶ The public authorities in the Netherlands, with the close involvement of unions and employers, have tackled the problem of aggression and developed a number of prevention programmes. For example, the Ministry of the Interior and Kingdom Relations launched the 'Safe Public Service' project in 2008, with a focus on third-party violence against providers of public services such as policing, health care and education. It has worked closely with unions, employers and other stakeholders to reduce third-

party harassment and violence at work. The programme uses social media to reach the general public and has an interactive awareness campaign. Several projects have addressed third-party violence against public-service workers, for example, in the labour inspectorate, tax services, public prosecution services, legal public relations services and prison services. Networks on violence and aggression in central government have been created. A model code of conduct and integrity policy was made obligatory for all central government employers.

c) Union guidance for union negotiators, representatives and officers on gender-based violence at work

One way in which gender issues have been mainstreamed into collective bargaining is through union guidance and information during the process of drafting bargaining claims before they are submitted to employers. In recent years there has been significant activity in some unions in providing tools and resources for shop stewards and union representatives to help them represent women members facing sexual violence and harassment at work and to negotiate workplace policies with a focus on sexual harassment. Below are examples of guidance with a specific focus on sexual harassment.

- ▶ A great deal of effort has been put into raising the awareness of men in the Slovenian Trade Union of Workers in Metal and Electro Industry. This has included issuing the 'Practical Guide to prevent mobbing', which aims to raise awareness, provide practical advice for reporting and suggest measures for unions to take. It includes a practical tool in the form of a diary template for recording cases of sexual harassment by day, hour, place of event, perpetrator, a short description of the event, who was present, response after the event, actions taken after the event, and who was present after the event.
- ▶ 3F guidance for shop stewards in dealing with cases of sexual harassment was produced in 2016, updating an earlier guide. It gives simple guidance on addressing sexual harassment, setting out the important questions to ask and how to talk to someone with empathy, compassion and understanding. It gives guidance on how to tackle the issue when employees leave their jobs, which may also be a cause of sexual harassment. The guidelines define sexual harassment and the different forms it takes and emphasise the importance of making sure that there is 100% confidentiality. A checklist on how to have a conversation with a victim stresses the importance of ensuring that the correct information is collected, which may be required if a case is taken to court.
- ▶ Guides for union negotiators and workplace representatives have been drawn up by the TUC. The first, 'Tackling sexual harassment in the workplace', gives guidance to trade union representatives on how to address and negotiate sexual harassment policies, and contains checklists for

union representatives and employers. Several of the TUC's affiliated unions in the UK have drawn up guidance materials. Examples include guidance in tackling violence and harassment in maritime workplaces issued by the maritime union, Nautilus International, and a guide by UNISON on 'Harassment at work: A UNISON Guide' which includes a model 'Dignity at Work' workplace policy. The shop workers' union USDAW, which represents women in a predominantly female sector, provides guidance, including dedicated legal advice for victims of sexual harassment. Unite the union has published a 'Zero Tolerance' guide on violence and harassment at work, which sets out how to deal with harassment, bullying and discrimination as an occupational safety and health issue. The guidance gives information about union Bullying and Harassment Advisors who have been appointed in the workplace with the support of employers, and a checklist of what safety reps can do to address harassment or violence in the workplace.

- ▶ Spanish unions have drawn up a range of guidance materials for workplace representatives in order to inform, educate and raise awareness about violence in the workplace. Examples include resources produced by UGT entitled 'For a Dignified Job'; guidance on 'Workplace Violence: New Preventative Measures'; a UGT study on the 'Analysis of Measures and Gender Equality Plans in Collective Bargaining'; and UGT guidance on 'Detection of Risk Factors due to Workplace Violence'. CCOO has produced guidance and information in the form of a booklet on 'Gender Equality in Collective Bargaining Agreements'; and research on 'Collective Bargaining in Spain: An Interdisciplinary Focus' and 'Collective Bargaining in Spain: A Critical Guide'. CCOO has also produced a guide on 'Union Action against Sexual Harassment' and a further guide on 'Women, Work and Health'. ELA has issued a guidance booklet 'Union Guide to Gender Equality Plans in Businesses' and USO has issued a 'Working Risks Prevention Guide'.

Model clauses and agreements have been another way to raise awareness about gender-based violence at work, and have been helpful in giving unions language to use when negotiating clauses in CBAs.

- ▶ A model clause on internal union employment policies has been adopted by three-quarters of UK unions: "To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic." (TUC, 2016b).
- ▶ In Slovenia, a model agreement on the prevention of violence and harassment at work, including sexual harassment, has been drafted by ZSSS for union negotiators, legal experts and employers to use in negotiating sectoral or workplace agreements on violence and harassment at work. It represents one form of support provided by the union for negotiators on gender-equality issues. The

model agreement covers physical, verbal and non-verbal forms of sexual harassment. It sets out the goals of the agreement, forms of harassment and violence at work, measures for timely recognition and prevention of harassment and violence at work, and a statement to be signed by the employer stating that “[the employer] does not allow harassment or violence at work and that our company has zero tolerance of any such behaviour”, while an annex defines verbal, non-verbal and physical forms of sexual harassment. Several sectoral unions have used the language in the model agreement for sectoral agreements and workplace policies.

d) Training programmes for members and union representatives

Training has been a further way in which unions have raised awareness with members and union representatives, including how to include gender-based violence in CBAs and workplace policies.

- ▶ French unions have been active in training members and union representatives. In 2009, CFDT Paris launched the ‘respectées’ training project, which was co-financed by the Ile de France Regional Council and was based on cooperation with a lawyer from the NGO AVFT (European Association against gender-based violence at the workplace). Between 2009 and 2014 more than 1,500 union members and employees of CFDT followed the one-day training session. Training sessions are still being held today. A brochure with definitions, concrete examples, legal precedents and guidelines on preventing sexual violence – all looked at from the unions’ perspective – has been published, and a third edition was due to be published in 2016. CFDT has held an annual conference on sexual harassment and violence against women since 2013. In 2016, a conference entitled ‘Sexist and sexual violence at the workplace: how to react’ was held in Paris. In March 2016, FO organised a conference in Paris on gender equality at work, with a focus on gender-based violence and sexism in the workplace.
- ▶ Dealing with sexual harassment is a core part of many courses for trade union representatives. A training guide, ‘Working Women: A TUC education workbook for all trade unionists’, provides information, briefings and training resources on the topic. A TUC eNote on sexual harassment at work has been produced, offering an online learning resource for trade union reps. The Federation of Entertainment Unions runs a training course for members on bullying and harassment, and Equity runs an annual union training day, the most recent of which discussed the subject of bullying and harassment. The entertainment union Equity is currently commissioning a training programme on equality and diversity: this will focus on unconscious bias, which the union believes is of fundamental importance in raising awareness about sexual harassment and gender-based discrimination. UCU is currently running a
- national training programme on tackling sexual harassment in the university sector.
- ▶ Training on equality carried out by the UK public service union, UNISON, is mandatory for staff, and briefings on harassment, recruitment and selection are included in all UNISON training courses. Unite provides recruitment and selection training for those involved in recruitment, and a course called ‘Respect and Dignity in the Workplace’ is currently being rolled out across the union. Following the revelations in its survey about sexual harassment in universities and colleges, UCU has drawn up a one-day training course for union representatives on how to deal with sexual harassment in the workplace.
- ▶ Union training at the confederal level in Bulgaria included round-table discussions on workplace violence held in six cities in 2013 by PODKREPA, and a programme of CITUB training on workplace violence and stress at work as part of training on safety and health at work. The CITUB research department has participated in training on gender equality with the Metalworkers’ Federation – the course was attended by 90% men and led to a commitment by the Federation to carry out actions on gender equality. As Violeta Ivanova, CITUB, stated, this was a successful intervention to mainstream gender into the union: “It is important to convince them and to have training on the topic of women’s leadership. These are important issues that bear on the union’s developing actions to eliminate violence and harassment against women.”
- ▶ Unions in Belgium have been involved in a range of awareness-raising and training programmes on violence against women. Much of this focus has been on the implementation of the legislation on Wellbeing at Work, and particularly the prevention of psychosocial risks and occupational health and safety. Psychosocial risk is included in training for all new worker representatives on health and safety committees. A national union training programme on discrimination and harassment is being run by CGSLB from September 2016 and June 2017, and includes a focus on gender-based violence.
- ▶ Bulgarian health-sector unions have held training and seminars on prevention of violence programmes for eliminating third-party violence in healthcare facilities, including a round table by the Health Services Union (FTU-HS), and on 22 March 2011 in Sofia the Bulgarian Association of Health Professionals in Nursing discussed the issue of third-party violence. The seminar discussed the implementation of the ‘Multi-sectoral guidelines to tackle third-party violence and harassment at the workplace’ agreed by the European social partners in 2010.

e) Union campaigns

This section gives examples of union campaigns with a specific focus on gender-based violence at work. The 'Safe at Home, Safe at Work' project and the ETUC's 8th March survey of 2014 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.

- ▶ In 2008, Slovenian confederation ZSSS ran an awareness-raising campaign in preparation for an agreement at the national level for a zero tolerance approach to harassment and sexual harassment. As well as the awareness-raising campaign, training was held for trade union members. The agreement was not signed, however, as employers believed that the provisions in the legislation were sufficient.
- ▶ Unions in the education sector in Bulgaria have campaigned for civic education in schools to create awareness on a range of issues, including violence. CITUB and the education unions worked on this issue under a project called 'My first working place' to raise awareness and understanding amongst school pupils. A widely recognised good-practice example is the Bulgarian transport union FTTUB's campaign on violence against women workers in the transport sector (see Box 11 below).

BOX 11: FTTUB VIOLENCE AGAINST WOMEN IN THE TRANSPORT SECTOR (BULGARIA)

The transport union, FTTUB, has led a ground-breaking campaign and collective bargaining in the transport sector, which was initiated on 25 November 2009 with a round-table seminar with urban and railway transport sectors. Women trade union leaders were asked to invite women transport workers who had experienced violence to the seminar. As Daniela Zlatkova, FTTUB Executive Secretary, stated: "We wanted them to tell their stories... they shared some of their stories during the meeting on third-party violence and also we found that there are no procedures. In Sofia most of the tram drivers are women... One woman talked about her experience of being attacked." Following the signing of an agreement on violence against women with the Sofia Municipality, a 'Someone to share with' campaign and survey were carried out. The survey was based on questionnaires left around workplaces, which were to be filled in anonymously and posted in special boxes left in designated places in the workplace. The boxes were labelled with stickers reading 'There is somebody to share with', which were designed to attract attention to the initiative. The 177 women workers responding to the survey highlighted high levels of risk of physical and psychological violence, mostly from third parties. The survey provided an important

evidence base which informed FTTUB's subsequent campaigning, advocacy and negotiation of CBAs on violence in the workplace. A brochure entitled 'No to violence against women at work!' was produced, with a list of recommendations for preventing and eliminating violence against women at work. This was presented to the mayor of Sofia and senior transport managers at a meeting on 25 November 2010. Two training exercises were organised as part of the FTTUB's campaign on violence against women in the transport sector. Inspired by the agreement on joint action, and the activities, the mayor of Sofia initiated a physical and psychological self-defence course for women working in urban transport in May 2010, which was attended by over 40 participants. In 2014 the CEO of the electrical transport company organised a course for all trolley and bus drivers on 'de-escalation tactics' to prevent violence.

The agreement with the Municipality of Sofia paved the way for agreements in the municipalities of Varna, Burgas and Sliven in 2013 and Gabrovo Municipality in 2015. A public awareness-raising campaign in urban transport was launched on 25 November 2015 in the four cities across Bulgaria where FTTUB has an agreement in place and in the national railway company BDZ. Stickers urging 'Stop gender-based violence at work' were displayed in rolling stock and in public areas. It called for support for an ILO Convention on violence at work, linking FTTUB to the ITUC and ITF campaigns for such a convention. CITUB women's committee members are supporting the effort for an ILO Convention, and plan to lobby the government and employers systematically.

The FTTUB's current violence against women programme, 'Agreements into Actions', includes a training programme on preventing and addressing violence against women as well as specific follow-up work on the implementation of the agreements with the municipalities of Sofia, Varna and Burgas. This includes a 'Smile for Mum and Dad' project on violence against women in urban transport in Burgas; and a Sofia Electrotransport 'Cabin secured' project which secures drivers' cabin doors on trolleybuses and trams. In addition, FTTUB has linked gender inequalities and gender segregation in the workforce to their work on violence prevention including by participating in the ITF 'Strong unions need women' campaign. FTTUB's website has a range of resources and information on gender inequalities and segregation, including the ETUC's 'Break the glass walls' campaign.

In May 2016, 75 women from the ITF and urban transport unions, including representatives of the transport union in Bulgaria, met in Bali as part of a 'ground-breaking' action forum on violence against women working in public transport. The forum

explored the hardship transport workers face in their line of work and renewed the global effort to implement an International Labour Organization Convention on their protection. The launch of the White Ribbon Campaign by the FTTUB had been a centre-piece of the ITF Congress in 2014. Campaign posters were exhibited on the Bridge of Love in Sofia, and trade union leaders were encouraged to make a pledge – known as ‘This is my Oath’ – to end violence against women. A photograph was taken of each union member or leader who took the oath, and this was displayed on the Bridge of Love in Sofia. The campaign was inspired by the work done by unions in Canada and Australia.

The President of FTTUB (who is also Vice-President of the ETUC Women’s Committee and Vice-President of ETF and ITF) has played a key role at the European and international levels in challenging violence against women in the transport sector. When FTTUB hosted the ITF Congress in 2014, violence against women was a central theme of the event.

- ▶ In Denmark, the issue of sexual harassment was first addressed 25 years ago in the Women Workers’ Union (WWU), which was incorporated into 3F (the United Federation of Danish Workers) ten years ago. Marianne Bruun, Equality Advisor to 3F, pointed to the learning gained from this early work which showed that it is essential to have someone constantly advocating the issue, so that it remains on training and policy agendas. Today 3F is establishing a new set of priorities to bring sexual harassment back onto union agendas. It has campaigned and 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. Box 12 gives the example of a task force and campaign to fight sexual harassment (2016-2019), run jointly by four unions, which aims to raise awareness of sexual harassment in the workplace and to develop common union strategies to tackle the problem.

BOX 12: JOINT UNION TASK FORCE AND CAMPAIGN TO FIGHT SEXUAL HARASSMENT (2016-2019)

A new union task force on fighting sexual harassment was set up in 2016 by four Danish trade unions (3F, HK, Serviceforbundet Teknisk Landsforbund and Fængselsforbundet) to run a new political and public campaign to raise awareness of sexual harassment in the workplace. The objective of the task force is to develop common union strategies on raising awareness about, and tackling, sexual harassment at work, including strategies for improving litigation and winning court cases. Strategies being discussed include: (a) how to increase fines, which are currently very low, (b) awareness raising to improve the public’s understanding of sexual harassment, which will impact on judges and lawyers, (c) common strategies for work environment guidelines, and (d) making greater use of litigation, including in the EU Court of Justice. The unions have held discussions with politicians to put a positive duty on employers to engage in proactive measures to prevent sexual harassment.

One of the problems identified by unions is the need to identify the actual employer (as opposed to the employer who perpetrated harassment). Unions argue that it is necessary for the employer to be responsible, especially if the employer had not tried to prevent sexual harassment. The task force is also developing a media strategy and has links to a Facebook campaign, ‘Over Stregen’ (‘crossing the line’)

- ▶ Women’s sections of UK trade unions have run campaigns calling for zero tolerance of 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 Unite union 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 one on women’s safe journeys to work. The NUJ has run campaigns and meetings on sexism in the media and has spoken out about bullying and harassment across the media.
- ▶ The TUC survey on sexual harassment (TUC, 2016c) recommended that union awareness-raising campaigns needed to reach different audiences. This could include a poster campaign aimed at deterring perpetrators by highlighting the consequences of disciplinary action in the workplace,

a campaign targeted at union members who have experienced sexual harassment, encouraging them to speak to their representative about it, or a campaign aimed at a union's wider membership.

- ▶ In the late 1980s and 1990s, FNV in the Netherlands was very active in campaigns to end gender-based violence. During this time, in cooperation with NGOs, the union set up a support centre for women who had experienced sexual harassment. This, Catelene Passchier of FNV argues, "helped to put the issue on the agenda more widely. It was a step forward and helped to bring the issue of power relations into the debate." FNV acknowledges that the situation in the workplace has changed since the early campaigns on sexual harassment. Rising levels of women's employment, positive developments on gender equality at work, and greater awareness that overt forms of sexual harassment and violence are unacceptable, does not necessarily mean that the problem has gone away. FNV believes that it is important to build momentum and raise the issue in the trade union movement, including by paying attention to the range of groups who may feel unsafe at work, including Muslims, migrants or LGBT.
- ▶ The Women's Committee of the FNV transport union has been very active in combating violence against women. FNV Transport co-financed an international conference held in Bali by the International Transport Federation (ITF) on violence against women. A blog was started, enabling workers and unions to post and discuss violence against women. The transport union, through the ITF, has carried out awareness-raising and training projects amongst truck drivers and long-distance coach drivers about trafficking, highlighting the need for everyone who boards a coach to have a passport. The union has established a direct phone number for coach drivers to enable them to contact the border police ahead of approaching a border. The union has made them aware of the signs of trafficking and holds regular meetings with the police on the issue. FNV Transport believes that occupational health is an issue that members are happy to discuss; when discussions go deeper and tackle sexual harassment, however, they show resistance. FNV Transport believes it is important to address the problem and raise awareness as a key part of the debate about safety in transport.
- ▶ Trade unions in Spain have a long history of campaigning and raising awareness to protect workers subjected to workplace harassment, through campaigns on the International Day for the Elimination of Violence Against Women, International Day of Action for Women's Health and International Women's Day. In addition to other national initiatives which aim to raise awareness about violence in the workplace are the UGT's 'Equal Treatment, No Discrimination' campaign and CCOO campaigns such as 'Don't let it happen' and 'No means no, including at work'. Unions have participated in a wide range of national events and demonstrations against violence against women.

- ▶ Several French unions have been involved in information and awareness campaigns for workers, trade union representatives and the wider public. CFDT carried out a comprehensive information campaign with posters, leaflets etc. for union representatives and employees in 2015. In order to empower and to inform union representatives in the companies, a brochure 'fighting against gender-based and sexual violence' was issued in 2016. An example of guidance, is the FO brochure published in January 2015 with guidelines for union representatives on the negotiating a CBA on professional gender equality, which includes reference to sexual and moral harassment. FO will launch, in the near future, a new chapter on its website with information and advice on sexual harassment and violence at the workplace. French unions participate in the national Commission on the Equality Certification (Label Egalité). FO has, for example, insisted that participating companies and institutions give a specific focus on prevention of sexual harassment and sexism in the internal rules of the company.

Education unions across Europe, including the ETUCE, have carried out campaigns on discriminatory forms of harassment at work. The teaching union, NASUWT, has been campaigning to tackle prejudice-related bullying. The union has produced a campaign booklet: 'Preventing and Tackling Prejudice-Related Bullying.' The union's approach aims to get schools to deal comprehensively with the problems for staff and students. The UK UCU has worked closely with the National Union of Students to challenge sexist and 'lad' culture on university campuses and has published a report on the issue. This follows the National Union of Students 2014 report which highlighted shocking levels of violence and harassment against women on university campuses. Some union branches have carried out awareness raising campaigns to address the culture of sexually harassing comments. They used pre-existing feedback systems for rating University lecturers, but adding the possibility therein to report on such comments.

f) Improving the visibility and representation of women in union structures

Several unions consulted in the ETUC's project spoke of the importance of women's structures in trade unions to keep issues of gender equality and sexual harassment on union agendas. Examples are given below, from a male-dominated sector Slovenia and the transport sector in Italy.

- ▶ The trade union for the metal and electro industry in Slovenia set up a Commission on Women's Issues ten years ago to address gender inequalities in the workplace. In all regions, the Commission has organised training, education, seminars, awareness raising on mobbing and violence, including training for union representatives on how to negotiate agreements at workplace and company levels. This enabled the Commission to promote the signing of agreements on violence at work at company level. There are now agreements in all electro companies, and

in the larger companies the union has been able to persuade employers to organise training for workers on mobbing. Media releases are issued when regional training courses are held to highlight good practices. The Commission on Women's Issues visit companies regularly and meets with workplace representatives to raise awareness with employers and workers. In one case, following a training course a woman worker reported sexual harassment by her manager, who then wanted to terminate her employment. As Mateja Gerečnik, Equality Officer in the Slovenian Metal and Electro Industry Trade Union, explains: "... the union dealt with the issue by warning the employer that if it was not dealt with sexual harassment would continue." The union reports that awareness raising within companies has pushed them in the right direction, leading them to provide compensation for victims, and that without the active role of the Commission on Women's Issues these problems in the workplace would remain invisible.

- ▶ Most Italian unions have women's structures and networks in place, which have been important in giving visibility to gender-based violence at work. In the transport sector, for example, the union FIT-CISL has a department that deals with gender issues, the prevention of discrimination, and violence and harassment in the workplace; in addition, a women's coordination mechanism and regional coordination centres have given priority to addressing violence and harassment at work in both national and local bargaining processes. The women's coordination mechanism in the union supports the bargaining process, and draft documents are prepared for negotiations on preventing violence and harassment.

2.7 LINKS AND COOPERATION WITH CIVIL SOCIETY AND WOMEN'S ORGANISATIONS

As mentioned above, many unions have a long history of cooperation and campaigning with civil society and women's organisations, although this cooperation has been most developed in relation to domestic violence outside of the workplace, rather than violence and harassment against women at work. Women's organisations generally view trade unions as being the main champions of workplace measures on sexual harassment, although increasingly there is recognition that violence in the workplace, in public places and in the home are closely connected. Some examples of good partnerships between trade unions and women's organisations are presented below.

- ▶ A good example is a partnership between a national women's domestic violence organisation, Telefono Rosa, and the three Italian union confederations in the transport sector, in carrying out training, conferences and campaigns to draw attention to violence against women at work. Telefono Rosa, established in 1988, provides legal and psychological support, a telephone help line, and shelters for victims of violence and their children. All

the partners agree that this initiative has had an impact on how male colleagues see women in the workplace, and has increased their awareness of violence against women and the impact of certain behaviours on them. In one project, Telefono Rosa provided training for FIT-CISL members and members of the women's coordination unit on gender-based violence. This was delivered using a three-module training path. Meetings were held with national and regional managers and workers in the transport sector in order to promote a culture of respect, dignity and non-violence.

- ▶ A further example can be seen in the links established between French unions and the AVFT (European Association against gender-based violence at the workplace). It is a politically independent and well-respected French NGO, founded in 1985, specialising on gender-based violence in the workplace. It provides legal advice and assistance and issues legal statements on political and legal projects. In 2012, when the government redefined sexual harassment in the penal and labour law, AVFT cooperated with French unions in responding to the government. In cooperation with CFDT, AVFT has also trained union members on the subject under the "respectées" project (discussed above).
- ▶ The TUC in the UK has established good links with women's organisations such as End Violence Against Women (EVAW), Women's Aid, UK Feminista, the Everyday Sexism Project and Southall Black Sisters, amongst others. Although the TUC believes that there is still some mistrust of trade unions amongst NGOs, building networks has been important for establishing trust and cooperation. The TUC is an active member of the EVAW coalition, an umbrella organisation for 60 women's NGOs working on VAWG to lobby the government to address all forms of violence and abuse against women in education, culture, local government and support services. The TUC was an important founder member and sits on the Board of EVAW. It also plays an active part in EVAW's 'Making the Grade' series, which reports on the government's efforts to address violence against women in all its forms and across all departments.
- ▶ The TUC has worked in partnership with the Everyday Sexism Project, which was launched by Laura Bates in 2012 and enables women to post examples of sexism online and on Twitter. The project has successfully highlighted the pervasiveness of sexism in society, including sexual harassment at work. In response to the findings from the TUC's sexual harassment survey, carried out in association with the Everyday Sexism Project, the latter has launched a new platform, www.shoutingback.org.uk, which will bring together – in one place for the first time – information about legal rights, reporting options and the support available to women experiencing workplace sexual harassment and other forms of discrimination and abuse, as well as signposting to the TUC and information about how to join a union.

“You are most vulnerable to abuse where you lack power, and this particularly affects women in flexible and insecure forms of employment. There is a responsibility for social movements to unionise, and we need unions to address insecure employment and the impact for younger women entering insecure jobs, particularly as this is where you are more vulnerable and where quid pro quo sexual harassment is more common. In addition, some parts of our culture are extremely harmful, young people are growing up with confusing messages about sexuality and sex.” *(Sarah Green, Director of EVAW)*

- ▶ UNITE in the UK has worked to support migrant workers in partnership with the organisation Justice for Domestic Workers, and they have had a strong focus on raising awareness about violence and sexual harassment as one of many occupational safety issues faced by domestic workers.
- ▶ ZSSS and the teacher’s unions in Slovenia have both worked well with NGOs to prevent violence and harassment at work. One example is a partnership between the Healthcare Trade Union, the SOS Helpline and the Chamber of Nursing and Midwifery Services of Slovenia who ran a joint project, ‘Advisory phone for people with experience of violence at the workplace’, to provide support and information for people who have been victims of harassment or violence at work and to enable workers to take action to stop violence. The SOS Helpline is a national organisation providing information and advice on workplace violence through their website. For five years it ran a dedicated helpline to address workplace violence, which was closed down as the number of calls was declining and more people were seeking health and advice through the website. During this time 4-5% of calls were about sexual harassment, while other calls concerned sex-related bullying and psychological violence and different forms of social exclusion in the workplace. More than 95% of calls were from women. The SOS Helpline has collaborated with trade unions in health and education in preventing sexual harassment at work. Today these calls come through the main helpline (see Section 4 for more information about SOS Helpline).
- ▶ Unions in Spain have cooperated with civil society, women’s associations and gender equality campaigners in national campaigns and in organising educational conferences. Trade unions frequently participate in educational conferences and courses relating to violence in the workplace that are organised by women’s associations. One example is the ‘Training the Trainers: Gender Equality Plans and Sexual Harassment’ course by THEMIS, a women lawyers’ association. Trade unions have supported campaigns to promote gender equality, such as the campaign by ‘Impacto de género ya’ (the Platform for Gender Impact Now), by signing the feminist manifesto about the State budget, as a way of raising awareness about austerity cuts in gender-related services and policies.

2.8 EUROPEAN TRADE UNION FEDERATIONS

In addition, growing attention is being given to violence and harassment at work by European trade union federations, who represent national unions in different sectors. The 2007 European Social Partners’ Framework Agreement has also been a lever for achieving the inclusion of violence and harassment at work in European sectoral social dialogue negotiations, resulting in various guidelines and joint statements. In addition to the multi-sectoral guidelines to tackle third-party violence and harassment related to work discussed in the previous section, examples are given below from other sectors.

- ▶ Other sectoral agreements have been signed at the European level, including an agreement between the European social partners in the maritime sector – the European Transport Workers’ Federation (ETF) and the European Community Shipowners’ Associations (ECSA) – which in 2013 launched a project aimed at eradicating harassment and bullying practices in the workplace in the maritime industry.
- ▶ The European Transport Federation is currently conducting a Europe-wide survey on sexual harassment of women members in the transport sector, results of which will be presented to the ETF Women’s Committee in May 2017. An agreement between the European social partners in the maritime sector on eradicating harassment and bullying in the workplace in the maritime industry was signed in 2013.
- ▶ European Works Council agreements and Global Framework Agreements signed between union and multi-national companies have addressed the issue of violence and harassment, including sexual harassment. For example, a “Joint Commitment to preventing sexual harassment” (2016), signed between the food and manufacturing multinational Unilever and global unions IUF and IndustriALL, has given a focus to sexual harassment stating that “Preventing sexual harassment in the workplace is an essential foundation for promoting a culture of inclusion and diversity”, and it sets out standards, principles and practices on the basis of which Unilever, the IUF and IndustriALL commit to working together to ensure this goal is achieved.

2.9 LEARNING AND CHALLENGES FACED BY UNIONS

The examples of union negotiations, awareness raising, training and campaigns point to a great deal of learning about union efforts, and in some cases successes, in addressing gender-based violence at work. This has not been without its challenges, particularly in giving visibility to sexual harassment, which has remained hidden as workers continue to fear retaliation or that they will not be taken seriously if they report cases. Coupled with a low level of understanding of the causes of sexual harassment and the forms it takes, it has often been difficult to persuade employers of the need to implement prevention and other workplace measures. Union officers and members face multiple workloads and priorities, and many expressed concern that they have insufficient resources and time to devote to fight gender-based violence, in the light of other pressing concerns facing trade unions as well as the erosion of workers' rights and collective bargaining. For example, the issue of gender-based violence at the workplace is not currently seen as a priority amongst gender experts in German unions, amid other issues such as achieving legislative reform in the fields of maternity leave, part-time and equal pay, which remain the main union priorities. However, many unions argue that as more women enter the workplace, unions must pay greater attention to violence there, the better to protect their freedom, right to equal treatment and dignity.

The following main challenges, each of which is briefly discussed below, were raised by unions and women's organisations:

- ▶ A continuing culture of gender inequality and sexism
- ▶ Concerns that sexual harassment has slipped off the agenda
- ▶ Low visibility and awareness of sexual harassment at work
- ▶ The negative impact of the economic crisis and austerity measures
- ▶ The changing nature of work
- ▶ Women working in sectors with a high risk of violence and harassment and low trade union protection
- ▶ Unequal representation of women in collective bargaining and in senior decision-making positions
- ▶ The erosion of collective bargaining

a) A continuing culture of gender inequality and sexism

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 across Europe. Despite some good progress in concluding agreements, one major challenge is the need to change awareness amongst union decision makers and negotiators, and also amongst employers, so that they implement effective rules and procedures, with a gender focus, in the workplace. For example, Bulgarian unions argue that a traditional, male-dominated culture is a significant challenge for unions, leading them to identify the

need to raise awareness about the damaging consequences of unequal gender roles and traditional stereotypes of women's and men's roles. A significant challenge raised by unions in Belgium is that a culture of sexism and sexual harassment still exists in trade unions, which reflects a culture of male dominance – so changing attitudes and raising awareness about gender equality should continue to be a key objective for unions.

b) Concerns that sexual harassment has slipped off the agenda

Some unions have expressed a concern that, as violence and harassment have become mainstream workplace and wellbeing-at-work issues, sexual harassment as a gender equality issue has slipped off the agenda of trade unions. While the integration of sexual harassment into agreements on violence, harassment, wellbeing and health and safety at work is welcomed, the issue is often hidden under the broader headings of violence and harassment facing all workers. Some unions refer to this as a 'hierarchy' in which little or no attention is paid to sexual harassment. Although the social partners are responsible for drawing up policies and agreements to combat violence and harassment, the Danish union 3F argues that a low priority is given to applying a gender perspective to violence and harassment. Much of the unions' work in preventing sexual harassment and training shop stewards was done over 20 years ago, and it has been a struggle to have sexual harassment issues prioritised in recent years.

Other unions interviewed for this report stated that the issue of sexual harassment had been replaced with an overall focus on general workplace violence and harassment. And in this integrated approach, sexual harassment has become invisible. As one interviewee stated: "If we do it as a general approach, we find that we forget women." The Dutch FNV similarly expressed a concern that sexual harassment has not been sufficiently included in CBAs, workplace policies or workplace risk assessments. Because unions dealt with the sexual harassment in the 1980s and 1990s, there is an assumption that the problem has been solved.

FNV view the ETUC project as an opportunity to restart discussions with unions about the issue and carry out research through an online survey, which could be used as an evidence base to persuade the unions to develop more concrete policies and actions in the workplace. This is also connected to a general reluctance on the part of trade unions to address structural gender inequalities and unequal gender relations. As Catelene Passchier, FNV, stated: "We will have to admit that today these debates are mostly about violence in the workplace and third-party violence – sexual intimidation doesn't get a lot of attention today."

The joint union task force and campaign to fight sexual harassment (2016-2019) in Denmark, the survey on sexual harassment by the TUC in the UK in 2016, and dedicated campaigns in Bulgaria on gender-based violence at work, are

all a reflection of this renewed interest and priority to tackle sexual harassment. In Belgium, the three trade union confederations, FGTB, CGSLB and CSC, highlight the importance of the “gender mainstreaming charter” that was signed by all three confederations, and committing them to implementing gender mainstreaming policies in their respective unions. Implementing the charter in relation to occupational safety and health and wellbeing at work is a big challenge. A further problem is that the legal obligation for gender mainstreaming, which includes a requirement to apply it to all legislation, does not work in practice.

c) Low visibility and awareness of sexual harassment at work

Unions and women’s organisations interviewed in the eleven country case studies repeatedly spoke of sexual harassment as being a very hidden, but growing, workplace problem. One of the issues is that there is no common understanding of what sexual harassment is, which means that workers often do not understand that what they are experiencing is sexual harassment. Even though there is general acknowledgement by many governments, unions and employers that violence and harassment exist, the low level of knowledge and understanding of sexual harassment presents a significant challenge. There is a lack of awareness amongst trade unions of gender power relations in the labour market, which means that sexual harassment is rarely addressed as a serious problem.

As a result, unions spoke about the need to draw up new and different ways of tackling sexual harassment and violence and to encourage workers to talk about the issue, and welcomed the ETUC’s project as helping to give visibility to the problem, particularly in the light of an increase in precarious working conditions and casualised work. As one union official in the trade and services union in Bulgaria stated, “... we need to find ways to identify the problems and get workers to open up.” One consequence of the low visibility of the issue in the workplace is that women are often reluctant to report sexual harassment, resulting in few cases in the courts. Marianne Bruun, 3F Denmark, also reflects that “This is a big problem and it is so difficult to get the cases – it is more difficult than we ever thought it was, it is difficult to climb the hill and we need the cases to move the issue forward”.

Low visibility is exacerbated by an absence of monitoring of how agreements, protocols and Codes of Practice are implemented. The ICTU in Ireland believes this has had an impact on there being little or no momentum to engage unions and employers in discussions about the implementation of the Code of Practice on harassment and sexual harassment at work agreed between the social partners. Some unions stated that a further problem is that employers will only normally tackle an issue if required to do so by law.

A further challenge, highlighted by women’s officers in unions, is to ensure that men in the unions take the issue of

gender-based violence, and in particular sexual harassment, seriously. This report has pointed to ways in which many men have championed this issue, ensuring that they systematically mainstream it into safety and health policies, and workplace risk assessments, and also ensure it is relevant for the strategic priorities of unions. Coupled with this is the need for an understanding of structural gender inequalities and unequal gender roles and relations. In Slovenia only a few of ZSSS’s 22 sectoral trade unions have worked on the issue of sexual harassment, and there are challenges in persuading some unions and employers to negotiate CBAs on the issue. For example, the culture in Slovenia dictates that: “We don’t want to speak openly about this – many don’t see jokes about women as sexual harassment. Employers have a responsibility in the legislation to do something – to implement procedures and prohibit [this behaviour] in the workplace – but they rarely do so” (Metka Roksanđić, Women’s Lobby of Slovenia).

d) The negative impact of the economic crisis and austerity measures

Evidence collected in this report shows that the economic crisis and austerity measures have had a significant impact in worsening conditions of employment, damaging workplace relations and increasing stress, violence and harassment at work. Changing work organisation, more intense pressures at work and heavier workloads have led to more hostile workplaces. The changes include unrealistic targets, staffing shortages, more isolated workplaces and heightened stress, coupled with growing levels of technology-based workplace surveillance and monitoring of workers’ performance, and they present major challenges for unions in organising and protecting workers from violence at work. The growth of non-standard work – including informal work, zero-hour contracts, agency work and casualisation – is particularly affecting women and younger workers. Unions argue that there is strong connection between good working conditions, decent work and the dignity of workers. As the ETUC’s ‘Bargaining for Equality’ study and its 8 March survey of 2013 (ETUC, 2013) have shown, the crisis has had a disproportionate impact on women who were already disadvantaged in the labour market and were already at greater risk of poverty and social exclusion.

- ▶ Italian unions point to trends showing that the economic crisis has led to an increase in sexual harassment in the workplace, where employers have used sexual harassment as a form of blackmail to lay off women in the private sectors. This has particularly affected women in the most precarious work, women working in small companies and migrant women. In addition, greater stress and pressure at work from changes in work organisation, introduced following the economic crisis, have added further risks of violence and harassment from managers, co-workers and third parties.
- ▶ Belgian unions highlight the negative impact on gender equality of the economic crisis and government austerity

measures, which have led to greater economic hardship and more involuntary part-time work, thereby reducing women's ability to be financially independent. Unions in Ireland argue that the economic crisis had had an effect on union negotiating agendas, and although there is a great deal of anecdotal evidence that workplace violence and harassment increased during the economic crisis, the main focus has been on protecting jobs and pay.

- ▶ Unions in the health and education sectors report that insufficient funding for the provision of adequate staffing levels and quality public services led to increasing levels of violence and harassment at work. They see a strong connection between good quality working conditions, decent pay and the dignity of workers. They argue that reduced funding for health services has resulted in increasing levels of violence and harassment at work; this includes rising levels of third-party violence from patients and families frustrated by longer waiting times and the declining quality of services.
- ▶ In the UK, unions highlighted a range of challenges arising from the government's austerity measures and what they viewed as regressive legislative changes (in relation to taking third-party violence out of the scope of the Equality Act, and introducing charges for lodging employment tribunal cases). In addition, the Trade Union Act has made it more difficult for trade union reps to get time off for training, thereby impacting on their access to courses on equality. This, together with a more hostile bargaining climate, has led unions to face serious difficulties in bargaining around equality issues, and violence and harassment at work. A key issue raised is the problem of how to improve access to industrial tribunals and remove the fees imposed by the government in 2013, which has made it harder for women to bring cases against an employer. A 70% reduction in the number of employment tribunal cases relates directly to the introduction in 2013, by the government, of a fee of £1,200 to bring a case before an employment tribunal.
- ▶ According to the nurses and midwives union in Ireland (INMO), an increase in the reported bullying of health workers between 2010 and 2014 is a result of government cuts in health, leading to staffing shortages and greater pressures on staff. This has led to adverse workplace behaviour, which also affects both work performance and the quality of the care given to patients (INMO, 2015).

e) The changing nature of work

As work becomes more flexible and workplaces more fragmented, unions are raising important questions about how to protect women workers from violence and harassment when they are self-employed, such as women working in entertainment industries and in the media, culture and arts, or in agency jobs or jobs that are outsourced. This is of particular concern because workplaces of the future are likely to be

more fragmented and work more casualised. The psychosocial risks of harassment and stress are increasing as a result of the greater use of new technology at work, online working, higher levels of sub-contracted work in the 'gig' economy, and digital-age 'click work' and 'cloud working'. Stress at work – caused by reduced autonomy and privacy, and greater surveillance and monitoring, as well as intensified workloads – is increasingly also being viewed as a form of harassment. The global union UNI has shown that communication and web-based technologies have enabled employers to monitor work performance, a phenomenon that has been extended to professional, managerial and service-related work (Akhtar & Moore, 2017). UNI also argues that workers in the 'gig economy', such as Uber taxi drivers, have no basic employment rights.

A significant challenge raised by unions is that greater casualisation in the workplace increases the risk of sexual harassment, particularly for younger women. Many unions are critical of government policy that promotes greater casualisation of work.

- ▶ In Belgium, for example, greater casualisation and flexibility in the labour market, and specifically an increase in part-time work, are labour-market measures designed to offer flexibility to employers, while also aiming to integrate more women into the labour market.
- ▶ In some sectors, where precarious working conditions and low collective bargaining coverage predominate, there are increased risks of violence and harassment. In the Netherlands, for example, the hotel sector is not covered by a CBA, and unions highlight the vulnerability of many women hotel workers and cleaners, many of whom are isolated, while some are victims of trafficking. There has been recent evidence from the Dutch government of the abuse of women working in embassies who are attacked and enslaved.
- ▶ The TUC's research report 'Women and Casualisation: Women's experiences of job insecurity' (TUC, 2015) gives evidence of the growing casualisation of women's work in sectors such as social care, retail, catering, cleaning and hospitality, as well as skilled professions such as university lecturers. An increase in zero-hours contract workers, agency workers and casual contracts leaves women vulnerable to sexual harassment and violence, discrimination, and lack of protection of their rights. The research found that women without job security felt less able to take action against a colleague or employer because they fear retaliation, for example, by having their hours cut. Younger women are also less likely to be a member of a trade union. The TUC's 2016 survey on sexual harassment also suggested a link between the high levels of sexual harassment experienced by younger women and the fact that younger women are more likely to be in low-paid and insecure work, including zero-hours contracts, temporary or agency work.

- ▶ The risk of harassment faced by workers in radio, television and theatre work on a freelance basis has been raised by the UK Federation of Entertainment Unions. The Federation has been critical of the policy drawn up by the BBC as it failed to cover the risks faced by freelancers working in radio and television, whose precarious working conditions were revealed, in the Federation's survey, to be a major cause of sexual harassment in the industry. In addition to a culture of sexual harassment and bullying, the actors' union Equity has highlighted the blatant disregard for women's rights in a sector where discrimination and sexual harassment are rarely reported.
- ▶ Evidence of sexual harassment in universities in several countries, particularly in science and male-dominated professions, shows that young female teachers at the start of their careers, who predominantly work in casualised forms of employment, face high risks of sexual harassment. The UK UCU union argues that the significant increase in the number of casual contracts makes young women particularly at risk of sexual harassment, and the union is addressing the issue through training and the negotiation of workplace policies. UCU's campaign against precarious contracts highlights the impact on women's decisions and choices, for example, about children etc. (UCU, 2015).
- ▶ Precarious employment and the flexibilisation of the workforce are identified by unions as contributing to rising levels of violence and harassment in the Netherlands. Although Dutch legislation protects workers in formal/protected employment, workers in precarious jobs face uncertainty and insecurity. This results in an under-reporting of violence and harassment, as many workers fear of retaliation if they make complaints. Insecure and casualised work also means that workers are at a greater risk of violence and harassment.

Unions in Italy state that the labour market is typified by small companies and an increase of non-standard and precarious employment relationships in the private sector. This, they argue, has led to greater risks of sexual harassment. The Italian statistical agency (ISTAT) estimates that there are currently about four million workers in precarious employment, or 17.2% of all employed people. Most of them are under 35 years of age. Around 90% of employers employ fewer than 16 workers and are exempt from the provisions of the Statuto dei Lavoratori. Between 70% and 80% of private-sector hirings are atypical employment relationships.

Spanish unions point to the challenges presented by the high incidence of precarious work and in-work-at-risk-of poverty, which has been exacerbated since the crisis by the growth of temporary and insecure work. According to Eurostat (2015), more than one in five employees in Spain (20.7%) had a temporary contract. A further issue highlighted by unions is that the majority of women work in small companies or in family-related enterprises which are outside the scope of provisions in the equality legislation requiring companies to draw up equality plans.

f) Women working in sectors with a high risk of violence and harassment and low trade union protection

The national country reports highlight particular sectors where women disproportionately experience higher incidents of violence and harassment. These are typical sectors where union organising and representation have been difficult to achieve and/or where women workers have the least secure conditions of employment. In addition, women working in service sectors, in night-time-economy jobs and in close contact with customers and clients, for example, in restaurants and bars, are particularly at risk of violence and harassment.

- ▶ In 2015, the 3F union and sister unions in other Nordic countries initiated a project to fight sexual harassment in the hotel, restaurant and tourism industry. Many restaurant workers have to endure inappropriate remarks and unwelcome physical advances in the workplace. The perpetrators include both customers and co-workers. A group of Nordic trade unions are now launching a project to fight sexual harassment in the hotel, restaurant and tourism industry. The project aims to stimulate a serious debate and action to prevent and tackle sexual harassment in the sector.
- ▶ Unions in Bulgaria highlighted the problems of low pay, poor working conditions, and psychological violence and harassment in the garment sector, where the majority of workers are female. The garment sector is a major employer in Bulgaria. It has been very difficult to organise workers and draw up agreements with employers. CITUB and POD-KREPA unions, representing workers in the sector, are in the process of trying to negotiate an agreement in the apparel sector, and to include violence and harassment in it. Many of the workers in the sector are young women from Roma and poor backgrounds. The conditions and pressure to complete orders, including long working hours, contribute to a culture of violence and aggression.
- ▶ In the agriculture sector in Italy, unions making efforts to organise workers have found it difficult to bring issues of violence and harassment to the negotiating table. There is a great deal of anecdotal evidence of harassment, sexual harassment and violence against women, particularly of migrant women working in the fields; some cases of extreme forms of violence and rape perpetrated against women occasionally receive media attention. UIL reports that there is extensive illegal recruitment and work in the sector and that data underestimates the true number of workers there. Unions have concentrated on campaigning for improved legislation on gang masters, illegal recruitment and trafficking. UIL has discussed this issue, as well as violence against women in the sector, with the Minister of Agriculture.
- ▶ Many domestic workers are in precarious work and are vulnerable to violence; many are isolated and do not report violence as they have no source of income at all because they have been trafficked. It is a sector of disparate and fragmented work places, where it has been hard for unions

to organise women and to conclude CBAs. The ratification of the ILO Convention on Domestic Workers is viewed as an important mechanism to protect the rights of domestic workers. The Italian confederation CISL, for example, provides support for domestic workers through a solidarity social insurance fund, and has been lobbying to improve conditions of work, pay, and access to a professional qualification and training framework.

g) Unequal representation of women in collective bargaining and senior decision-making positions

Despite significant improvements in women's representation in senior and decision-making roles, including as key negotiators, women are still under-represented as union negotiators. The problem faced by women's sections of unions in progressing a broad range of gender equality issues, including sexual harassment and violence at work, is that there are insufficient women represented in union decision-making structures. This, according to Patricia Biard of ACV-CSC, means that "... there are not enough women on board, this is really a problem for us. Unions are still very much male dominated, and it is hard to get these issue talked about."

For the last ten years the ETUC's 8th March annual surveys have documented progress in achieving the balanced representation of women in decision-making and leadership positions in unions. The 2016 survey found that although about 43% of trade union members are women, only 10 of the 53 confederations affiliated to the ETUC have a woman as the key leader. Although only an average of 28.7% of women are represented on union decision-making bodies, this represents an improvement in women's representation in recent years. According to the 2016 survey, recommendations on improving gender balance, which were adopted by the ETUC Executive Committee in 2011, have had a significant impact: they have resulted in an increase in the number of women in governing bodies and at other levels (in 14 confederations), and in those involved in monitoring progress towards greater gender balance and equal opportunities (in 12 confederations), training (in ten confederations), collective bargaining (in six confederations) and gender mainstreaming (in five confederations).

h) The erosion of collective bargaining

A key challenge raised by unions participating in interviews for this report is the trend towards an overall decline in both trade union density and collective bargaining coverage. This reflects the general trend towards more individualised, decentralised and fragmented bargaining arrangements (Pillinger, 2014; Eurofound, 2015d). For example, the ten countries most affected by the crisis saw collective bargaining coverage fall by an average of 21% (European Commission, 2014). In Germany, since 1990, there has been a decrease in the number of collective agreements that were extended to all workers, coupled with an increased use of opening clauses permitting

derogations. In a few countries, including France, Italy, Austria and Belgium, collective bargaining coverage remained relatively stable despite the economic crisis, during which time collective bargaining was a key element of the response to the crisis, through flexible working arrangements and short-time working schemes, and where governments, together with employers and trade unions, showed a continued willingness to regulate the labour market through the setting of framework conditions. In addition, some countries, such as the UK, have seen significant government-imposed restrictions on collective bargaining rights in both the public and private sectors. In Spain, company agreements take precedence over agreements signed at all other levels, whereas in other countries, sectoral bargaining in the private sector has largely been replaced by company-level negotiations.

The reduction in the number, coverage and influence of CBAs has been a major challenge for unions since the economic crisis, which has had a significant impact on their capacity to negotiate for a broad range of equality issues (Pillinger, 2014; ETUC, 2013). Slovenian unions note that employers want bargaining, from sectoral to workplace level, to be decentralised further. There is also a corresponding reduction in the number of employees who are covered by collective bargaining. In some sectors, unions have been unable to conclude CBAs.

Unions in particular express concern that, in the future, this overall trend – towards undermining collective bargaining coverage, and its decline – is likely to have a continued and profound impact on the capacity of trade unions to negotiate measures to tackle violence and harassment against women at work.

SECTION 3: DOMESTIC VIOLENCE AS A WORKPLACE ISSUE

3.1 INTRODUCTION

“A new negotiating issue for trade unions and employers is how victims of violence at home can be supported in the workplace. Domestic violence often follows victims into the workplace, and obviously impacts on productivity and workplace morale. This makes domestic violence a trade union issue.”

(Montserrat Mir, Confederal Secretary, ETUC)

This section discusses the second theme covered in this report, which is how unions have approached the issue of the spill-over of domestic violence¹⁸ in the workplace. It gives examples of how trade unions have promoted awareness and understanding of domestic violence at work, negotiated agreements and workplace policies, provided guidance and model workplace policies for union representatives, and campaigned for legal change. In some countries there have been successful and ground-breaking agreements in the workplace on the issue.

Domestic violence is a relatively new workplace bargaining issue that has the effect of widening the reach of the employment relationship by recognising the interconnection between work and private life (Pillinger, Schmidt & Wintour, 2016). Domestic violence at work is increasingly featuring on the bargaining agenda of unions in Europe, many of whom have been campaigning for many years to raise awareness about violence against women. Recently, unions have been inspired by pioneering work on bargaining for domestic violence leave and support in the workplace in Australia¹⁹ and Canada²⁰. More and more, trade unions and some enlightened employ-

ers are recognising that domestic violence is a workplace issue that connects work and private life.

The workplace can be a place of danger if a victim is harassed, threatened or stalked at work by a partner or ex-partner, which can have a significant impact on her capacity to get to work, to work effectively and to stay in her job. As a result, domestic violence at work can be seen as a core occupational safety and health risk whereby employers have a duty of care to ensure a safe workplace for both victims of domestic violence and their co-workers. The learning from decades of feminist work, and campaigns by union women's sections/committees on gender-based violence, shows that violence and harassment at work are about power and control – issues that can extend into and outside of the workplace.

Domestic violence includes physical and other forms of coercive and emotional/psychological control and threats, such as control over social interactions, control of autonomy, control of children or control of money, which have profound psychological consequences and impact on a woman's confidence in her ability to leave a violent relationship. For example, recent research by the TUC, in partnership with Women's Aid, found financial abuse to be a prominent form of coercive control, often preventing women from having sufficient money for fares to get to work or to buy clothing suitable for work, making it difficult for a woman to leave a violent relationship. Although financial abuse can affect women from all income groups, women on low incomes in the UK are particularly affected by government changes to the payment of Universal Credit (the single integrated payment replacing out-of-work means-tested benefits, housing benefit and tax credits).

Unions and employers are key partners in an integrated approach to preventing and tackling domestic violence, including in the workplace. As mentioned in Section 1 of this report, the Istanbul Convention and some national strategies

18 In this report the term domestic violence is used to encapsulate domestic violence and abuse, intimate partner violence and family violence.

19 Domestic violence clauses were first pioneered in Australia, where in 2010 the first domestic violence clause was successfully negotiated between the Australian Services Union Victorian Authorities and Services Branch and the Surf Coast Shire Council, with twenty days' paid domestic leave. By 2015, 944 agreements contained a domestic violence clause, covering 804,649 employees, predominantly in the private sector, across a broad range of industries and some of the country's largest employers. Close alliances between unions, experts and the women's movement, the availability of a 'model clause' and the commitment of the union representatives were critical facilitators for successful agreements. In 2015 a landmark case on domestic violence and work [Ms L. Moghimi v. Eliana Construction and Developing Group Pty. Ltd. [2015] FWC 4864, 23/08/2015] led the Australian Fair Work Commission to order an employer to pay maximum compensation to a domestic violence victim who was unfairly sacked because her employer stated that they were unable to protect her from her partner who worked in the same workplace.

20 In Canada, unions and employers have negotiated a range of agreements at workplace level to prevent and address domestic violence at work, and the Canadian Labour Congress is actively engaged in union education, lobbying for legislative change and putting forward collective bargaining demands to address domestic violence in the workplace.

on violence against women refer to the role of the workplace in preventing domestic violence. If domestic violence at work is not prevented, for example, through early intervention and workplace safety and supports, evidence shows that it can escalate over time, and at its worst can end in murder. The evidence collected in the ETUC's 'Safe at Home, Safe at Work' project, through eleven country case studies and discussions at the ETUC conference held in Madrid, shows that unions and employers can – and increasingly do – play a vital role in recognising, identifying and developing effective workplace measures to prevent domestic violence, dealing with it as one of the many preventable problems that impact on health and wellbeing in the workplace and affect workers' safety. This entails recognising and identifying the signs of domestic violence, providing support and offering practical measures to enable workers to stay in their jobs. These measures not only show that trade unions and employers addressing issues of relevance to women in the workplace: quite simply, they can help save women's lives.

3.2 LEGAL FRAMEWORK AND THE ENABLING NATURE OF LEGISLATION ON DOMESTIC VIOLENCE AT WORK

Several unions are currently lobbying their governments for domestic violence at work rights, on the basis that legal measures can play an enabling role both in protecting victims at work and in putting obligations on employers to ensure that women are safe in remaining in employment or when they return to work after a period of leave. In addition, domestic violence organisations cite reduced resources to support victims of domestic violence since the economic crisis, which in turn is a major barrier in progressing the prevention of domestic violence at work. Unions in Italy and Spain speak of the importance of the legislation there in opening doors for unions to negotiate clauses in CBAs and workplace policies, and to use the law as a foundation for extending legal provisions further.

The legal framework on domestic violence and domestic violence at work in the eleven country case studies can be found in Appendix 1. In relation to national legislation, most EU Member States have enacted specific laws on violence against women, criminalising most forms of it, including rape, sexual assault and domestic violence (EIGE, 2014). Ten Member States have legislation that treats domestic violence as a special criminal offence in criminal law. Stalking is not regarded as a separate crime in all Member States, although some do have a dedicated law while others prosecute stalking under other crimes in the criminal or penal code. Civil and criminal laws on domestic violence rarely refer explicitly to the role of the workplace, although in some countries labour law sets out rights for the victims of violence. For example, under French labour law an employee has the right to abstain from work if she has been a victim of gender-based violence: she is obliged to inform her employer immediately about the factual situation, the danger to her life and health she is facing, and the failure to protect her. As long as protection is not guaranteed, the employee can abstain from work.

The most comprehensive legal framework can be found in Spain, under Organic Law 1/2004 of 28 December 2004 on protection against domestic violence. This, combined with Organic Law 3/2007 on gender equality in the workplace, which requires companies with more than 250 workers to draw up a Gender Equality Plan in cooperation with trade unions, has led the majority of large companies to introduce clauses and policies on domestic violence at work. The law also recommends the introduction of equality plans in medium-sized and small companies, on a voluntary basis. To date more than 200 Equality Plans, with measures to prevent and address sexual harassment and to prevent domestic violence at work, have been negotiated and signed. One of the problems is that women in precarious forms of employment and in small companies are not covered by such plans. Many of these workplaces do not have a shop steward to whom a victim can turn. Trade unions are currently working towards reforming Law 1/2004 regarding the working rights of domestic violence victims, to make it easier for victims to organise their working hours or to obtain a job transfer. Despite a strong enabling legal framework, Spanish unions argue that the economic crisis has undermined unions' capacity to negotiate on these issues.

In Italy, domestic violence at work is a relatively new issue that unions are bringing to the negotiation table, thanks to the enactment of the 2016 Jobs Act, following many years of union lobbying for legislation. Unions in all sectors have started to become active in examining the implications of the legislation and how the domestic violence leave provisions can be negotiated, and where possible extended, in CBAs.

“The provisions in the Jobs Act are unprecedented in giving leave of up to three months for women who have suffered domestic violence; this is a new and very important development. We will work hard now to ensure that this norm is enforced. We got the provision into the legislation after many years of lobbying of the government by women's and feminist associations and unions. We have had a continuous dialogue about violence against women... For a long time, we have been saying that domestic violence is not the only type of violence and that there is also violence at work. The message eventually got through.”

(Loredana Taddei, National Officer Responsible for Gender Equality, CGIL, Italy)

Laws in many Member States also cover stalking and the issuing of protection orders, which can be relevant to the workplace. For example, under the German Violence Protection Act (GewSchG) of 2002 a protection order can bar the presumed perpetrator from the victims' workplace. In Article 5 of Bulgaria's 2005 Law on Protection against Domestic Violence, one of the measures referred to is to prohibit the respondent from entering the vicinity of the victim's home, their place of work, and the places where they have their social contacts or recreation. In Italy, criminal law Act No. 38 of 23 April 2009 introduced the new crime of 'persecutory acts' (stalking), together with penalties, including where stalking takes place in the workplace. Workplace stalking can involve stalking by partners and ex-partners, clients stalking staff or, in some circumstances, clients stalking other clients, as can be the case in residential care or mental health care settings. It can prevent victims from leaving their homes, travelling to work and carrying out their work effectively. Stalking can involve excessive forms of contact and abuse by emails, telephone calls and social media, unsolicited gifts, and physical or sexual assault in the workplace. Although there is no data for Europe, according to a US survey carried out in 2011, 5.1 million women and 2.4 million men had been stalked the previous year (NCADV, 2015). Of women murdered by an intimate partner, 76% were stalked first, and 85% of women who survived murder attempts were stalked. Stalking can lead to significant problems, including anxiety, depression and days lost from work, and is often an indicator of other forms of violence.

The Belgian National Action Plan to Combat all Forms of Gender-Based Violence, 2015-2019, is based on the framework of the Istanbul Convention (which was ratified in 2016) and contains some provisions relevant to domestic violence at work. It refers to the role of the private sector and the media in contributing to eradicating violence against women, for example, through raising awareness and drawing up guidelines and self-regulating standards. The private sector is expected to play a role, working in partnership with NGOs and social organisations and raising awareness amongst staff. The public sector is expected to contribute to the prevention of violence through projects aimed at improving people's safety in public places and on public transport, by preventing sexual intimidation/unwanted sexual behaviour and sexual misconduct in public transport.

The Spanish 'National Strategy for the Eradication of Violence against Women' (2013-2016) is one of the most comprehensive strategies in Europe involving specific workplace measures to combat violence with clearly identified roles for unions and employers. It contains 284 measures designed to contribute to a comprehensive approach to addressing violence against women. It includes a wide range of measures, including awareness raising and prevention, and makes several references to the role of companies, employers and trade unions in the workplace, who can act as partners. The plan encourages the State to collaborate with employers and unions to disseminate information on the labour rights of women workers in situation of violence, to promote social integration and the employment of women who have suffered

from violence, and to encourage their recruitment. See Box 13 below for the list of recommended measures for companies, employers and trade unions in the Spanish national strategy.

BOX 13: SPANISH 'NATIONAL STRATEGY FOR THE ERADICATION OF VIOLENCE AGAINST WOMEN' (2013-2016)

Recommendations in the national strategy specifically on the role of companies, employers and trade unions in the workplace are listed below (by relevant paragraph).

3. Carry out prevention and awareness-raising actions in the corporate sector through the initiative "Empresas para una Sociedad Libre de Violencia de Género" (Companies for a Society Free of Gender-based Violence).

6. In collaboration with trade unions and employer organisations, disseminate information on the rights of women victims of gender-based violence, with the aim of encouraging these women to break the silence.

102. In collaboration with trade unions and employers' associations, disseminate information on the labour rights of working women who are victims of gender-based violence.

104. In collaboration with trade unions, companies and non-profit entities, promote the implementation of training and social and labour-market inclusion programmes aimed at women who have suffered violence.

181. Promote the inclusion, in companies' equality plans, of measures aimed specifically at responding to the needs of victims of sexual and gender-based harassment in the working environment.

182. Promote the implementation of sexual and gender-based harassment prevention measures in the central administration and the public bodies attached to it.

229. Boost the 'Empresas por una Sociedad Libre de Violencia de Género' (Companies for a Society Free of Gender-based Violence) initiative in collaboration with trade unions and employer organisations.

The workplace is referred to explicitly in the strategy of the UK government, as well as the strategies drawn up in Scotland, Wales and Northern Ireland. The 2016 UK 'Strategy on Violence Against Women and Girls' states that employers have a role to play in identifying abuse and developing workplace policies. The role of employers in promoting early intervention through workplace measures is further developed in the Scottish and Welsh strategies on violence against women and girls. 'Equally Safe: Scotland's strategy for preventing and eradicating violence against women and girls' refers to the workplace as a key area for prevention and states that "... there is a role to be played in workplaces to champion a culture of zero tolerance of

harassment and abuse and one in which there is understanding of the needs of those experiencing violence and domestic abuse.” In Northern Ireland the new strategy issued in 2016, ‘Stopping Domestic and Sexual Violence and Abuse in Northern Ireland: A Seven Year Strategy’, makes reference to ‘effective workplace policies’ as part of a range of measures to support victims and families affected by violence. As the strategy notes, “The costs in respect of both domestic and sexual violence and abuse greatly impact on the resources of statutory, voluntary and community sector organisations and employers and reflect the enormous burden on victims and wider society” (p. 28). Despite active union lobbying, ICTU has expressed disappointment that it contains limited reference to the workplace and to unions.

Some national action plans make no specific reference to domestic violence at work, as is the case in the 2014-2017 National Action Plan against Violence in the Family and in Intimate Relations in Denmark. Under the fourth French Violence Action Plan (2012-2016), three priorities are set: to reinforce public action, protect victims and mobilise the whole of society, although no reference is explicitly made to the workplace. The plan of action doubled the budget for policies against gender-based violence for 2014-2016.

3.3 DATA ON DOMESTIC VIOLENCE AT WORK

Although the data is limited, surveys carried out across the world on domestic violence at work show consistent findings²¹, notably that, on average, one-third of workers report that they experienced domestic violence at some point in their lives and that around half of victims of domestic violence felt that their job performance was negatively affected.

Appendix 2 summarises the available data on domestic violence at work in the eleven country case studies.

The most recent comprehensive survey to date in Europe was carried out by the TUC, covering the UK and the Republic of Ireland (TUC, 2014). The survey found strong evidence to show that domestic violence affects performance and attendance at work. Of the 3,449 respondents, 41.6% had had an experience of domestic violence which affected their ability to get to work, and which also spilt over into the workplace and continued in the workplace. Few reported the problem in the workplace, in particular, to a trade union representative. Research also shows that 75% of domestic abuse victims are targeted at work by telephone calls and emails; 20% of victims of domestic violence had taken a month or more off work in the previous year owing to domestic abuse; 56% of abused women arrive late for work at least five times a month; 28% leave early at least five days a month, and 53% miss at least three days of work a month (TUC, 2015; Crown Prosecution Service, 2015; Home Office, 2009).

There is little evidence available on the extent, type or severity of domestic violence in the workplace. Although systematic data is not collected on stalking or domestic homicides in the workplace, unions and domestic violence organisations interviewed for the ETUC project spoke of an increase in the extent and severity of stalking in the workplace and in the numbers of domestic homicide/femicide at work. There has been little or no published analysis of the numbers of femicides that are committed by men in the workplace. In the UK, the TUC has identified at least six women murdered by partners or ex-partners in the workplace in recent years. New data collection on femicide, for example, under the UK Femicide Census, carried out by the Women’s Aid Federation England (2016) and the Irish Femicide Monitoring Project developed by Women’s Aid Ireland (2016), are a step in the right direction in identifying patterns of behaviour, risk factors and how to prevent the culmination of domestic abuse into femicide.

3.4 THE SOCIAL AND ECONOMIC CASE FOR PREVENTING DOMESTIC VIOLENCE AT WORK

“ [Domestic violence] puts limits on women’s time at work, it has a huge impact, as they don’t go out with colleagues, they are afraid of the workplace even though it should be a safe place. If they go from home to a shelter they want to go outside their home town, they don’t want to be in the same town as the perpetrator. This makes it difficult for women to continue to work. We have found that women living in shelters lose their jobs. They tell us stories about being ashamed of going to work if they have physical signs of violence. Many hide the violence, and it is the main reason for their medical leave.” (Vesna Leskošek,

Faculty of Social Work, University of Ljubljana, Slovenia)

There is a growing body of evidence to show that there are economic and social benefits to preventing and tackling domestic violence at work. This emerging work not only recognises that preventing domestic violence is a workplace issue, and that the workplace is inextricably linked to the family and community, but also that there are wider business benefits for employers in retaining workers who are victims of domestic violence. For a woman worker, financial independence is essential if she is to be able to leave a violent

21 Six large national surveys carried out in Australia, Canada, New Zealand, the Philippines, Turkey and the UK/Ireland, providing clear evidence about the impact of domestic violence on the workplace. For further information on the surveys see: <http://dvatworknet.org/research/national-surveys>.

relationship; without it, she can quickly lose attachment to the labour market if she is repeatedly controlled and abused.

For employers, there is a high cost to not addressing domestic violence at work. Estimates show that domestic violence has a high economic cost in the workplace in terms of lost productivity, sickness absence and lost jobs (EIGE, 2014; EIGE, 2012; Zhang et al 2012; Walby, 2004 and 2008). Using existing data, EIGE (2012 and 2014) identifies significant costs caused by gender-based violence, from lost economic output, the cost of services (health, criminal justice, legal, social welfare and specialist services), and the physical and emotional impact on the victim. Overall, EIGE (2014) estimates that economic output lost as a result of injuries alone represents approximately 12% of these costs. A report by the Belgian Institute for Equality between Women and Men (2010) highlighted the extensive economic costs of gender-based violence on companies, citing studies from Europe and North America which showed that violence affected concentration and efficiency at work, and made it difficult for women to keep their jobs. An example is given of a French non-profit company – Psytel, based in Belgium – where partner violence alone costs €439 million a year, of which €288 million constitute production losses due to work interruptions, absenteeism, etc. Estimates from Australia found that the cost of domestic violence to the retail industry alone was more than \$62 billion (€44 billion) between 2014-15 (National Retail Association, 2016). A report published by the Canadian Federal Justice Department estimated the total economic impact of domestic violence on employers at \$78 million (approx. €54 million) in 2009 (Zhang et al., 2012). In the USA, an estimated 8 million days a year are taken off work because of domestic violence, resulting in a cost to the economy of \$2.5 billion (approx. €2.3 billion) in lost productivity.

The European Added Value Assessment²² estimates that the annual cost to the EU of gender-based violence against women in 2011 was about €228 billion (1.8% of EU GDP) (European Parliament, 2014). This amounts to about €450 per European citizen each year. According to WAVE (2016), an investment of only 10% of this cost (or €45 per citizen, per year) in violence prevention would make a significant contribution to reducing the financial impact of gender-based violence on national budgets.

The rationale and cost-effectiveness of investment in prevention and in services for victims of domestic violence can be seen in research by Sylvia Walby (2008). Her research found that domestic violence costs the UK economy £1.9 billion (€2.2 billion) in lost economic output resulting from time taken off work owing to injuries, which leads to decreased productivity, increased absenteeism and increased employee turnover. These costs for business and the economy have declined from the 2001 level largely as a result of a fall in the rate of domestic violence thanks to better public services.

²² The European Added Value Assessment, carried out by the European Parliament, analyses the potential benefit of future action by the European Union and the added value of existing EU policies.

Walby (2008) points to the importance of investing in public services to reduce domestic violence, showing that in the UK this has been cost effective for the country as a whole, reducing the extent of lost economic output as well as the human and emotional costs.

3.5 THE IMPORTANCE OF WORK FOR INDEPENDENCE AND AUTONOMY

Economic independence gives a woman a pathway to leaving a violent relationship, and early intervention is essential if a woman is to have access to support and specialist services to enable her to stay in her job and live independently. Supporting a woman to stay in her job can thus prevent her from enduring long-term economic dependence, violence and abuse. Evidence collected from interviews and discussion held during the ETUC project shows that by the time they leave a violent relationship and reach the safety of a refuge, women have usually left work. Unions in Spain stress the importance of addressing the issue from the perspective of both the integration of women in the workplace and the precarious nature of women's working relationships. If women do not have economic independence, they will have less capacity to stand up to acts of violence. Obtaining financial independence is impossible if the woman in question is not working or if her working situation is precarious. As Diliiana Markova of the Bulgarian domestic violence NGO, Animus, argues, the workplace is an important place in the prevention of domestic violence: "... if women are already out of the labour market it is often too late, [so] it is important to work with women before they leave work." A study carried out on women's shelters in Denmark²³ also found that women who take refuge in shelters have less connection to the labour market, are often less well educated and have no financial independence. In most cases, when a Danish woman reaches a shelter she is not working.

“If women are living their lives in an atmosphere of the daily tyranny of psychological violence, women end up leaving their jobs, and before they leave their jobs they will have had a lot of sick leave. It is for this reason that it is very important that, when someone leaves their job or requests to be moved in her job, there is someone in the workplace who can delve into the reasons why... It is at that stage that it is

²³ Cited in interview with Mette Marie Yde, Danner.

possible to give support and help... I only know of one woman who moved to a refuge in a town outside of Copenhagen – her employer, who had branches all over the country, was able to relocate her job to the new town – and she is the only example I know of a woman who was still working.” (Mette Marie Yde, of the domestic violence NGO Danner, Copenhagen)

negotiate, develop and implement workplace policies. We believe that the strategy should include references to the many excellent policies which have been negotiated by unions and employers – Belfast City Council’s is one example. We also believe that policies on domestic violence should be mandatory across all of the public sector.” (Clare Moore, Equality Officer, ICTU NI)

3.6 UNION CONSULTATION AND PARTICIPATION IN THE DEVELOPMENT OF GOVERNMENT POLICIES AND STRATEGIES ON VIOLENCE AGAINST WOMEN

Although most governments in Europe have drawn up national action plans or strategies on violence against women, few refer to the role that trade unions can play either in consultations or in identifying actions relating to domestic violence prevention in the workplace. One of the problems is that Istanbul Convention and CEDAW, the two main frameworks for national action plans, make little or no direct reference to obligations in the workplace or to the consultation and participation of unions in the development and implementation of policies or programmes.

For example, the Italian government’s National Action Plan on Violence against Women and Stalking has been widely criticised by unions and women’s organisations for the lack of consultation held during the drafting of the Plan, which is seen to lack clear objectives and a focus on prevention. In Northern Ireland, ICTU Northern Ireland (NI) and affiliated unions were involved in consultations for the new seven-year Stopping Domestic and Sexual Violence and Abuse in Northern Ireland Strategy, issued in 2016. The Strategy does contain some references to the workplace, but in ways that ICTU NI considers to be very general, and it does not take into account the ICTU NI submission based on a focus group that ICTU NI convened for the Department of Justice during the preparation of the Strategy. The submission presented evidence about the economic and other social impacts of violence in the workplace, and pointed to the vital role that trade unions play in developing both strategic and workplace policy.

“The role of the trade union representative is vital in the context of the workplace, and trade unions have an important part to play in terms of working with employers to

ICTU NI is continuing to prioritise this work in the context of the implementation of the Strategy, and work is ongoing with the Departments of Justice and Health to ensure that tackling domestic and sexual violence is recognised as a workplace issue and that this theme is included in the action plan for year two. ICTU is also represented on the Stakeholder Assurance Group, a multi-stakeholder group with a role in overseeing the implementation of the Strategy. Following the publication of the Strategy, ICTU NI organised a round-table meeting with the Department of Justice and trade unions, taking the opportunity to outline ICTU’s position on workplace policies and the importance of employer engagement.

Under the Belgian Government’s National Action Plan on gender-based violence, it is anticipated that domestic violence at work will be an important topic of discussion amongst stakeholders. The Institute for Equality between Women and Men²⁴ is planning to implement new guidelines and measures on the prevention of domestic violence at work, and some of its ideas have already been informally discussed with union representatives and with representatives of ‘persons of interest/trust’ in the workplace.

“We want prevention to start early, we want the victim to talk about it at an early stage, and if possible to get help. We want to start to help them... Politically this is not the time to change the law, but we want to build up something, and to create new tasks within our existing structures. We already

²⁴ The Institute for Equality between Women and Men is responsible for providing data concerning the situation of women in Belgium. It promotes gender equality in the professional sphere, as well as combating violence and discrimination, and coordinates the National Action Plan against gender-based violence.

have a good structure for tackling mobbing and harassment through the ‘person of confidence’, and we think that best way to go is to suggest how victims of domestic violence can talk to the person of confidence, who in turn will try to negotiate with the employer and give advice to the person (perpetrator or victim). We plan to test this in some ministries.”

(Marijke Weewauters, Institute for Equality between Women and Men, Belgium)

In addition to developing an (informal) role for the ‘person of confidence’, the Institute envisages that safety and health prevention advisors may also have a formal role in the future. In time, the Institute would like to see a change in the law to ensure that preventing domestic violence at work becomes a formal role for the ‘person of confidence’.

Trade union participation in Inter-agency fora

Unions can and do play a role as part of the wider organisation of protection and services for victims of domestic violence. Inter-agency collaboration between organisations working to prevent, protect and provide services for victims of domestic violence, is advocated as a good practice approach in the Istanbul Convention. Although no reference is made to the social partners in this context, good practice inter-agency models that exist in Scotland and Northern Ireland recognise the value of an integrated approach of collaboration between agencies, including trade unions.

- ▶ The inter-agency Belfast Domestic & Sexual Violence and Abuse Partnership has brought stakeholders together, including trade unions, and has produced a model workplace policy on domestic violence and abuse. The Partnership brings together partners from social services, the police, probation, women’s aid, voluntary organisations, men’s projects and trade unions. It has drawn up ‘Domestic Violence and Abuse in the Workplace, A Model Policy’, which includes guidance, a model workplace policy and information about the role of unions. It states that staff experiencing domestic violence/abuse may report it to a union representative, a line manager, or colleague.

These are good practices that unions in Italy would like to see replicated. Unions and women’s organisations there are critical of the lack of a comprehensive, coordinated approach to service provision and partnership amongst public actors, as recommended in the Istanbul Convention. Challenges include the availability of resources and coordination amongst public

actors in the provision of services, as well as the uneven distribution of responsibilities at different levels of governance (regions, provinces and local municipalities).

Several unions argue that the ratification and full implementation of the Istanbul Convention, including ratification by the EU, will be crucial in the future for the development of an integrated framework for tackling violence against women, within which unions can also contribute their expertise and connection to women workers, in partnership with employers and other agencies and bodies working to end domestic violence. Italian unions, for example, are particularly concerned that the provisions contained in the national plan on violence against women (issued in April 2015) fails to implement the Istanbul Convention, notably in relation to prevention. The plan mentions the allocation of resources to regional governments, which the unions argue should lead to an increase in services for victims of domestic violence. However, the allocation of resources from regional to local level is very slow and the system of financing is complicated. CGIL are currently monitoring the steps for allocating resources locally, and report that many anti-violence centres are closing down owing to a lack of funding.

3.7 NEGOTIATIONS FOR COLLECTIVE AGREEMENTS AND WORKPLACE POLICES

a) How unions have approached the issue of domestic violence at work

The ETUC ‘Safe at Home, Safe at Work’ project has revealed significant interest amongst trade unions in the issue of domestic violence at work. Some of them have begun to build knowledge and skills for negotiating sectoral and workplace policies on domestic violence at work, including agreeing model clauses, training for union representatives and shop stewards to give sensitive support to victims of domestic violence, negotiating practical support with the employer, and ensuring that the prevention of domestic violence at work is included in workplace risk assessments, and on the agendas of safety and health committees.

Examples include model clauses on domestic violence being adopted in local government and the health sector in the **UK**, specific workplace policies adopted by multinational companies in several countries, the introduction of clauses in workplace equality plans in **Spain**, and union lobbying for the introduction of legislation giving a legal right to paid leave. Some unions are actively engaging with local municipalities to include clauses in the renewal of CBAs, as is the case in Italy and Bulgaria.

Unions in **Spain and Italy** have been the most active in negotiating agreements and workplace policies (by virtue of the legal framework, discussed above) and some unions are very active in Denmark, Northern Ireland and the UK. Preventing domestic violence at work was identified as a new issue

by unions in Belgium, Bulgaria, France, Germany, the Netherlands and Slovenia. In these countries union representatives mainly provide ad hoc support, for example through informal assistance, contacting the police and support services. However, women victims of domestic violence often approach a union only when their situation has become very serious.

French unions have taken different positions on the issue of whether domestic violence should be a union priority in the workplace. In the CGT, women representatives are unanimously of the view that domestic violence is a workplace issue and comes under the employers' and unions' responsibility for the health and safety of employees. The union bargains on the issue with employers whenever possible. CFDT Paris recognises the importance of the topic but prefers at this stage to concentrate on workplace-related violence. FO has also been reluctant to deal with the issue, but insists on the legal protection of a victim of domestic violence from discrimination and dismissal on the ground of health or family situation. FO argues that employers have a legal responsibility to protect victims against any violence occurring in the workplace, regardless of whether it is linked to their private lives.

In **Germany**, if a worker who is a victim of domestic violence seeks help and support, unions give assistance in an informal way, for example, by advising a woman of help she can receive from the company's human resources department, where they exist, or help from a specialist NGO or health service. German trade unions have not actively addressed domestic violence at the workplace and they do not have any official initiatives or a common position. The unions DGB, Verdi, VEG and others are of the view that the issue is an important but challenging 'private problem', which should be dealt with by specialist services provided by public health services and NGOs. Unions have expressed concerns that women who reveal that they are victims of domestic violence may be directly or indirectly discriminated against by their employer or manager.

In the Netherlands, unions are only just beginning to consider how they can address the issue of domestic violence at work, and they regard this as an important priority for the future. When unions address domestic violence at work, they tend to do so informally; this leads to individual negotiations with an employer to help support a victim at work. An example was given from the transport sector, where an employer recently approached the union official as he was concerned about a female employee. He asked for the union's help as he did not want to sack the woman from her job. The union official spoke to the woman and found out that she regularly experienced violence during the night; the official negotiated with the employer to give her afternoon and late shifts, so that she could sleep in the morning, and she also provided information about specialist support services. One of the reasons why unions in the Netherlands have not seriously considered domestic violence as a workplace issue until now is because it is regarded as being sensitive, and there is a marked separation between work and private life.

“What you do at home is very separate from what you do at work. Domestic violence or care issues are not talked about a lot... There is an assumption that the employer has a responsibility to provide a safe working environment, but it is also assumed that it is not the employer's role to give advice about what you do in your private life, even if this concerns issues such as unhealthy lifestyles, food consumption or alcohol consumption. Persuading the employer and the occupational health and safety committee that they should look at domestic violence as a workplace issue will be difficult.” *(Jessica van Ruitenburg, FNV, Netherlands)*

Similarly, unions in Belgium view domestic violence as a private issue, and there are few examples of CBAs or workplace policies that address domestic violence at work. There are some examples of companies organising information and awareness sessions which have included domestic violence as a topic, alongside mobbing, sexual harassment at work and psychosocial risks (Huchet et al., 2015). Most support tends to come from individual prevention counsellors or corporate psychologists who give ad hoc support to victims of domestic violence.

In the interviews for this report, Belgian unions presented two possible ways in which domestic violence at work could be addressed within the existing framework of law and of collective bargaining. First, they cite the precedent set in the April 2009 agreement in the National Employment Council (CBA No. 100) requiring every company to have a preventive alcohol and drugs policy, which must be drawn up together with the company works council and workplace health and safety committee. This had the effect of formalising the link between work and private life in relation to the prevention of alcohol abuse, exemplifying a direct connection between home and the workplace. This, the unions argue, connects workers' private lives to their work lives, and opens up the possibility for unions to consider the prevention of domestic violence in a wellbeing at work framework. This framework could also extend to perpetrators who may also bring problems at home into the workplace, for example, through acts of stalking or violence against a partner or former partner, or against other colleagues.

“There is the potential to use this system as a basis for addressing the impact of domestic violence at work... This is relevant, as women who are victims of domestic violence are isolated at work, they have difficulty getting to work, and they may experience financial abuse – this has consequences at work – and the employer should be obliged to do something within the framework of work.”

(Patricia de Marchi, of the Belgian confederation CGSLB)

Second, unions see the potential to adapt the Wellbeing at Work legislation to cover domestic violence as a psychosocial risk in the workplace. This is particularly important because the Belgian legislation is specific about the impact of psychosocial risk on work performance and the execution of work tasks, in amongst other areas, which is relevant to preventing domestic violence at work. In addition, unions have identified the role that protection orders can play in placing an obligation on employers to provide a safe working environment and to protect victims at work.

Discussions with unions in Bulgaria reveal a great deal of interest in developing new bargaining on domestic violence at work. The Bulgarian transport union, FTTUB, believes that domestic violence at work must be the next issue for the union to address in collective bargaining, for example, by extending existing municipal CBAs negotiated by FTTUB on violence against women at work to include domestic violence at work. FTTUB recognises that domestic violence is an integral part of the continuum of violence affecting women in both the public and private domains, and argues that it should be included in future workplace negotiations.

“It is in the public interest that we put domestic violence on our agenda and that we take this into a public discussion... It will also send a message to our members, some of whom commit violence, that domestic violence is unacceptable and that it is a union issue in the workplace. We must deal with this issue as it relates directly to the

workplace – there is an added value for the whole of society... It should be incorporated into the agreements that are already in place.”

(Yanka Takeva, President, Union of Bulgarian Teachers, CITUB)

Some unions see preventing domestic violence at work as a potential new role in the workplace. For example, ZSSS argues that a union could build on the range of informal and ad hoc supports that are already provided by its representatives. In addition, the SDTS trade union, for the commerce sector, helps victims of domestic violence through the Trade Union Solidarity Fund, which provides important financial support. Slovenian NGOs with experience of working with victims of domestic violence have shown that when someone in an organisation is trained to provide appropriate support, it can help to resolve the problem quickly. In this context, Slovenian gender expert Sonja Robnik argues, it is vitally important that trade unions take action in this area as “... prevention needs to be driven by an outside force, which is the trade unions.” Likewise, Doroteja Lešnik Mugnaioni of SOS Helpline, the national organisation which runs 16 shelters, welcomes the possibility of working in partnership with trade unions in preventing domestic violence at work.

During the ETUC's project, discussions were held between gender experts, domestic violence specialists and trade unions, which led to a common understanding and to a commitment to work on raising awareness of domestic violence at work. In Slovenia and Bulgaria, for example, unions expressed an interest in learning from and adapting model agreements and workplace policies from other Member States, as a basis negotiating agreements and policies in Slovenian workplaces.

b) Collective bargaining agreements and workplace policies on domestic violence at work

Appendix 3 lists over 40 examples of CBAs and workplace policies on domestic violence at work that were identified in the ETUC's eleven country case studies.

Most examples of CBAs and workplace policies on domestic violence at work can be found in **Denmark, France, Italy, Spain and the UK**. They offer a range of protections and supports, including flexible working hours, paid leave, change in job location or work scheduling, safety planning and in some cases childcare support, financial and housing support. In addition, the provision of confidential psychological and practical support is increasingly common either through existing company social assistants and occupational health programmes, or through specially dedicated domestic violence at work support and assistance programmes. Most policies and agreements include information about local NGOs providing specialist support. There has been little or no evaluation of the effectiveness and take-up of different work-

place initiatives, although interviews with unions and NGOs point to the important role they have played in supporting women to stay safely in work.

Unions in Spain have ensured that the majority of CBAs, harassment and violence protocols and gender equality plans have provisions in place regarding domestic violence. Some agreements and gender equality plans have improved on existing legal measures and most agreements provide information about specialist services, as well as social and psychological support to domestic violence victims. Clauses range from informing domestic violence victims of their rights, preventing domestic violence through training, reorganisation of the working day by offering flexible working hours, paid and unpaid leave and a range of other social or economic measures.

The Spanish CCOO union's analysis of 266 sectoral agreements, found that only 110 (41.3%) referred to measures to protect working women from domestic violence at work. However, CCOO state that there has been a big increase in agreements in recent years as a result of the obligations on employers to implement workplace measures under the 2004 Act on the protection to women victims of domestic violence. Of the 110 agreements, 75.4% define specific measures on domestic violence at work, including paid leave of absence. 20.9% have introduced new measures, beyond what is provided for in the law. (CCOO, 2014)

- ▶ Some companies in cooperation with unions have produced information booklets for workers experiencing domestic violence as part of their gender equality plans, as is the case of the companies Securitas Seguridad España and Aqualia. Some gender equality plans, for instance that of Iberdrola, provide training to workers to prevent domestic violence. Emulsa's gender equality plan rewards the completion of their domestic violence training courses with points that are recorded as professional training courses which are taken into account for internal promotion processes.
- ▶ In the area of working time, some agreements include special leave arrangements for domestic violence victims. For example, the El Corte Inglés gender equality plan offers four days paid leave per year to domestic violence victims when they have to move house or they have young or disabled children in their care. Others, such as, Grupo Zena, offer paid leave to victims for doctors' visits or for health or social care.
- ▶ As regards long-term leave, the CBA of LIDL supermarkets offers an extraordinary leave of absence of up to 3 years for domestic violence victims with the right to re-incorporate at the same professional level, if the problem is ongoing and more than 18 months have passed.
- ▶ The agreement of the energy company, Endesa, enables victims of domestic violence to work a shorter working day by taking a short lunch break, and Aqualia's gender-equality plan enables domestic violence victims to vary their holiday period to any time of the year.
- ▶ Some companies, such as the agreement with Decathlon, provide help with travel and moving costs if a job trans-

fer is made, and Mahou's gender equality plan covers the victim's rental costs during a period of six months, paying a maximum of 1000 € per month. Some agreements, especially in the banking sector, offer zero interest loans to cover the necessary expenses of employees who are victims of domestic violence. Endesa, for example, offers financial aid to cover rental costs and expenses relating to changing school or a child for a maximum period of 6 months if a victim of domestic violence has to leave her home. El Corte Inglés' gender equality plan considers the possibility of offering bonus pay in advance to domestic violence victims and that leave of absence caused by domestic violence will receive full pay.

Several promising practices have been developed in **Northern Ireland**, where unions have been very active in proposing and agreeing policies and agreements on domestic violence at work. They include workplace policies in health and local government, and a substantial effort on the part of public sector employers and unions, along with the Northern Ireland Government in progressing workplace policies. See example in the Box 14 below from Northern Ireland.

BOX 14: UNION INVOLVEMENT IN DEVELOPING POLICY AND WORKPLACE MEASURES ON DOMESTIC VIOLENCE AT WORK

Unions in Northern Ireland have played a very active and strategic role in negotiating workplace policies on domestic violence at work, in influencing national policy, lobbying for policies on domestic violence to be mandatory across the public sector, and working in partnership with a wide range of stakeholders to end violence against women and girls.

National guidance by the Northern Ireland Office and the Department of Health, Social Services and Public Safety on 'Developing a Workplace Policy on Domestic Violence and Abuse: Guidance for Employers' (2008), gives a good focus to partnership and working with trade unions to prevent violence and abuse in the workplace.

A policy agreed between Belfast Health and Social Care Trust and unions 'Domestic Violence and Abuse in the Workplace Policy' (2008) has a good focus on partnership working and engagement with unions: "Employers and Trade Unions are committed to responding sensitively and effectively to those needing help and support as a result of Domestic Violence" and "Employers and Trade Unions will take all reasonable steps to deal with domestic violence/abuse through the creation of a safe and supportive environment within the workplace".

A leaflet entitled 'Domestic Abuse: Confidential Support for all Trust Staff' was drawn up in 2008 alongside the policy setting out the role of des-

ignated support officers, who are appointed in different services and from unions to provide support to victims of domestic violence. They receive training to provide informed, non-judgemental support and information to victims, including emotional support, practical information, liaison with line managers, and give help for family members. Because of the confidential nature of the service and the various means of accessing it, it is difficult to quantify how many staff members have benefitted from the service, although it is estimated that between 10 and 15 people seek support each year.

In October 2012 Belfast City Council agreed a 'Workplace Policy on domestic violence and abuse', with the four main trade unions (NIPSA, UNITE, GMB and SIPTU). For reasons of confidentiality no formal records or statistics are held about the number or type of cases. Belfast City Council has a Women's Network for employees which has discussed the issue. Belfast City Council won a gold award in 2015 under the "Safe Place" initiative in recognition of its commitment to supporting employees who have been affected by domestic violence.

- ▶ In the UK, the public service union UNISON and other unions have been active in providing guidance and model workplace policies on domestic violence at work. This, along with guidance from national employers' organisations in health and local government, has resulted in a large number of government departments, local authorities, health care Trusts in the UK agreeing workplace policies for their staff. Information about the UNISON guidance and model policy can be found in the next section.
- ▶ A good example is the workplace policy drawn up for government employees in Wales: 'Domestic Abuse, Violence against Women and Sexual Violence Policy' sets out guidance and a procedure for colleagues, managers and victims of domestic violence and abuse, and what to do if an employee/external person is a perpetrator. Trade union representatives are responsible for familiarising themselves with the provisions of the policy and procedure and for assisting their members.
- ▶ Several agreements have been drawn up in the retail sector in the UK, an example of which is a domestic violence policy agreed between the Coop (retail chain) and the shop workers' union USDAW. It sets out obligations on the company to provide information for line managers and HR and resources for victims and perpetrators of domestic abuse; provide support to victims such as time off to attend meetings or counselling; provide support to perpetrators who may seek help voluntarily; provide training to raise awareness of domestic violence and understanding of the policy and guidance, and roles of line managers, HR and the Employee Assistance Programme.

In some cases, workplace policies have been employer led, as is the case in Germany where initiatives have been drawn up by city administrations in Berlin setting out obligations to protect and support employees against domestic violence.

- ▶ Several German companies have developed initiatives which stem from the employers' obligation to prevent and protect against any threat of life and health and because they recognise that there is an economic benefit to protecting a woman's health and integrity in situations of domestic violence at work. In 2007, the German NGO Terre des Femmes was the first organisation to be active in promoting the first workplace policies in companies, which led to a joint conference between the Friedrich Ebert Foundation and Terre des Femmes; a second conference was held in 2009.
- ▶ Since 2007, the Berlin Senate Administration (department of equality and gender) has been involved in the development of workplace policies. Some larger companies have introduced workplace policies, with confidential social advice services and telephone hotlines, which unions believe also give support to victims of domestic violence.

Another approach taken by unions is to include measures on domestic violence at work as part of broader negotiations on gender equality. In France, although there are no specific legal obligations to include domestic violence at work in negotiations on professional equality, unions have used the negotiating framework on professional equality to include domestic violence at work. CGT, for example, state that their negotiations regularly integrate a chapter on domestic violence with specific concrete actions to be taken by the employer. A good practice is the agreement with PSA Peugeot Citroën, see Box 15 below.

BOX 15: PSA PEUGEOT CITROËN

The 2009 company agreement with PSA Peugeot Citroën, the car manufacturer, was one of the first in France to address the issue of domestic violence at work. It took the form of a protocol to prevent and combat domestic violence, which was signed with the then Minister for Employment and Social Relations. In 2014, PSA went a step further when it made fighting violence against women a priority in the three-year company-wide agreement on gender equality. In Article 4(8) in Chapter 4, "Supporting the feminisation of employment by improving working conditions and adapting workplace structures", reference is made to supporting employees who are victims of domestic violence. This encourages the company's various sites to take action against gender-based violence by relaying national campaigns, training social, medical and HR services, and making referrals to support employees who are victims of violence. Each site can undertake different actions within its plant to meet these objectives. For example, the Vesoul site reached out to the Information

Centre on Women's Rights and Families (CIDFF) to arrange training for the site's managers. 150 managers were specifically trained to identify violence against women and an exhibition on the issue was organised. Training also helped managers to identify victims and to recognise that the issue of domestic violence may be raised by a woman when talking about other issues. This has led to a 'multi-factor' approach. Awareness-raising initiatives have also been implemented, including the distribution of flyers to assist with self-diagnosis ('Are you a victim?').

- ▶ The French 2015 La Poste CBA on gender equality was signed by unions represented in the company, which includes a chapter on protection against domestic violence and on violence in the workplace. This states that La Poste will help victims of domestic violence at each site of the company with the possibility to contact a social assistant in order to get advice and support with regard to domestic violence. In line with its social housing policy, employees may ask for urgent housing solution. The HR and management line will help to find a housing solution and to propose a geographic change of the workplace if necessary. La Poste will inform on NGOs and other specialised institutions for support and advice.
- ▶ The 2012 company agreement on gender equality with the French supermarket chain Carrefour states "that domestic violence is a problem for workers regardless of their origin or their professional grade with catastrophic consequences for the person concerned and includes company information and training as part of its Corporate Social Responsibility Strategy. (Article 2) As part of its Corporate Social Responsibility, Carrefour will give information in order to raise awareness on the issue amongst its employees. This information campaign will be tested at some sites and might be, if necessary, enlarged at the national level."
- ▶ The telecommunications company Orange included in its 2014 agreement on gender equality in France an article on gender-based violence, as part of the "Work organisation, work-life balance, health and prevention". It states that the company will put in place emergency action if a woman files a complaint. This emergency action can include quick housing provided by the 'Action Lodgement' initiative.
- ▶ The 2016 agreement on professional equality with the tyre company Michelin states that the company commits to set up measures to improve the provision of care for victims, and information about the ways to provide help and support will be disseminated among the occupational health staff, social assistants and human resources staff.

In Italy, unions are currently preparing a range of CBAs and proposals on paid domestic violence leave, following the introduction of the 2016 Jobs Act. In some sectors unions are planning to negotiate to extend leave entitlements beyond

three months and to negotiate flexible forms of leave. Unions argue that it should be possible to persuade employers to do this as models of leave exist for other groups of work (such as reconciliation of work and family life, leave for older people and leave for marriage).

- ▶ In the food sector the joint statement by unions and employers on discrimination prevention in the food sector (5 February 2016) sets out provisions of leave for women who are victims of gender violence. In other sectors, such as transport, energy and water, bargaining proposals and objectives have been set for all new agreements to include paid leave and to ensure that this is provided on a flexible and hourly basis if needed. One of the issues raised is that it is important to keep women in the workplace and for women to have access to flexible forms of leave, for example, for police or court appointments or for counselling.
- ▶ The electrical CBA currently includes reference to violence against women in a section on women's rights and UILTEC has a bargaining demand to increase the leave up to six months. In the chemical sector several agreements have been signed on reconciliation of personal and professional life, which includes a leave period for victims of violence, and right to switch between part-time and full-time work. Because the national agreement in the Chemical sector was up for review in 2016, the union added a new section for the introduction of company based observatories for improvement of performance, reconciliation, smart working/flexible working hours, and compliance with gender issues. It gives specific attention to mothers and fathers and includes the principle that 'if you are well at home you will feel well at work'. This is seen as a very important approach to make the connection between balancing work and professional life with prevention of gender-based violence.

c) Domestic violence at work as an occupational safety and health issue

Several unions spoke of the importance of ensuring that domestic violence at work is integrated into occupational safety and health policies and procedures, including risk assessments. Although there is little evidence that this approach has been adopted across the EU, unions point to learning from the precedent set on this in Canada, under the Ontario Occupational Health and Safety Act²⁵ under which unions have approached domestic violence at work as a health and safety issue. This issue was first signalled by the European Agency for Safety & Health at Work in its report on gender and safety and health at work (EU-OSHA, 2003), where it was noted that victims may "suffer either physical or

²⁵ Section 32.0.4, Occupational Health and Safety Act, states: "If an employer becomes aware, or ought reasonably to be aware, that domestic violence that would likely expose a worker to physical injury may occur in the workplace, the employer shall take every precaution reasonable in the circumstances for the protection of the worker." Guidelines have been drawn up on 'Threat Assessment and Risk Management, Setting up Security Measures and How to Create a Safe Workplace'.

psychological health problems and this may affect their work performance and result in their taking time off work” (p. 65).

Domestic violence carried out in the workplace – through, for example, physical violence, harassment or stalking – is a serious form of workplace violence and for this reason should be integral to workplace policies on occupational safety and health. When domestic violence at work is included as part of an overall workplace policy or agreement on violence and harassment at work, this signals that domestic violence is a safety issue in the workplace. This not only contributes to creating a safe and respectful working environment, but it can also encourage better work-life balance policies that can adapt to the needs of workers experiencing domestic violence.

Through workplace policies and agreements, it should be possible to identify effective ways to deal with employees who harm, threaten or harass a partner or ex-partner, including how to deal with stalking and the enforcement of protection orders in the workplace. However, unions stress that it is important for union representatives and employers to understand that domestic violence is different from other types of violence and harassment in the workplace. In addition, they point to the importance of safety and health representatives understanding the warning signs of domestic violence, including levels of potential severity, and knowing how to deal with them. Issues of confidentiality and how to communicate effectively and support a worker who is experiencing domestic violence, and how to help a victim with safety planning, is also important. This may include negotiating leave and/or flexible working hours, making safety plans, and referring the victim to specialist domestic violence and counselling services. Unions also highlighted the need for different types of skills and workplace protections for victims, depending on the extent of the risk to their personal safety.

- ▶ Some unions have sought to include domestic violence at work in occupational safety and health initiatives and checklists. For example, the UK TUC’s ‘Gender sensitivity checklist’ (on gender and occupational safety and health) is currently being updated, and will include a stronger focus on domestic violence at work.
- ▶ The union UNITE includes advice on domestic violence as part of women’s occupational health and safety guidelines. The guidelines show how UNITE representatives in the workplace can help workers; they also cover holding discussions on the effects of domestic violence and negotiating a policy at work, and offer suggestions for what to do if you or another member is experiencing domestic violence.

d) Incorporating domestic violence at work into existing policies and agreements

Some unions have incorporated provisions on preventing domestic violence at work into existing policies and agreements on occupational safety and health, violence and harassment at work, or provision of leave schemes, finding

this easier to achieve than creating new, stand-alone policies and agreements. A large number of unions highlight the possibility of domestic violence support and leave being included in existing agreements and workplace policies on health and wellbeing at work, on family-friendly working or on equality and diversity, or integrated into initiatives that tackle absenteeism and ill-health, rather than trying to negotiate new agreements on the issue.

- ▶ A good model for this exists in the workplace policy of the Slovenian supermarket Mercator, where precedents for providing short leave are already in place under the Employment Relationship Act, and have been extended in many CBAs. They provide up to seven days’ paid leave for weddings, family bereavement or moving home, a serious accident suffered by the employee, for example, and non-paid leave for up to 30 days. A good practice agreement in the banking sector gives seven days’ paid leave for family and personal matters. Unions believe that in the absence of specific policies and procedures on domestic violence at work, similar leave could be negotiated and specified for victims of domestic violence.
- ▶ The Danish Central Custom and Tax Administration, SKAT, recently amended its personnel policy on “Violence, intimidation and harassment”, which was initiated by a trade union representative who had followed training for shop stewards on domestic violence at work. It is interesting to note that the policy refers to threats of violence or harassment from internal or external parties, which can include stalking or harassment by perpetrators of domestic violence. It states that: “In SKAT we do not accept violence, threats of violence or harassment from either internal or external parties. This applies both during working hours and to work-related violence, threats and harassment outside normal working hours.”
- ▶ In the guidance produced for managers on handling the effects of domestic violence at work agreed by the British Telecom company, reference is made in the company’s existing ‘Achieving the Balance’ policy to flexible working and to changing work roles. The policy also refers to cases in which both people in the domestic dispute are BT employees, where it may be necessary for BT to implement its policy on harassment and bullying at work.
- ▶ The 2015-2017 Gender Equality Plan of the French Ministry for the Economy and Finance refers to gender-based violence in relation to existing measures on safety and health at work and the prevention of violence at work – measures that can be used to support victims of domestic violence, for example through support provided by social workers and occupational health staff. The plan provides for HR staff and managers to have access to relevant information and tools, as well as the option of creating partnerships with specialised NGOs.
- ▶ The Bulgarian transport union, FTTUB, is planning to negotiate provisions on domestic violence at work and to further develop existing agreements on violence and

harassment at work so that they include provisions on domestic violence at work. For example, agreements on work in urban transport and railways have put in place provisions for psychologists to support victims of workplace violence, which could be further developed to address domestic violence.

- ▶ Representatives of the CITUB Women’s Committee in Bulgaria also stated that they aim to integrate domestic violence leave into existing work-life balance and leave arrangements. For example, Article 44 of the Education Sectoral CBA negotiated by the Bulgarian Union of Teachers provides additional paid leave for mothers, thereby setting a precedent for the provision of paid leave for women, which could be extended in the future to paid leave for victims of domestic violence.
- ▶ The Institute for Equality Between Women and Men in Belgium believes that it is best to start with an informal process, and to use existing leave schemes and occupational safety and health measures as the basis for negotiating leave for victims. Unions in Belgium and the Netherlands identify a key role in the future for ‘persons of confidence/trust’ in providing confidential support and assistance for victims of domestic violence.

Some unions have pressed for domestic violence at work to be included and recognised in workplace policies or under employers’ obligation to address absences from work.

- ▶ In Germany, obligations on employers to address sickness leave have been another opportunity to introduce measures designed to prevent domestic violence at work. For example, after a period of absence at least six weeks in a year for health reasons, maternity or other reasons, employers have an obligation to conduct a ‘reintegration interview’ with the employee, which aims to find solutions and support to help the employee resume her work.
- ▶ In the UK, some unions believe that this is a useful approach to take, particularly as other priorities and battles occupy their time and resources, making it difficult to negotiate workplace policies on domestic violence at work. By bringing an understanding of domestic violence at work to employers’ strict management of attendance, unions can protect victims of domestic violence from losing their jobs.
- ▶ In Slovenia, NGOs and unions highlighted the important role that can be played in the workplace within the existing legal and collective bargaining frameworks. One way that this could be approached is through the joint union/insurance institution project on addressing sickness absence, or through existing agreements and policies on leave from the labour market and on work-life balance.

e) Typical features of agreements and workplace policies on domestic violence at work

Workplace policies can send a strong message that domestic violence is not tolerated inside or outside of the workplace. They can be stand-alone policies or incorporated into existing policies on harassment at work and/or on safety and health. An important part of such a policy is that confidentiality is maintained. A review of workplace policies and CBAs on domestic violence at work, including model clauses, finds that they typically include the following provisions:

- ▶ *Information about domestic violence at work:* As a starting point it is important to give information about domestic violence, what it encompasses, the extent of it and how it impacts on the workplace. Most importantly this should help to raise awareness that domestic violence is a serious infringement of women’s rights to independence and autonomy, and that if it escalates it can have catastrophic consequences for victims.
- ▶ *Paid flexible leave:* This can include arrangements to enable a worker to take paid time off work, or to work flexible hours, to enable them to seek protection, attend solicitors’, police or court appointments, seek new housing or relocate to a safe house, arrange childcare or new schooling for children, or take up specialist support and services, such as counselling.
- ▶ *Protection from dismissal:* An important part of a policy is to ensure that victims of domestic violence who have taken sick or other leave have time-limited protection from dismissal, as exists for pregnant workers, for example.
- ▶ *Safety and security in the workplace:* Initiatives to improve the safety and security for victims can include specific safety planning to prevent physical assault, harassment or stalking at the workplace, as well as measures to tackle threatening or harassing phone calls and emails from abusive partners or ex-partners. Measures that can be negotiated with an employer include supporting a victim to carry out a safety plan, informing reception staff and a woman’s colleagues to ensure their safety, providing a secure entry system and car-parking place, and giving the worker the option of changing their work location, working hours or shift patterns on a temporary or permanent basis. These measures can also provide support and safety for co-workers who may also be affected in the workplace.
- ▶ *Support for workers:* Examples of support that can be provided for victims include confidential, approachable and non-judgemental meetings with a designated support person, person of confidence/trust, social assistant, occupational health doctor or nurse, HR manager or line manager.
- ▶ *Disciplinary procedures in dealing with perpetrators:* Most policies make a link to existing disciplinary procedures and sanctions that set out how acts of violence, aggressive or harassment in the workplace could potentially lead to dis-

missal or other sanctions. There may also be implications for conduct outside of the workplace, which could also lead to disciplinary action due to its impact on the employment relationship.

- ▶ *Training and awareness raising for the workforce:* An important aspect of a policy is awareness training for staff who may come into contact with colleagues (or clients/customers) who may be victims of domestic abuse. This can help co-workers who want to help a person affected by domestic violence to have a compassionate and non-judgemental response, but also ensure that co-workers are safe if a perpetrator comes into the workplace. Sensitive communication with staff who may be potential victims is also important, for example by providing information about contacting a workplace representative, or a member of staff who acts as a person of confidence/trust in the workplace, and putting the telephone numbers of support groups in changing rooms or toilet facilities.
- ▶ *Training for shop stewards and line managers:* Policies can also specify training for shop stewards and line managers, setting out how training can help them to identify the signs that a worker is experiencing problems of domestic violence, provide initial support and offer a referral to other specialist support agencies, while also knowing the boundaries of their support and knowing where to draw the line in offering advice.
- ▶ *Provide information about and referral to specialist services:* An important part of a workplace policy is to enable trade union representatives, line managers, HR managers and co-workers to have access to up-to-date information about referrals to specialist support services. This also applies to situations where perpetrators are workers who seek help, or where a colleague or line manager suspects that a worker is a perpetrator of domestic violence.
- ▶ *Financial support:* This could take the form of advance payment of salaries, low-cost loans for housing and relocation costs, and financial support for childcare and expenses incurred when children start a new school.

3.8 AWARENESS RAISING, GUIDANCE, TRAINING AND CAMPAIGNS

a) Guidance materials and model agreements on domestic violence at work

In France, unions have drawn up a range of guidance materials. A CFDT brochure for union members and activists in companies gives concrete information and guidance on supporting victims of domestic violence. The brochure, entitled 'Domestic violence at the workplace: Supposing we talked about it?' ('Violence domestique sur le lieu de travail. Si on en parle') states that if workers are aware of the support and assistance the union can provide, they are more likely to come and ask union members for help. It gives advice about safety planning, dealing with malicious calls and emails and stalking by the abuser, and preventing serious violence or homicide in the workplace. Suggestions include signposting and contacting a domestic violence specialist for support, identifying potential risks and assessing the likelihood the risk may occur, planning the safety of members in the workplace to eliminate or reduce the risk (in the same way as planning for other occupational health and safety risks), and doing this in collaboration with the worker concerned. Guidance is given on what to do and what not to do when supporting a worker. Support includes encouraging the worker to maintain a personal diary of incidents of domestic violence and injuries and their impact on work and attendance, as well as holding empathetic and non-judgemental conversations with victims and giving them non-prejudicial support.

In Spain, unions have carried out research and have produced guidance to inform, train and raise awareness about domestic violence. Examples include ELA guidance 'Gender Inequality and Sexist Violence: an Inescapable Problem', UGT guidance 'A Union Mediator's Guide to Domestic Violence' and CCOO guidance 'Violence against Women. Legal Rights and Social Security of Female Victims of Domestic Violence'. A detailed and comprehensive CCOO trade union guide from Catalonia sets out practical guidance on tackling domestic violence at work (see Box 16 below).

BOX 16: CCOO: TRADE UNION GUIDE ON VIOLENCE AGAINST WOMEN (GUIA SINDICAL SOBRE VIOLÈNCIES MASCLISTES A LA FEINA)

The guide drawn up by CCOO (Catalonia) aims to raise awareness and give practical tools to address violence against women in the workplace. It states that male violence against women is structural and based on patriarchy and male cultural and economic power over women, which makes it impossible for women to exercise their basic rights and fundamental freedoms. The guide proposes that the eradication of violence requires the involvement of the whole of society to achieve a real change in attitudes and values and where the principle of equality is a reality and where there is an end to impunity for gender-based violence.

The guidance provides practical information about the legal framework on violence against women, and best practices for trade union action and collective bargaining about domestic violence at work. Examples are also given of how to give support and care to victims in the workplace. The guide is aimed at workers, trade union representatives and lawyers, amongst others. The guide builds on CCOO's work to eliminate direct or indirect discrimination against women at work, including the fight against sexual harassment and gender-based violence.

CCOO believes that collective bargaining is one of the best tools to fight and prevent gender-based violence in the workplace. Collective bargaining can play an important role in awareness raising, prevention, training and in agreeing interventions in the company. However, the guide states that it is important to be well prepared and informed, and to include a wide definition and scope to violence against women when negotiating collective agreements, equality plans and protocols of sexual harassment and harassment based on sex, so that they become effective tools to tackle all forms of violence against women, including domestic violence at work, and with attention to the needs of victims.

The following actions are proposed for prevention strategies and awareness:

- ▶ Provide training and awareness raising for union representatives and officers.
- ▶ Promote internal discussions to define action strategies and proposals for collective bargaining.
- ▶ Draw up brochures and other educational materials to prevent violence against women and raise awareness.
- ▶ Carry out specific campaigns to sensitise workers and union representatives about gender-based violence at work.
- ▶ Disseminate information about the obligations of Article 48(1) of Law 3/2007 on the legal representation of workers.

Source: CCOO (2014)

An important part of trade union guidance has been the development of model agreements, which has been used to good effect in the UK and Ireland to facilitate the development of workplace policies. It has led to several large UK unions taking an active role in negotiating workplace policies on domestic violence at work, particularly in the public sector and large companies. As mentioned above, much of the early inspiration for workplace policies and measures to address domestic violence at work came from the public service union, UNISON, who published a model policy and guidance in 1999, which were subsequently updated in 2015 (see Box 17 below).

BOX 17: UNISON GUIDANCE AND MODEL POLICY

UNISON has been promoting workplace policies on domestic violence at work for over 15 years. In the early days of UNISON's work, the union approached employers and argued the case for domestic violence at work policies. This led to the development of the 'Raise the Roof' guidelines in 1999. In 2015 UNISON issued updated guidance 'Domestic violence and abuse: a trade union issue'. A UNISON guide' setting out information about domestic abuse, suggestions of what branches and trade union representatives can do, and includes the model workplace agreement on domestic violence. The model workplace agreement covers training for managers and employees, named HR staff with appropriate training; special paid leave for victims; temporary or permanent changes in working time and patterns; changes in specific duties to avoid potential contact with an abuser; redeployment or relocation where appropriate; measures to ensure a safe working environment. e.g. changing phone numbers; access to counselling and support services in paid working time; an advance of pay; and access to courses developed to support survivors of domestic abuse. The model workplace agreement has been circulated to all regions and branches and disseminated to employers via employers organisations.

To date there has been no follow-up to see how many agreements have been signed based on the model agreement, and UNISON plans in the future to monitor how many workplace policies have been implemented. UNISON currently has 13 workplace policies on file; however, the union believes that there are many more workplace policies that have been negotiated in the public sector, particularly in local authorities and in the health sector.

The TUC has issued a guidance document and model workplace policy on domestic violence (TUC, 2002). Several other unions have issued guidance and model policies on supporting workers who are victims of domestic violence, including the civil service union PCS and the journalists' union NUJ. The rail union, RMT, has requested that all lead officers should table the union's model domestic violence policy with all employers for incorporation into collective bargaining. The model policy states that abuse "can have a damaging effect on the recipient's mental and physical health, resulting in poor performance and attendance at work. It is therefore a major issue." It sets out certain principles, such as that the company should treat victims sympathetically, give support and information, provide and publicise a central point of contact, and offer training to line managers and union reps. It states that the company will, where appropriate, provide practical support for victims, for example, in relation to work attendance or timekeeping, make available special leave or flexible working, providing a safe working environment and allowing pseudonyms on staff name badges.

The retail union USDAW issued new guidance on 'Domestic Violence and Abuse' in 2016, using an integrated approach to tackle three related violence and abuse issues: domestic violence, sexual harassment, and travelling to and from work. Regarding domestic violence, it gives information and aims to raise awareness for union reps about the causes and effects of domestic violence, including information on the signs that may indicate that domestic violence may be an underlying issue. It states that employers have a duty of care to their employees and gives guidance on how to support members experiencing domestic violence. A shorter leaflet, 'Domestic Abuse', sets out help and support for women who might be facing domestic abuse. The union has also addressed the issue of violence in same-sex relationships.

Two UK domestic violence organisations, Refuge and Respect, have jointly drawn up a detailed domestic violence resource manual for employers and HR professionals, which has been piloted and positively evaluated in a large County Council (Refuge and Respect, 2011). The manual is regarded by unions as the most progressive and inclusive resource available in the UK.

► **In Ireland**, ICTU launched a revised set of guidelines for trade unions in 2013 with advice about how women who experience domestic violence can be assisted at work: 'ICTU Domestic violence – is a workplace issue'. The objective is to give consistent and effective assistance to those suffering domestic abuse. A motion at the ICTU Biennial Women's Conference 2013, furthermore, called for affiliates "... to press urgently both public and private sector employers to introduce workplace policies and procedures which will contribute to the overall campaign against domestic violence as well as providing a safe and supportive working environment to the victims."

b) Training and capacity building

Training has been an important part of union activity to gain political support for and raise awareness about workplace measures to prevent domestic violence at work. Across Europe, trade union training and organising models are increasingly innovative with a focus on a 'whole worker approach', which in the UK has helped union to raise awareness about the interconnectedness of women's working lives and their domestic lives. A key issue raised by unions is the need for training for union negotiators and workplace representatives to understand the dynamics of domestic violence at work, particularly when it comes to negotiating clauses on domestic violence leave and other support. In particular, unions argue that there needs to be understanding of the way in which violence and coercive forms of control are often perpetuated over a long period of time, which may result in a woman losing her job or sustaining employment. In addition, unions highlight the role that training can play in helping negotiators to recognise the crucial role that the workplace can have on economic independence, which make may it easier for a woman to leave a violent and coercive relationship. As one union leader in Italy stated: "We have to make sure women have jobs – if they can leave the house, and if they can reconcile work with family life and have a fair salary, they may be less dependent in a violent relationship."

Some unions have integrated domestic violence at work into the training of union representatives and equality training and others have run dedicated training programmes, as is the case of a partnership between three unions in Denmark, FIU-Equality (see Box 18 below).

BOX 18: FIU-EQUALITY SHOP STEWARDS TRAINING ON DOMESTIC VIOLENCE AT WORK

FIU-Equality, a trade union training organisation on equality and diversity was established in 2005 through a partnership between three trade unions 3F (United Federation of Danish Workers), HK (Union of Commercial and Clerical Employees) and Dansk Metal (Danish Metal Workers' Union). It was established under the CBA on funding for and training release for shop stewards, which has levered high levels of funding for shop stewards' training amounting to 320 million Kroner per year. FIU-Equality's training courses include regular shop stewards' training and an annual conference to address the impact of domestic violence in the workplace. The training aims to promote policies and activities to break taboos at the workplace, to assist victims in seeking help at the workplace and for elected representatives and colleagues to help victims. FIU-Equality has also produced training materials on preventing domestic violence at work and gives guidance on how personnel policies can be imple-

mented so that domestic violence victims have the opportunity to escape from the violence. FIU-Equality is currently examining how workplace safety and health representatives can also become more active in preventing domestic violence at work.

Since 2005, an annual conference on domestic violence at work has been held to mark International Day for the Elimination of Violence Against Women (25 November). Each conference covers a different theme, ranging from how to negotiate to help women experiencing domestic violence, to guiding shop stewards about how to interact with a man who is violent and ways of communicating with perpetrators, who may be work colleagues or union members. Other themes include the economic costs of violence based on research carried out by the Institute for People's Health (University of Copenhagen), and the most recent conference addressed the issue of domestic violence in LGBT families. The annual conference, attended by up to 100 people is open to all union members, and invitations are specifically sent to central and local union shop stewards. A theatre play was commissioned in 2009 from the theatre company 'The Travelling Stage' in partnership with the White Ribbon campaign, which looked at the difficulty in talking to a male colleague who is perpetrating domestic violence. Theatre was seen as a good way to deal with the taboo of domestic violence. Some conferences have showcased good practices from companies, including recently a pension company who had developed good policies on preventing domestic violence at work.

Each year a prize is given to a shop steward who has demonstrated a successful role, for example, in representing a victim or in persuading an employer to introduce a workplace policy. Examples include negotiating with an employer to allow a victim to have temporary leave or flexible working hours, and negotiating a change of job within the company or a job placement in another town or region. The prize is awarded on the basis of nominations and a winner is selected from a short list of ten nominations. The prize for 2015 was awarded to a shop steward in the government's tax department, SKAT, who had re-negotiated the existing policy on violence at work, having successfully persuaded the employer that domestic/intimate partner violence was a key workplace issue. Other prizes in previous years have been awarded to shop stewards who have negotiated workplace policies, including a good practice workplace policy with Post Denmark, which includes helping a woman with information about shelters, time off for support and leave for meetings with lawyers and attending court, and help from counsellors.

According to Susanne Fast Larsen, 3F, the prize is an opportunity to raise awareness and give concrete examples to shop stewards about how they can approach the issue of domestic violence at work. Susanne Fast Larsen gave an example of one female shop steward who had helped an employee after her colleagues complained to the shop steward that they did not want to work with the woman because of her bad body odor. When the shop steward talked to the woman, she told her that her husband wouldn't allow her to have a bath, and that he hit her. After that the shop steward helped her to leave her partner secretly as she was worried that he would kill her. The employer gave her an additional one month's salary and she begun a new life.

Unions in **Spain** have collaborated with other organisations in giving training and talks about domestic violence, an example of which is a workshop entitled "Violence against Women in the Media" in the Loyola de Palacio Senior Citizens' Municipal Centre in Usera, Madrid.

The Community trade union in the **UK** (a traditional steel based union, recently merged to include workers from other sectors) demonstrates how trade unions can discuss domestic violence and other sensitive issues in empathetic ways in union capacity building training. The issue has also been integrated into Community's training courses on equality and diversity, which focus on conscious and unconscious behaviours and how these behaviours impact on the workplace. As Bev Bamber, Equality Officer of Community stated: "We need to teach people about how they can give support, ask the right questions ... and to ask questions like 'how does this make you feel, are you safe, is there anything I can do to support you to feel more safe'. It is so important for the woman to take control."

An innovative training programme run by CGIL in 2012 in Emilia Romagna in Italy included training materials and a DVD 'One thousand faces of violence'. It explored different approaches to addressing violence against a mother and violence against a young woman. It helped to engage the union in addressing violence against women in collective bargaining with a focus on all forms of violence against women, including domestic violence, violence in public spaces and in the workplace. In Emilia Romagna, Italy, the three union federations have been working in partnership with unions from other regions and countries on training, which contributed to the issuing of the 2009 joint statement issued by the three confederations setting actions against violence against women.

A project in Belgium funded under Daphne III included a programme of trade union training on domestic violence at work by FGBT/ABVV (COFACE, 2011) (see Box 19 below). In 2015, the liberal trade union (CGSLB) in Wallonia, Belgium ran training for all female and male candidates, which included domestic violence (Huchet *et al.*, 2015). A new national union training programme on discrimination and harassment, which commenced in September 2016 – June 2017 has included sessions on violence against women, including domestic violence at work.

Some unions in the Netherlands have run training courses that highlight the issue of gender-based violence at work. FNV Transport, for example, run training on combating violence against women through the European Transport Federation and the International Transport Federation. As Brigitta Paas from the FNV Transport Union stated: "I always say in my training to trade union representatives that 1 in 3 women are victims of gender-based violence, I try to make them aware how much it happens in their surroundings. Many of the men are very shocked about this. But it is very difficult to talk about it."

BOX 19: JOB-KEEPING OR VOCATIONAL INTEGRATION FOR VICTIMS OF DOMESTIC VIOLENCE (BELGIUM)

An FGBT project (2009-2011) financed by an EU Daphne III programme, developed training, tools and research on domestic violence at work. The project was conceived from a concern about how victims of domestic violence can retain their jobs, and access training and vocational integration if they are outside of the labour market. It aimed to provide awareness and information to the victims of violence in the workplace or at the time of integration in employment. A training programme was organised for specific target groups (trade union representatives, vocational integration and vocational training facilitators) in order to enable them to assist the victims in finding employment or staying in work. The project was based on a partnership established by the Confederation of Family Organisations in the European Union, COFACE, and involved the following partners in Belgium: Femmes Prévoyantes Socialistes (FPS) and the FGTB Trade Union, along with NGO partners in Bulgaria, Spain and Greece.

The project led to the publication of 'Domestic violence: the intruder in the workplace and vocational integration', setting out the project's activities, research and findings (Leroy, 2011) and booklet produced in French and English 'Violence between partners: its impact on the victim's professional life and what can be done to help her.' The conclusions and recommendations from the project were reported to a European conference held in Brussels, 21-22 November 2011. A Press Release 'Domestic Violence: How does it affect work?' was issued by COFACE (2011) highlighting the problems faced by victims of domestic violence in finding and keeping a job.

An important finding from the project was the role that trade union representatives, along with other trusted link workers, can play in negotiating work arrangements for victims of domestic violence. Specific areas of intervention were drawn up by the project where link workers could act to help workers or those on job integration/employability

schemes enduring domestic violence (listening and spotting; awareness and information; referral to specialised resources; adapted working or training arrangements and practical assistance; negotiating a company policy; and supportive legislation to safeguard victims' jobs).

The project also recommended that companies should include protection for victims of domestic violence in CBAs and workplace policies, by offering (time-limited) protection against dismissal, such as exists for pregnant workers, and extended leave. In addition, preventive measures and protection for victims could be based on the 'Welfare at Work Code' which lays down "measures to foster improvements in the safety and health of workers at work". The project evaluation found that there had been a valuable exchange of experiences across the project partners, and through the training of union representatives and link workers, leading to a real awareness of the problem and its underlying human dimension.

The coordinator of the project, Liliane Leroy, FPS, who had a background in psychology, spoke in an interview of the importance of working with trade union representatives to raise their awareness of how they can develop simple workplace measures to assist victims of domestic violence. She highlighted the importance of a wide definition of violence against women, to include financial abuse, and to ensure that trade union representatives, 'persons of confidence' and occupational health and safety doctors and nurses, receive training in how to detect domestic violence in the workplace and provide appropriate and sensitive support for women. A further issue was ensuring that trade unions had the relevant information and expertise to draw up agreements and workplace policies with enterprises.

In some Member States challenges exist in relation to access to training for trade union representatives. Unions in Slovenia and Bulgaria both highlighted the lack of resources to fund training programmes. In the UK there have been reductions in time off for training and reductions of funding for trade union education, which has led the TUC and some affiliated unions to develop online training programmes. An online training course, drawn up with support from Women's Aid, 'Domestic Violence e-learning programme' has been developed and run by the TUC Education Service. To date 205 participants have followed the course.

Unions interviewed suggested that they need to do more training to raise awareness and open up discussions about domestic violence at work. One suggestion is to make contact with survivors of domestic violence and to involve them in union training and discussions about domestic violence at work. As one union officer stated this could help to show that

it is an issue “you should not be ashamed of”, and that by telling the stories of how domestic violence affects work women may be more willing to approach a union representative.

Some women in the trade union movement have broken the silence, speaking up about their previous experiences of domestic violence at union conferences and union meetings. This has brought important insights and awareness into the union movement, particularly on the role that workplace representatives can play in supporting victims of domestic violence. One trade union leader who was interviewed had been a victim of domestic violence knew how it affected women. She spoke of the impact of violence and control on her life at home and in the workplace, and when she was finally able to talk about her experience to a colleague she received a lot of support.

“I just needed someone to be there, to hold my hand as I slowly made decisions, rather than being backed into a corner and being told that I should leave. It was a very difficult time as I was very controlled. I was told by my partner to give up my job... There was such a loss of self-esteem and I would avoid any social situations as I could never predict what his behaviour would be. It was always about protecting and controlling me, it became very overwhelming. The violence was awful, but what was harder to deal with was the mental brutality: it was more the mental stuff that got me, getting endless controlling phone calls. It took me seven years to get to a position to have the confidence to leave. Often we can be judgemental of each other. When someone tells a victim you should leave, it doesn't help—sometimes you are not in a position to make a decision, you're not sane or confident enough to leave.”

(Trade union officer and survivor of domestic violence)

c) Union campaigns

Many unions have organised events to discuss and campaign against violence against women, and have taken part in civil society initiatives to combat violence against women – often as part of the annual International Day for the Elimination of Violence against Women. Through this they have highlighted the consequences of violence against women in the workplace. The following is a selection of examples of trade union campaigns with a specific focus on domestic violence.

- ▶ Trade unions in Spain regularly mark the International Day for the Elimination of Violence Against Women by campaigning to end domestic violence and raise awareness of domestic violence. Examples include the UGT campaign, ‘Unions say NO to violence against women and children’, and the CCOO campaigns ‘Punches aren't the only things that hurt’, and ‘No more sexist violence’, and most recently, for 25 November 2016, ‘No to male violence against women, we want to be free’ (‘No A Les Violencias Masclistes, Volem ser Lliures’ (CCOO, 2016). Campaigns aimed at preventing domestic violence have also aimed to raise awareness amongst students and teachers, for example the USO campaign, ‘There are Wounds that you Can't See’, and UGT's campaign ‘Educating about Equality’.
- ▶ The three Italian confederations have actively campaigned and raised awareness about the impact of domestic violence at a societal and workplace level. CGIL, example, has had sustained campaigns on violence against women, including a permanent banner on the façade of its headquarters that reads ‘Violence against women is a defeat for all’ (La violenza contro le donne è una sconfitta per tutti). CGIL campaigns on violence against women have shifted focus in recent years away from images of women as weak, frail and needing protection to one of women brave and able to make change. As Loredana Taddei, National Officer Responsible for Gender Equality, CGIL, says, “We have no more campaigns of women hiding in the corner with bruises and blood, instead we have an image of bold, brave women in communication style.” On 10 March 2016 a CGIL Emilia Romagna conference discussed actions to be carried out to address gender-based and sexist advertising; the union campaigned for the withdrawal of a University of Bologna advertisement displaying women in ‘provocative’ positions, which was seen as perpetuating a culture of women's inequality and sending out a message that it is acceptable to violate women.
- ▶ In the Republic of Ireland, the ICTU has been involved in various campaigns against gender-based violence which aim to change men's awareness of its harmful effects. In a long-standing campaign, ‘Turn off the Red Light’, a coalition of women's organisations, trade unions and community organisations in Ireland sought changes in the law on prostitution and trafficking. This has led to the introduction of new legislation based on the ‘Nordic model’, criminalising the purchase of sex, under the Criminal Law (Sexual Offences) Act, 14 February 2017. ICTU is one of

several union confederations across Europe that has both campaigned and developed a close partnership with the White Ribbon Campaign. Trade union leaders from ICTU's Executive Council have attended various White Ribbon events, and have collaborated with the domestic violence network Safe Ireland in the launch and dissemination of the 'Man Up' campaign. The General Secretary of ICTU spoke at the launch of the 'Man Up' campaign on 22 October 2014, stressing that domestic violence is a workplace issue. Unions have identified 'White Ribbon Ambassadors', and trade union leaders have made public statements and U-Tube videos on zero tolerance of violence against women, as part of an initiative to persuade men to be champions who speak out against violence against women. In 2015, ICTU held a White Ribbon Ambassadors' reception, with representatives of government departments, employers, NGOs and media personalities. In Northern Ireland, UNITE members organised to ensure that all bus drivers in the Belfast area wore a white ribbon during the 16 days of the action campaign in 2015.

- ▶ The equality department of French confederation CFTD launched a comprehensive awareness-raising and information campaign on domestic violence for the general public on 25 November 2015. Posters, leaflets and brochures are aimed at informing union representatives, victims and colleagues. A poster captioned 'Vous n'avez pas honte?' ('You're not ashamed?'), addressed to abusers of victims of domestic violence, highlights that union representatives of CFTD in the company are there also to offer help, advice and support in these cases. A brochure has also been sent to all employees and union members in order to contribute to the general discussion on the topic and spread knowledge about it. A brochure for union activists in companies provides concrete information about how to support a victim of domestic violence effectively. CGT has run campaigns with a focus on combating all forms of gender-based violence and in 2014 CGT FP held a conference in Paris on the topic of domestic violence at work for its members. In 2016, CGT published a brochure on gender-based violence for its representatives, including the issue of domestic violence.
- ▶ The UK public service union, UNISON, has been campaigning for the last decade for recognition of the impact of domestic abuse on women's working lives. A poster 'We won't look the other way' about domestic violence in the workplace has been pinned up for display in workplaces and has been widely disseminated. The UNISON Campaigning Handbook 2015-2016 'Women in UNISON – active, campaigning, leading' contains a section entitled 'Ending Violence Against Women'. UNISON is currently campaigning for the government to make workplace agreements a statutory requirement for all public sector employers in line with their gender equality duty (under the Equality Act).

3.9 LINKS AND COOPERATION WITH CIVIL SOCIETY AND WOMEN'S ORGANISATIONS

Some unions have established good cooperation with civil society and women's organisations in addressing domestic violence at work. All unions and civil society/women's organisations interviewed spoke of the importance and value of partnerships to link the workplace and the domestic sphere.

- ▶ Spanish unions have established good collaboration between with civil society and women's associations, and trade unions regularly give their backing to initiatives set up by organisations committed to promoting gender equality and ending violence against women. For example, they supported the jurist women's association THEMIS when the latter petitioned on behalf of a domestic violence victim. The victim wanted protection from the Constitutional Court to get the state to claim responsibility for the murder of her daughter by her husband during a visitation period. Trade unions also attend a "men's circle" organised by AHIGE (Men's Association for Gender Equality) and held every October against domestic violence. This event pays homage to victims of domestic violence and sends the message that men also find these acts unacceptable. In a similar way, trade unions have supported press releases from feminist organisations, which criticised political parties for their electoral messages saying that they dealt irresponsibly with the issue of domestic violence.
- ▶ In Italy, representatives from all three union confederations have made good connections with women's organisations and that they share common objectives to eradicate violence against women. Activities include joint meetings, press conferences and campaigns to lobby the government. For example, at the territorial bargaining level in Emilia Romagna, there has been good collaboration between unions, women's associations and municipalities leading to concrete discussions of strategies to combat all forms of violence against women. The three confederations successfully collaborated to recommend changes to the regional law and in drawing up guidelines to prevent gender-based violence. On 20 July 2015 CGIL, CSIL and UIL with the employers and civil society entered into an agreement for integrated multi-level plans at regional level in order to implement the joint guidelines, carry out awareness raising and implement the 2013 legislation on gender-based violence approved at regional level.
- ▶ In the Republic of Ireland, there are very good links between unions and women's/domestic violence organisations. The National Women's Council of Ireland (NWC), which includes members from the main trade unions in Ireland,²⁶ has carried out many campaigns on violence against

²⁶ Trade union members include: Association of Secondary Teachers in Ireland; Association of Teachers of Home Economics; Civil & Public Service Union CPSU; Electricity Supply Board Officers Association ESBOA, Impact, Irish Federation of University Teachers, Irish National Teachers Organisation, Irish Nurses & Midwives Organisation, Mandate, Teachers' Union of Ireland, Unite Women's Committee and SIPTU National Women's Committee

women. Part of this work derives from the NWCI's role as chair of the Irish Observatory on Violence Against Women, which enables its member organisations and NGOs to work to eliminate all forms of violence against women. On a quarterly basis the NWCI monitors progress on violence against women in Ireland, which is used as a platform to lobby the government (NWCI/Irish Observatory on Violence Against Women, 2013). The NWCI has, along with trade unions, highlighted the impact of the economic crisis on access to services for victims of domestic violence, which was addressed by the UN Committee on International Covenant on Economic, Social and Cultural Rights. The committee noted the legislative gaps in investigating and sanctioning perpetrators, and in providing services to survivors of violence due to funding cuts, along with legislative gaps in investigating and sanctioning perpetrators (UN, 2015). The National Women's Council of Ireland has drawn up a Charter on Zero Tolerance of Violence against Women which it is currently disseminating to organisations, including employers and trade unions, schools, public bodies and other large organisations, to show their commitment to tackling all forms of violence against women in Ireland. By signing the Charter organisations will commit to a set of principles that reject all forms of violence against women. It aims to enhance public awareness of the causes and repercussions of the issue and contribute to a shift in culture in Irish society, acknowledging that violence against women is unacceptable.

- ▶ In some countries, as is the case in Slovenia, the links and cooperation between trade unions and civil society/women's organisations often exist at an informal level. Trade unions anticipate that if the issue of preventing domestic violence at work is to be seriously addressed it will be imperative to carry this out in cooperation with domestic violence organisations.
- ▶ In some countries unions have not partnered with women's organisations in campaigns, as has been the case amongst Bulgarian unions. However, they now recognise that domestic violence at work is a union issue where there is a strong link between work violence and family violence and potential for working closely with domestic violence organisations. The Bulgarian NGO 'Women and Mothers against Violence' had participated in an EU-funded Daphne III project on domestic violence at work; however, unions had not been involved in this project. The project led to dissemination of information, training and resources, as well as recommendations for project partners in further progressing work in this area. During the course of the ETUC project a meeting was held with the domestic violence organisation, Animus, and contact was made with the Bulgarian Coordination of the European Women's Lobby with a view to developing closer links between women's organisations and unions, particularly as there is a great deal of scope for a broad platform to raise awareness about domestic violence as a workplace issue. Similarly, a meeting held as part of the ETUC project, between the Director of the Social Division of the Municipality of Sofia,

and the President and Head of the International Section of FTTUB, was an opportunity to discuss their common interest in further developing the scope of the agreement with the Municipality of Sofia to include practical support for victims of domestic violence at work. FTTUB has identified the need for a pilot project, possibly modelled on the Canadian women's advocate programme and drawing on existing model agreements from other countries.

“I hadn't appreciated how important this issue is – it shows what can be done by looking at things from a different angle, I am really impressed. The unions are very important, as are the employers. A victim of domestic violence who is working will perform badly, she will be isolated and her employer will be affected. The workplace is something we should consider in the future... We need guidelines for the implementation of the law on domestic violence – this could include the role of the workplace. We can work together, as we are first responders, and then we can work with the unions and employers... The unions have a great role to play.”

(Mina Yovcheva, Director of the Social Division, Sofia Municipality)

- ▶ In France, unions have partnered with and supported a number of organisations, including the National Federation on Solidarity for Women (Fédération Nationale Solidarité Femmes, FNSE), a national federation of at least 25 local NGOs working on the fight against gender-based domestic violence. FNSE has created a partnership with the Kering Foundation in order to inform and train their management on the issue of domestic violence. Since 2014, FNSE professionals have been responsible for running the official French national help line “3919” giving support and orientation to women facing violence. Unions have also cooperated with FIT (a woman, a roof/une femme, un toit), a specialist domestic violence NGO that has trained and informed employers, managers and staff on the detection of domestic violence at work, and the consequences and actions to be taken in the companies. In 2016, together with the Centre Hubertine Auklet, and financed by the Region Ile de France, FIT published a comprehensive guide on improving access to work for victims of domestic violence.
- ▶ The TUC in the UK is an active member of the End Violence Against Women Coalition (EVAW), which has amongst

other areas prioritised domestic violence. With the TUC this has enabled EAW to ensure that priority is given to the impact of domestic violence in the workplace. The TUC has also partnered with and carried out joint projects with women's domestic violence organisations, an example of which is the report published by the TUC on financial abuse which was carried out by Women's Aid.

- ▶ In Denmark, unions have established good cooperation with domestic violence organisations. For example, the Copenhagen-based domestic violence organisation, Danner, has regularly spoken at and attended the domestic violence at work conferences. Addressing domestic violence at work has been one of the core themes of FIU-equality's equality network, which spans across ten different cities in Denmark. Members of the network make contact with local shelters and local domestic violence organisations. An interview with Mette Marie Yde, of the domestic violence organisation, Danner, highlighted the importance of collaboration between unions and NGOs in preventing domestic violence at work: "... the issue of domestic violence at work brings these together as core issue for both organisations." She sees the development of projects and initiatives to prevent domestic violence at work as a very positive development, particularly in using existing models of parental leave as a model for domestic violence leave.
- ▶ In the Netherlands, the FNV has partnered with the Dutch Women's Council and local and regional shelter organisations in a project entitled 'De Nieuwe Toekomst' (The New Future). It gives focus to the participation and financial independence of victims of domestic violence, by given training and employment support to women who have been subjected to domestic violence. Interventions include support in actively searching for a job, a ten-week training programme 'Toekomstwerkplaats' (The Future Workshop), a personal coach who supports them for nine-months, and working as a volunteer. The goal is to enable the women to gain financial independence, since this is the best form of protection against domestic violence. A pilot project in 2012-2013 conducted in the province of Overijssel shows that this approach leads to good results: more than half of the participants now partake in education, work, or are active in the voluntary sector. Today the project is being delivered in eight local authorities. It is carried out in collaboration with the police, social services, women's shelters and the Dutch Women's Council. It is funded by the Ministry of Education and participating local authorities contribute to funding.

Unions across Europe and the ETUC participate in networking on domestic violence at work, including through the International Domestic Violence at Work Network (<http://dvatworknet.org/>), established in 2014 to raise awareness about domestic violence at work and to introduce workplace policies and legal measures to support women in their workplaces who are experiencing domestic violence. The network brings together researchers, domestic violence experts, trade unions, NGOs and employers. The ETUC and several national

unions, along with gender specialists and NGOs in Europe, are members of the network. The network, which is hosted by the Centre for Research & Education on Violence against Women & Children, University of Western Ontario, holds meetings and seminars and produces a newsletter.

The ETUC has also worked closely with European NGOs, including the European Women's Lobby (EWL), Women Against Violence Europe (WAVE) and the European Coalition to End Violence Against Women and Girls, to campaign for a stronger legal framework on gender-based violence (referred to in Section 1). ETUC participation has been particularly important in raising awareness with European NGOs of the importance of workplace measures, while European NGOs have helped unions to understand the broader impact of domestic violence at a societal and workplace level. For the European Women's Lobby domestic violence at work is a relatively new issue for discussion. Although the EWL has not specifically focused on violence against women in the workplace, including domestic violence as a workplace issue, EWL acknowledges the need for better attention to be given to the issue of domestic violence at work by unions and employers, and for this to be formally recognised as an issue for social dialogue at the workplace, national and European levels. Most importantly the EWL argues that there is a need for strong legislation as this is ultimately what leads to change.

“Through discussion between the ETUC and the EWL, and evidence collected through the ETUC's 'Safe at Work, Safe at Home' project, the EWL recognises that the workplace needs to be a priority area for the prevention of domestic violence in the future, and particularly as part of the European ratification process of the Istanbul Convention and its implementation in all EU Member States... EWL also identifies the need for better data on the impact of domestic violence at work, and has highlighted the effect of austerity measures leading to reduced specialist services for victims of domestic violence, which has left some countries with no or inadequate numbers of shelters”

(Iliana Stoicheva, Vice-President of the European Women's Lobby).

BOX 20: EUROPEAN NGOS

European Women's Lobby: Since 1997 the European Women's Lobby (EWL) has run the European Observatory on Violence Against women, covering 30 European countries. The Observatory has been important in identifying critical and emerging issues, providing an evidence based for improving policies and service provision for prevention and support of women victims of male violence and in raising visibility of the issue at local, regional, national and European levels (EWL, 2001). EWL's policy paper 'Towards a Europe Free from All Forms of Male Violence against Women' (EWL, 2010) calls for the European Union to fight all forms of violence against women through prevention, prosecution, protection, provision and partnership, and to implement a European Action Plan and a European Directive on violence against women. In relation to the EWL's work in raising awareness of domestic violence at work, their 1999 report 'Unveiling the hidden data on domestic violence in the European Union', highlighted the impact of domestic violence on women's health, wellbeing and performance of work in the workplace. EWL's position paper on violence against women at work states that "Patriarchal structures and behaviours, coupled with liberal values (such as competition, profit-led activities, etc.) on the labour market, trivialise male violence at work or in situations relating to work and therefore make it very difficult for women to detect and denounce such violence" (EWL, 2010: 11).

WAVE: The WAVE Network is the only European network focusing specifically on violence against women. It was established as an informal network in 1994 and became a legal entity in 2014 operating as a formal network of European women's NGOs working in the field of combating violence against women and children. The network comprises women's organisations working to combat violence against women and children at the national level. The network facilitates the exchange of ideas and dissemination of information throughout Europe, and WAVE carries out campaigns and lobbies national governments and EU institutions, particularly around the sustainability of domestic violence services. WAVE's recent work has included research on issues such as femicide, services for women with disabilities, the role of specialist support services for victims of domestic violence, as well as training resources on issues such as effective multi-agency cooperation.

Both WAVE and the EWL have carried out pioneering lobbying work to improve data collection, including influencing the studies carried out by EIGE and FRA. WAVE and EWL are both members of the Coalition to The European Coalition to end Violence Against Women and Girls, which lobbies the EU to ratify the Istanbul Convention.

Links and cooperation with companies on domestic violence at work

Trade unions recognise the importance of making links with companies and persuading them that domestic violence at work is a workplace issue. As Maria Pia Mannino, National Officer responsible for equal opportunities and Head of the Women's Committee, UIL, Italy, argues, "We have to establish cooperation with companies as part of the whole wellbeing of an organisation. And we need to change gender culture in the workplace, which can be a trigger for change in society." It is for this reason that the ETUC and its affiliates have welcomed the participation of union representatives in the EU-funded project "Companies Against Gender Violence (CARVE) 2014-2016". The project was undertaken by FACE (Fondation Agir Contre l'Exclusion/Foundation for Action Against Exclusion), a foundation created in 1993 by 13 large French companies with more than 5000 members. A comprehensive brochure on best practices in five European countries with prevention strategies and concrete proposals on domestic violence at work was published in 2016.

“It is crucial that we all work together to end gender-based violence at work. Trade unions are important partners in combating violence against women in the workplace. Through the CARVE project we have drawn up a guide for companies, and training and campaign poster have been produced to combat gender-based violence. We look forward to ongoing collaboration with trade unions in this important work.” (Gigi Guizzo from CEPS

Projectes Socials, a participant in the CARVE project, speaking at the ETUC's Madrid conference).

In Spain, a 'Network of companies for a society free of violence' was established in 2012 under the former National Strategy for the eradication of violence against women (2013-2016). It involves 85 Spanish and international companies (e.g., BBVA, DANONE, PSA, Mango, etc.) and six public companies that work with the Ministry of Health, Social Services and Equality. The network has two objectives: to raise awareness about gender violence as part of the government campaign 'Hay Salida' ('There's a Way Out'), and to support the socio-professional reintegration of women who have suffered gender-based violence (CARVE, 2016a). According to the 'National Strategy for the eradication of violence against women' (2013-2016), up to 31 December 2012, 3,687 women benefitted from subsidised employment contracts and 1,015

temporary employment contracts for victims of gender-based violence had been signed.

In the UK, the Corporate Alliance against Domestic Violence is an NGO set up in 2005 to advise companies on addressing and mitigating the risk that domestic violence poses to their company and employees. Membership is open to any employer, trade union or representative body in the UK. However, unions have had little or no contact with the Alliance, and the TUC reports having had one meeting with the coordinator. A study commissioned by the Corporate Alliance Against Domestic Violence (2010) found that only 18% of HR managers agreed that domestic violence was a high priority for their business. A third believed they had no legal responsibility to protect their employees' safety. Around 60 companies have signed up to the Domestic Abuse Responsibility Pledge, which has been promoted by the Government and the Corporate Alliance Against Domestic Violence. These findings are not very encouraging in terms of the number of companies that are active.

3.10 LEARNING AND CHALLENGES FACED BY UNIONS

This section has shown important learning about how unions have approached the issue of domestic violence at work, pointing to some ground-breaking work initiated by unions in negotiating agreements and policies, issuing guidance materials, and raising awareness about why domestic violence is an important workplace and trade union issue. Although this report has shown that unions in some Member States have made significant inroads in arguing for agreements, policies and legislation giving rights to victims of domestic violence at work, there remain many challenges for unions across Europe.

A key challenge is having the time and resources to convince employers (and in some cases union representatives) of the importance of developing and implementing workplace policies on domestic violence at work. This is particularly evident in mainstreaming domestic violence at work into policies and initiatives on occupational safety and health and on wellbeing at work, at a time when union negotiators are already hard pressed to defend existing rights and halt the erosion of collective bargaining. Numerous unions have raised the challenge of heavy workloads and multiple problems that need to be addressed in the workplace.

Further issues raised have to do with a lack of resources to conduct workplace surveys or to carry out and monitor pilot projects on domestic violence at work, along with a lack of evaluation of existing workplace policies and their impact, which makes it difficult to measure the success or otherwise of policies that have been introduced. The absence of data on domestic violence at work is a further problem identified by unions, particularly when they try to persuade employers and governments to take action. In addition, the economic crisis has made it difficult to keep issues of gender equality and gender-based discrimination on the list of priorities for

trade unions. However, unions interviewed for this project stated that employers are often reluctant to address the issue in the workplace. This is confirmed in a study commissioned by the UK Corporate Alliance Against Domestic Violence (2012), which found that only 18% of HR managers agreed that domestic violence was a high priority for their business. A third believed they had no legal responsibility to protect their employees' safety. This is clearly an area where social dialogue can play a part in raising awareness amongst employers about the benefits – including the business benefits – of negotiating workplace policies.

Preventing domestic violence at work is also seen by unions as being integral to eradicating gender inequalities both at work and in society as a whole. For example, low pay and the gender pay gap impact on women's lack of financial independence, and in some Member States women's continued dependency on social security affects their potential to be financially independent and to have the resources to leave violence-controlling relationships. Italian unions are giving a great deal of attention to integrating and extending new legal rights to include domestic violence leave. Companies, however, are reluctant to agree to provisions that extend what is provided for in the legislation, as they see it as an additional cost.

a) The importance of a legal framework on domestic violence at work

For many unions, persuading employers to sign agreements or workplace policies is a significant challenge unless there is already a legal framework in place requiring them to act in preventing domestic violence at work. As a result, several unions have highlighted campaigns for a legal framework as being important, as it has been in the UK. In Italy and Spain, having a legal framework has given weight to collective bargaining on this issue. In Denmark, the issue is slightly different, as some employers are reluctant to draw up workplace policies and prefer to work with individualised (and often ad hoc) solutions proposed by shop stewards.

b) Groups of women workers at risk of domestic violence at work

Some unions have highlighted the particular risks faced by some groups of women workers, including migrant workers, who may experience domestic violence. This issue was highlighted in relation to migrant workers who carry out seasonal work in Slovenia, and migrant agricultural and domestic workers in Italy. In Italy, for example, the 2016 Jobs Act – which establishes a range of rights, including the right to domestic violence leave – excludes domestic workers, who are particularly at risk of violence. Unions argue that many domestic workers live in the home of their employers, and for this reason should have the right to access domestic violence support services and should be entitled to the domestic violence leave provisions. The UN Special Rapporteur's 2012 report (Human Rights Council, 2012) noted that migrant women

working in domestic/care services in Italy are at risk of exploitation and discrimination by their employers. Many face multiple forms of discrimination and prejudice, in addition to sexual violence and harassment.

c) The need for early intervention in the workplace to prevent domestic violence escalating

Important learning highlighted by unions and domestic violence experts is that it is vital to reach out to victims of domestic violence before they leave the workplace, as this is the time when trade unions and employers can play a role in prevention. Typically, a woman will have lost her job by the time she has reached a refuge.

d) Dealing with perpetrators of domestic violence in the workplace

Finding solutions to the problem of dealing with perpetrators who may be colleagues or union representatives is raised as an important and challenging issue. Several unions highlighted the need for guidance and training in how to deal with perpetrators in the workplace.

e) Recognising the importance of the connection between work and home

Several challenges were raised by unions in the Netherlands and Belgium about the difficulties in persuading employers and unions, as well as workplace safety and health representatives, to discuss the 'private' realm of the home, and specifically, how domestic violence affects women at work and how unions and employers can be proactive in preventing domestic violence at work.

SECTION 4: CONCLUSIONS AND RECOMMENDATIONS

4.1 CONCLUSIONS

This final section brings together the two themes of gender-based violence and harassment at work and domestic violence at work. Together with third-party violence, they are different manifestations of violence and harassment at work and can therefore be dealt with in an integrated way, for example, in existing agreements and policies on occupational safety and health, gender equality and non-discrimination or in specific agreements dealing exclusively with violence and harassment at work. However, it is principally in the context of workplace safety and health, and wellbeing at work, through an integrated approach to violence and harassment affecting all workers, that the issue is likely to be tackled in the future. The challenge is to ensure that gender-based violence is recognised both as a pervasive form of violence and harassment in the workplace, disproportionately affecting women workers, and as a core issue affecting the working environment and the achievement of gender equality in the workplace.

4.2 SUMMARY OF THE MAIN FINDINGS

The following is a summary of the main findings from the eleven country case studies, together with the discussions at the ETUC's conference, held in Madrid on 24-25 November 2016.

Legal framework

- ▶ Union action and bargaining in all of the eleven country case studies is supported by a legal framework on gender-based violence at work. This framework is included in gender equality or non-discrimination laws, and/or in laws on occupational safety and health/wellbeing at work.
- ▶ Gender-based violence at work is generally interpreted as sexual harassment. Although unions argue that a strong legal framework is important, there are different legal approaches across the EU. All eleven countries discussed in this report have implemented Directive 2006/54/EC and often have clauses in labour codes/labour law or legislation on occupational safety and health/wellbeing at work.
- ▶ Legal frameworks on domestic violence at work have been introduced in Spain and Italy, and several national strategies/action plans on violence against women contain workplace measures and actions directed at unions and employers.

Union actions and collective bargaining

- ▶ In each of the eleven countries, collective agreements have been signed by unions and employers on violence and harassment at work, including sexual harassment. Collective agreements on domestic violence at work have been signed by unions in Denmark, France, Italy, Spain and the UK. The bargaining structures in each country reflect different levels of bargaining, different legal rights to collective bargaining and different levels of bargaining coverage.
- ▶ The 2007 'Framework Agreement on harassment and violence at work' signed by ETUC, BusinessEurope, CEEP and UEAPME has given an important focus to workplace negotiations.
- ▶ In recent years, sexual harassment has come back onto negotiating agendas, and unions argue that, for the issue to be taken seriously on negotiating agendas, a solid evidence base is crucial. This is also the case with the newer issues of third-party violence and domestic violence at work. Mainstreaming these issues into safety and health and work environment policies is a strategic way to ensure that it is taken seriously in collective bargaining. However, some unions point to the problems of de-gendering and emphasise the importance of raising awareness of sex discrimination, and unequal power and gender relations.

- ▶ Some promising practices by unions that have tackled domestic violence at work are emerging, such as including domestic violence at work in company equality plans and collective agreements in Spain, France, Germany and the UK; supporting women victims of domestic violence and assisting them to find or stay in work in Spain; practical workplace guidance in France, Ireland and the UK; training shop stewards to negotiate workplace policies and support for victims of domestic violence, and holding an annual conference on the issue, in Denmark.
- ▶ Unions in all of the eleven country case studies have carried out campaigns, training and awareness raising. Links and cooperation with women's organisations have been successfully implemented in most countries, with good practice partnerships established in France, Ireland, Italy, Spain and the UK. Partnerships and links between unions and domestic violence women's organisations/associations are identified as being particularly crucial in progressing the work on domestic violence at work.

Challenges faced by unions

- ▶ Persistent and negative gender stereotypes of women, sexism and patriarchal cultures in trade unions and across European societies are major barriers to getting the issue taken seriously in some unions and some 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.
- ▶ Raising awareness about gender-based 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 has made it difficult to get gender-based violence onto bargaining agendas – and at the same time, unions in several countries identified an increase in the incidence of harassment and violence since the crisis began.
- ▶ Changes in work organisation and the growth of casual and precarious work have increased the risk of violence and harassment at work, predominantly in female-dominated sectors.
- ▶ Reduced levels of funding for public services, and lower staffing levels, for example in health, have led to rising levels of violence and harassment at work, including third-party violence.
- ▶ The economic crisis and consequent austerity measures have led to reductions in funding for core services, such as specialist domestic violence support.
- ▶ The structure of bargaining impacts on how unions negotiate on this issue. Unions noted the trend to decentralised bargaining and the importance of framework agreements in setting out principles, definitions and procedures in relation to gender-based violence. Some unions point to the importance of workplace-level agreements in setting out more detailed codes of practice and introducing workplace procedures to prevent and tackle sexual harassment.
- ▶ Some trade unions point to the need for workplace measures to take account of multiple and intersecting forms of discrimination, and the risks faced by women working in precarious jobs.
- ▶ Having women in senior and negotiating roles is important in getting gender-based violence onto collective bargaining agendas, and concrete examples of this can be found in male-dominated sectors e.g. in Slovenia and Italy.

The Istanbul Convention, and the potential for a strong EU legal framework on gender-based violence, are viewed as being of crucial importance in developing a coordinated, integrated approach to tackling violence against women, and seeing how this can be further elaborated in the workplace. Unions also spoke of the importance of lobbying for an ILO Convention on violence against women and men at work, and of ensuring that there is a strong focus on gender-based violence at work.

Trade union action to challenge gender-based violence at work recognises that women are disproportionately affected by violence because of unequal gender roles and relations which impact on their security and safety at work, in public spaces and in the family. This report has given substantial evidence of trade unions campaigns, actions and negotiations to prevent and tackle violence and harassment at work, with a particular focus on gender-based violence at work. As it has argued, a strong gender focus needs to be given to sustaining workplace measures on violence and harassment at work, and, in particular, to demonstrating how inequality, discrimination and unequal power relations impact on the risk to women of violence and harassment in the workplace.

This report has also shown that in recent years there has been a renewed interest in tackling the issue of gender-based violence. Some unions argue that this new interest arises because sexual harassment never went away, although it had slipped off union agendas. Other recent dynamics are also at play. They include the growing incidence of violence and harassment, and particularly sexual harassment at work; the visibility of new workplace issues, such as the rise in third-party violence linked to government-imposed austerity measures in the public sector; the growing incidence of domestic violence at work and the associated costs for employers; and the negative impact of changing work organisation, precarious working conditions and casualisation, which add vulnerability, stress and pressure and have led to new risks of violence and harassment at work. These developments, along with new survey data, confirm that gender-based violence and harassment remain a significant

and growing problem. In addition, the increasing participation of women in the labour market, including in non-traditional occupations, has lent new urgency to the need to tackle gender-based violence as a workplace issue. Transport-sector unions in Italy, Bulgaria and the Netherlands spoke of the growing numbers of women working as bus and train drivers and conductors in recent years, and how this has shifted the focus of union activity in response to growing levels of third-party violence and harassment directed against women. Unions representing workers in front-line services in the health-care, transport and other service sectors also note the importance of developing strong legal frameworks on third-party violence.

Increasingly, the focus given by trade unions to a range of 'world of work' issues recognises that violence can take place away from the traditional workplace, such as during travel to or from work, or relating to the spill-over of domestic violence in the workplace. In this context, the workplace is not isolated from or separated from the family and wider society. As a result, it is helpful to view the workplace as playing a role that is part of a wider societal commitment to tackling violence across all institutional settings, in the family, in the community and in public spaces. The Istanbul Convention reflects this interconnected approach and signals the potential for a wide range of actors, which can include the social partners, playing a role in eradicating violence against women. Connecting the worlds of work and home is most clearly evident in workplace measures designed to prevent domestic violence at work.

The ETUC 'Safe at Home, Safe at Work' project comes at a time of considerable interest in violence and harassment both in Europe and globally. The ratification of the Istanbul Convention by individual EU Member States and by the EU itself has led to a discussion about a new EU legal standard on violence against women and a discussion about the role of the workplace. The ILO's Tripartite Meeting of Experts on Violence against Women and Men in the World of Work, held in Geneva on 3-6 October 2016, confirmed the important role that the social partners can play in preventing and tackling the consequences of violence and harassment in the workplace. There is potential for a broad approach that would include both domestic violence at work and the need for a strong focus on gender-based violence in a new ILO global standard on violence against women and men in the world of work, to be discussed at the International Labour Conference in 2018, which will set standards for government, employer, company and union action.

A key message coming from national and European unions interviewed in this report is that social dialogue and effective systems for collective bargaining are crucial to ensuring that violence and harassment are addressed at sectoral and workplace level. The report also confirms that collective bargaining, although under attack, remains the most important tool used by trade unions for preventing and combating violence and sexual harassment at work, third-party harassment, and the effects of domestic violence at work. Unions also note that collective bargaining can be considerably strengthened when legislation sets out clear obligations on governments, employers and unions.

Additional problems and challenges identified by unions include a concern that, as gender-based violence is mainstreamed into health and safety initiatives, this could lead to a process of de-gendering and a lack of attention to emerging issues such as the impact of domestic violence at work. Often the issue is dealt with gender-neutrally, under the headings of 'mobbing', 'harassment' or 'moral harassment'.

Although it is helpful to include sexual harassment and other forms of violence against women in an integrated framework agreement on violence and harassment at work, as is the case with the 2007 European Social Partners' Framework Agreement, there is sometimes confusion about the two main approaches: the 'discrimination approach' targeting women or other equality groups and the 'dignity harm approach' targeting all workers. On the one hand, the dignity harm approach can help a complainant by making sexual harassment less stigmatising; on the other hand, it can result in women's structural inequalities and violence against women being invisible, and a reluctance in society at large to acknowledge sexual harassment as sex discrimination (Numhauser-Henning & Laulom, 2011).

The continuing low visibility of the problem is exacerbated by low awareness, amongst trade unions and employers, of violence as a gender equality issue, by the lack of priority given to the issue amid other competing priorities, and the lack of training on the issue, all of which may reduce the effectiveness of joint health and safety committees in their work on prevention and risk assessments. Serious concerns have also been expressed by unions and the ETUI about the European Commission's backtracking on a regulatory framework on safety and health at work, particularly as it affects psychosocial risks. This is of particular concern as the labour market becomes more fragmented through changing work organisation and working patterns. In particular, psychosocial risks of violence – resulting from growing work pressures and stress, changes in work organisation, surveillance and harassment by employers in the technology and digital sectors, long and unpredictable working hours in some sectors and the casualisation of work, etc. Particularly affected are those whose working conditions are precarious, many of whom are women. In particular, working conditions can play a significant role in creating a climate conducive to violence and harassment in the workplace, and unions point to the need to address the negative impact of the economic crisis, the casualisation of work, high work intensity, stress, poor management and poor work-life balance faced by many workers today.

4.2 RECOMMENDATIONS

“It is very important that we define what sexual harassment is, and be clear that it is an issue about violence against women and girls, and based on power inequalities. We need to do something more radical and discuss sex and power relations.” *(Scarlet Harris, TUC Equality Officer)*

There is a wide consensus amongst the unions participating in the ETUC’s ‘Safe at Home, Safe at Work’ project that trade unions should be pioneers in introducing new initiatives (and reinforcing existing ones) to combat gender-based violence at work, including domestic violence at work, by drawing up policies, procedures and systems of support that workers trust. Many unions argue that there is a need to rethink union approaches to addressing gender inequalities by looking more closely at unequal gender roles and relations at both individual and institutional levels. This requires a commitment to changing mind sets and to addressing issues such as unconscious bias and institutional forms of gender discrimination, as well as structural inequalities in society and the workplace. A clear message from many women in European trade unions is that a culture of discrimination and inequality at work cannot be separated from patriarchy and unequal gender relations in society, in the community and in the family.

The recommendations that follow are drawn from interviews at the national level and discussions held at the ETUC’s Madrid conference, 24-25 November 2016.

A) RECOMMENDATIONS FOR UNIONS AT THE NATIONAL LEVEL

1. Lobby for a strong legal framework

“We need a strong legal framework that guarantees the right for all women to work in an environment that guarantees their equality and safety – we need international standards set out in an ILO convention, and we need to urge the European Council to implement a strong legal framework.”

(Gloria Mills, Chair of the ETUC Women’s Committee)

For many unions, a starting point is to have a good legal framework within which to tackle the issue of gender-based violence at work, as this will provide a foundation for collective bargaining and ensure that gender-based violence at work is integrated into collective bargaining. The legal framework should make reference to prevention and to procedures for tackling sexual harassment, third-party violence and domestic violence at work, as well as to rights of victims to access paid leave and support services.

An important recommendation is to ensure that the law protects workers against third-party sexual harassment. This is particularly important for women working in front-line services such as transport, health and social care or in shops, hotels, bars or restaurants.

Legal rights should also be introduced for victims of domestic violence in the workplace, including the right to paid leave and support, together with other workplace measures and obligations on employers to prevent and tackle this form of violence.

The introduction of these rights should also mean placing a duty on employers to introduce sectoral and workplace measures in consultation with unions, which include setting out prevention measures, effective procedures for dealing with complaints, addressing sanctions for perpetrators, providing information to ensure that workers understand policies and procedures, and supporting victims of violence and harassment at work.

An ILO Convention and an EU legal framework on the issue of gender-based violence, with a strong focus on the workplace, can also be a way to ensure that governments commit to a strong legal framework at the national and European levels, giving visibility to and a role for collective bargaining in preventing and tackling gender-based violence at work.

Allied to this, the labour inspection process can in the future play an important role in monitoring and tackling gender-based violence at work – a task in which it could be supported by jointly agreed union-employer guidance and the training of labour inspectors on how to identify gender-based violence as a psychosocial risk at work.

2. Ratify and fully implement the Istanbul Convention

More pressure needs to be put on governments to provide adequately resourced, integrated and coordinated domestic violence services, with a strong focus on prevention. This means ratifying and fully implementing the Istanbul Convention, and teasing out the workplace implications of the preventive actions set out in the Convention.

3. Address violence and harassment as a form of gender discrimination

Gender-based violence in the workplace needs to be tackled in the broad context of all forms of violence against women, as a way of promoting a change in culture. In modelling good practice, the workplace can play a positive role by setting acceptable standards of behaviour and respect for women, with a spill-over effect in the community and in the family.

A crucial issue is that unions and employers need to understand that gender-based violence, in all of the forms that it takes in the workplace, is a form of gender discrimination, which requires a focus on tackling structural gender inequalities. A reduction in gender inequalities and gender segregation will reduce the risks of violence against women.

The media has a major influence in society, and can be a key partner with unions in challenging harmful stereotypes about gender-based violence, engaging in public and media campaigns to end gender-based violence at work and in public places, and ensuring that these campaigns reach the police, the judiciary and other public institutions.

Unions across Europe recommend a systematic, ongoing campaign of awareness raising, so that male workers and trade unionists, and employers, understand the gendered nature of violence against women. This is particularly important in ensuring that sexual harassment and domestic violence at work are included in agreements on violence and harassment at work, in company-level bargaining and workplace policies.

In the broader context, a key role for unions is to continue advocating for women to have access to good quality work and equal pay for work of equal value. It is crucial for unions reinforce gender mainstreaming and address discrimination across multiple grounds using an intersectional approach.

4. Promote collective bargaining as an effective and sustainable way to reduce violence and harassment at work

Unions and the government have a role in persuading employers to strengthen collective bargaining, particularly in the private sector, where some employers are resistant to concluding agreements.

Unions should examine and draw on the language in model clauses and good practice agreements discussed in this report as a way of ensuring that agreements are comprehensive. For example, CBAs should specify employer obligations to provide training for management and workers, and information for workers about the rules and procedures established at company and workplace levels.

All company initiatives, policies and procedures should be carried out with the consultation and involvement of unions.

Employers and unions involved in negotiations need to be trained in how to tackle gender-based violence at work, and particularly in how to draw up and implement procedures for preventing violence, making complaints and addressing the consequences of violence and harassment at work.

Through collective bargaining, unions can also address the connection between rising levels of violence and harassment at work and working conditions, weakened labour rights, and the increasing casualisation of work. This also means that they need to address the likely impact of psychosocial risks of violence and harassment arising from growing work pressures and stress, changes in work organisation, etc. and to argue that there are economic and social costs associated with these developments.

“Trade Unions have played a vital role in developing both strategic and workplace policy. The role of the trade union representative is vital in the context of the workplace, and trade unions have an important part to play in terms of working with employers to negotiate, develop and implement workplace policies to protect the rights of victims of domestic violence.” *(Clare Moore, Irish Congress of Trade Unions, Northern Ireland, speaking at the ETUC's Madrid Conference, 25 November 2016)*

5. Engage in strategic litigation and have recourse to legal rights

Some unions, for example in Denmark and the UK, recommend that unions should play a key role by engaging in strategic litigation with employers who do not provide a safe an environment in which workers are protected against sexual harassment. Italian and Spanish unions recommend that more attention should be given to educating judges about gender-based violence at work, while French unions underline the need to elaborate on the legal obligations of employers.

A consistent recommendation is that unions should do more to raise awareness and provide information amongst workers in order to encourage a higher rate of reporting of cases of violence and harassment. This is seen as being crucial for raising the visibility of violence against women in the workplace and making workers more aware of the gravity of the issue, which in turn will help to ensure that women have access to legal advice and support in tackling cases through the courts.

6. Training and awareness raising for union representatives, managers and supervisors

Managers and supervisors need more training on how to identify, prevent and eliminate sexual harassment, in particular to ensure greater emphasis on primary prevention: reacting quickly is an important part of primary prevention, as it will stop a problem before it gets any worse.

For support persons and advisors, the ‘person of confidence/trust’, occupational doctors and workplace health and safety representatives, provide training in the workplace about preventing and tackling sexual harassment, third-party violence and domestic violence at work.

Consider implementing national and workplace programmes for women’s advocates, who are trade union representatives specially designated and trained to provide support for victims of gender-based violence at work.

Innovative training methods should be used for raising awareness about the impact of violence, linking workplace and domestic violence to workers’ health and economic consequences for companies. It is important for gender-based violence at work to be identified as a core workplace health and safety risk.

In relation to training on domestic violence at work, account needs to be taken of the way in which domestic violence differs from other forms of violence and harassment at work. Good practice approaches suggest the need to:

- ▶ Take account of the abuses – including physical, psychological, financial and other forms of coercive control – that frequently spill-over into the workplace, and aim to counter stereotypes of victims of domestic violence, in particular cultural and racial stereotypes.
- ▶ Consider indicators for identifying the signs of domestic violence, such as frequent changes in jobs and work locations, not attending social events, being isolated in the workplace, or high levels of sick leave and absence from work.
- ▶ Develop guidance and skills about effective communication, notably to include non-judgemental and empathetic responses, and how to listen and sensitively respond to the needs of victims of domestic violence in the workplace. Training will also be important for giving knowledge of when to intervene, when to stand back and who a victim can be referred to for specialist services.
- ▶ Include the social and economic benefits of preventing and tackling domestic violence in the workplace, as a way to persuade employers that it is in their interest to draw up and implement workplace policies and agreements.

Integrate domestic violence at work into procedures and training for police, prosecutors, the judiciary and other public officials with responsibility for domestic violence services, and ensure that future training covers the role of the workplace and how trade unions and employers can become partners in future initiatives. This is particularly important in building better awareness about domestic violence amongst the police and judiciary.

Training and awareness raising need to play a role in changing gender culture and engaging men and women at all levels of trade unions to act as champions, particularly in male-dominated sectors. This should lead to an awareness of the causes of violence and harassment and an understanding of why this is a gender equality issue.

It is important to train men to talk to other men about gender-based violence, including domestic violence, so that they can have conversations together about the issue. This also means ensuring that unions understand that a perpetrator at home may be a harasser at work.

7. Ensure that women are in senior and negotiating positions

Having women in union decision-making, leadership and negotiating positions needs to be made a priority, as this can help to ensure that gender-based violence at work is prioritised and championed by union leaders and brought to the forefront of union strategies.

8. Draw up guidelines for shop stewards and union representatives

Draw up specific guidelines on the role that trade union representatives, including shop stewards and health and safety representatives, can play, so that they can effectively respond to a person in a vulnerable situation. This could include guidelines on how to communicate with a woman to empower and enable her to make decisions for herself and to negotiate practical support with the employer. Include in this the vulnerabilities that may be faced by particular groups of workers, for example, pregnant women, women with disabilities, black and minority ethnic women.

Guidelines should cover how to negotiate policies and provide workplace support in the following areas:

- ▶ Gender-based violence by managers, supervisors and co-workers
- ▶ Third-party violence
- ▶ Domestic violence at work
- ▶ Integrating gender-based violence into occupational health and safety measures
- ▶ Dealing with perpetrators of violence and harassment in the workplace, including in cases of domestic violence at work and where the perpetrator and victim work in the same place.

9. Address gender-based violence as a core occupational safety and health issue

More attention needs to be given to gender-based violence in occupational safety and health risk assessments, including training and guidance for workplace safety and health representatives, and this needs to be prioritised in workplace safety and health committees.

In addition, a gender lens/gender mainstreaming framework should be used when drawing up occupational safety and health workplace policies and initiatives, to ensure that they prioritise sexual harassment, third-party violence and domestic violence at work as key workplace problems.

10. Learn from good practices

Exchanging (national and cross-national) good practice is recommended as being very important in sharing and learning from different approaches taken by unions and what works well. Unions have found that it is very useful to model good practice and to demonstrate the benefits of good workplace policies.

Unions are encouraged to evaluate and monitor agreements, protocols and workplace policies regularly. This should include documenting good practice agreements and policies in the workplace, in order to share learning and raise awareness at the national and European levels.

Union confederations are encouraged to evaluate existing agreements and policies and to identify particular national good practices which could serve as credible, convincing models for negotiations with companies.

This work could be further developed through union-to-union sharing of information and resources and joint union seminars. This would be particularly relevant for unions that are new to the issue of domestic violence at work, where model agreements

could be piloted in company and workplace negotiations and agreements, possibly in partnership with a union or unions in countries that have experience of developing workplace policies in this area.

Several unions highlighted the critical importance of having access to national and European sources of funding to enable trade unions and NGOs to carry out joint projects, pilots and workplace initiatives to prevent gender-based violence at work, including domestic violence at work.

Unions that have already been involved in signing and implementing agreements and workplace policies should seek resources to review and evaluate the effectiveness and take-up of existing workplace policies regularly, and to disseminate what they have learned from their implementation, and what works.

The social partners should be encouraged to include monitoring mechanisms in the terms of CBAs, so that they can jointly monitor their progress in achieving the aims and objectives set out in these agreements, which could also inform both updates and new agreements.

“We should include specific procedures, and obligations on employers and unions to solve this issue, written into CBAs. This is the first step. The second step is to have a national survey on sexual harassment at the workplace. We absolutely need to have some statistics and results we can build on. You also have to prepare people and have debates about sexual harassment – not only mobbing, but also sexual harassment.” *(Metka Roksanđi , Women’s Lobby Slovenia)*

11. Integrate the prevention of domestic violence at work into existing frameworks and institutional mechanisms

Argue for adaptations to be made to existing well-established leave schemes in areas such education, sickness, parental leave and the reconciliation of work and family life. These could be used as a basis for negotiations for leave schemes for victims of domestic violence in national and workplace CBAs.

In particular, this could include making links between union work on work-life balance and domestic violence at work, by integrating the right to leave and flexible working for victims of gender-based violence at work into existing flexible working hours schemes, including time banking or time account schemes, to enable victims of domestic violence to take flexible leave from the labour market. This could be of great benefit for women victims of domestic violence, by permitting them to take temporary leave, for example for court visits, health checks or psychological or other forms of support.

Employers could be persuaded to give women victims of domestic violence additional time credits for this purpose. Italian unions, for example, have recommended that the principle of lending hours/leave to people in need – going further than a time bank by enabling workers to borrow time from others – can be applied in situations where women victims of violence need time-off from work.

Information about ways to support victims of domestic violence at work should be introduced through existing workplace support measures, for example, through occupational health doctors and workplace advocates/support persons, etc., taking into account the need for dedicated training and guidance on the particular issues and vulnerabilities faced by victims of domestic violence.

Legal obligations on employers to prevent and tackle absenteeism from work could also include indicators for preventing domestic violence at work, on the basis that it is a risk factor leading to absence from work.

It is important to ensure that domestic violence at work is integrated into union and workplace policies and strategies on gender equality, with an emphasis on ensuring that women have the possibility to achieve financial independence, including through access to individualised social security benefits.

12. Participate in national campaigns

Unions should work together with stakeholders (governments, employers, women's organisations and NGOs) at the national level to raise awareness and jointly carry out campaigns to raise awareness of gender-based violence at work, to encourage reporting and to promote a shared partnership approach to addressing violence against women.

13. Ensure workers who have been victims of gender-based violence at work have access to support services

There needs to be structured, multi-professional help for victims of gender-based violence at work, including confidential advice and psychological support to help them deal with the harm caused by violence and harassment.

Unions have an important role to play in challenging cuts in front-line services for victims of domestic violence, promoting good quality social care and support for women and increased resources to encourage the inclusion in the workplace of female victims of gender-based violence.

14. Promote partnerships between unions and NGOs, as well as multi-stakeholder initiatives and collaboration

Promote the establishment of inter-agency working groups, and ensure that workplace issues are included in their remit.

Dialogue between relevant stakeholders – trade unions, employers, public authorities, civil society and NGOs – can play an important role in building effective policies and strategies to eliminate violence and harassment at work.

Consider ways to foster collaboration and partnerships, between trade union training providers and domestic violence organisations, in inter-agency training provision.

Further develop and/or continue cooperation with women's domestic violence organisations and shelters, and draw up agreements with them as a way of promoting discussion about workplace issues and keeping women in work.

15. Improve access to comparable data on sexual harassment and other forms of violence against women at work

More data is needed on the extent of sexual harassment at work. Recommendations are made for a European survey on gender-based violence, which could be modelled on the EU-FRA survey on violence against women, and for the issue to be further elaborated under future Eurofound surveys on working conditions.

Consider replicating the TUC's surveys on sexual harassment at work and domestic violence at work in other countries/sectors.

Examine whether the ETF survey could be adapted to other sectors covered by European Trade Union Federations.

B) RECOMMENDATIONS FOR THE ETUC AND EUROPEAN-LEVEL ORGANISATIONS

1. Recommendations for the ETUC

- ▶ Ensure that violence against women is a high and continuing priority in the work and policy of the ETUC and affiliates. Using the evidence and recommendations from this report, and through the work of the ETUC's Women's Committee, the Collective Bargaining Committee and the Health and Safety Committee, establish European and national objectives on how to address gender-based violence and harassment at work.
- ▶ The ETUC, in partnership with other European NGOs, should seek further European and/or national funding to carry out a European and national awareness-raising campaign on ending gender-based violence at work.

- ▶ Draw up an ETUC best practice guide, including model workplace agreements, for affiliates to disseminate to union representatives, safety and health representatives, and collective bargaining teams, in order to support bargaining efforts to prevent and eliminate gender-based violence at work, including third-party violence and domestic violence at work.
- ▶ The ETUC Women's Committee should continue to press the European Commission to include domestic violence at work in future EU guidance, policy, strategies and campaigns, including future seminars on mutual learning on gender equality.
- ▶ The ETUC should disseminate information about the ITUC 'No to gender-based violence at work' campaign. The ETUC can play an important role in keeping affiliates informed of developments in the ILO and supporting their efforts to lobby governments and employers' organisations prior to the International Labour Conference in 2018.
- ▶ A great deal more work needs to be done at the European and international levels on drafting law, policy and guidance on domestic violence at work. This is particularly important in elaborating on the provisions contained in the Istanbul Convention and CEDAW, and in providing guidance on how the workplace can be an important area for early intervention and the prevention of domestic violence.
- ▶ In progressing its work on domestic violence at work, the ETUC Women's Committee should consider applying for further Commission funding for a new project on this issue, which would go deeper by evaluating the effectiveness of existing agreements and workplace policies and collecting European data through an online survey. This could also provide an opportunity for the ETUC to issue detailed guidelines for union negotiators and model workplace policies and agreements. A selection of unions could pilot the guidelines and, through this, be supported to introduce agreements or workplace policies. European seminars could also be held to disseminate promising practices further and to inform trade unionists across Europe about domestic violence at work.
- ▶ Include preventing and tackling violence against women as an issue in ETUI training programmes, and prepare training materials, including a 'training the trainers' guide, which can be disseminated amongst affiliates. The ETUI training department should include a programme on domestic violence at work, either as a stand-alone training programme or as part of one on all forms of violence and harassment at work. This should be put on the ETUI's agenda for future work.
- ▶ It is important for domestic violence at work also to be considered for inclusion as a priority topic in the ETUI's work on safety and health and in relation to future research priorities.
- ▶ The ETUC and the ETUI should jointly request EU-OSHA to introduce a programme of work, including a European seminar and the production of good practice guidelines, on how occupational safety and health programmes and risk assessments can address domestic violence at work.
- ▶ The ETUC and ETUI should discuss with the trade union members of Eurofound's Advisory Committee the recommendation for a new Eurofound programme to carry out research on good practices in social partners' actions to prevent and tackle domestic violence at work.

2. Recommendations for European Trade Union Federations

- ▶ All European Federations should consider ways in which they can raise the issue of gender-based violence at work in European social dialogue discussions, so that it features in agreements, joint statements, joint training or joint research.
- ▶ EPSU is in a good position to begin incorporating specific measures on the prevention of domestic violence at work into existing work and guidelines on third-party violence in the public services (health, local government, central government). It is also recommended that, because much good practice exists within the public sector on policies and initiatives on domestic violence at work, EPSU should consider developing a specific project on best practice approaches to domestic violence at work, including guidelines for the public services.
- ▶ ETF's work on violence against women, including the development of a new training module, should ensure that domestic violence at work is included as an aspect of workplace violence and harassment.
- ▶ Disseminate the findings of the ETF survey on gender-based violence at work in the transport sector, and examine how the survey can be adapted and used in other sectors.
- ▶ Drawing on UNI's global 'breaking the circle' campaign, UNI Europa should consider developing a specific European social dialogue project on domestic violence at work, including the collection of best practices on the prevention of domestic violence at work in the sectors covered by UNI Europa.

3. Recommendations for EU institutions

European Commission:

- ▶ Implement the Istanbul Convention using the EU's most robust legal and institutional framework possible, and put in place effective monitoring of the Convention. In monitoring how Member States have implemented the Convention, include a focus on the workplace, particularly with regard to prevention measures.
- ▶ The European Commission is urged to develop a common legal standard on gender-based violence at work and to include it in a Framework Directive to reinforce the implementation and monitoring of the Istanbul Convention. An European directive is an opportunity to build on and further clarify the role of prevention and other related provisions in the Convention, and to show how they can be applicable to the workplace. This will be particularly important in reinforcing the EU's existing legal framework on gender discrimination and applying it to the prevention of domestic violence in the workplace.
- ▶ In addition, the European Commission is in a strong position to elaborate on how existing policies on gender equality at work are relevant to domestic violence at work, for example, in the area of flexible working hours and work-life balance.
- ▶ In the context of the implementation of European Protection Orders, it will be important for the Commission to give guidance on their applicability in the workplace, and for employers' responsibilities to be clarified. This could be one of several ways in which the Commission can give a greater focus to domestic violence at work.
- ▶ In further developing its data on violence against women, Eurostat is encouraged to examine the feasibility of collecting relevant data on gender-based violence at work, including domestic violence at work (such as numbers of victims at work, effects on work performance and retention, companies with existing policies, etc.).

European Institute for Gender Equality:

- ▶ The European Institute for Gender Equality should include in its remit the identification of good practices and data collection on domestic violence at work. This could constitute a valuable resource for sharing and disseminating learning about practical workplace initiatives to develop social partner agreements and workplace policies.
- ▶ In partnership with trade unions and employers, the Institute for Gender Equality is also encouraged to draw up a policy and best practice guidance on workplace policies and practical initiatives.

European Agency for Safety & Health at Work (EU-OSHA):

- ▶ Build on EU-OSHA's work on gender mainstreaming in occupational safety and health and further develop a gender focus in addressing psychosocial risks relating to violence and harassment at work.
- ▶ Introduce a new work programme on domestic violence at work with the aim of raising awareness. This could take the form of a European seminar, briefing documents and workplace guidelines for safety and health committees.

Eurofound:

- ▶ Eurofound is encouraged to elaborate the working conditions survey further, to include in the future a series of questions about domestic violence at work.
- ▶ Further analysis of the sixth Working Conditions Survey and a new project to collect company and social partner examples of gender-based violence at work is recommended – taking into account the dimensions of gender-based violence and harassment in the workplace, third-party violence and domestic violence at work.

APPENDIX 1: LEGAL FRAMEWORK ON GENDER-BASED VIOLENCE AT WORK

This appendix covers the legal framework on gender-based violence from the eleven country case studies in relation to: a) the legal framework on violence and harassment at work and b) the legal framework on domestic violence and domestic violence at work.

A) LEGAL FRAMEWORK ON VIOLENCE AND HARASSMENT AT WORK

Belgium

The Act on Wellbeing at Work of 28 February 2014 (supplementing the Law of 4 August 1996) addresses violence, harassment and sexual harassment at work. A wide definition is given to the factors that can cause stress and harassment at work, including working conditions and the organisation of work. The Law of 28 March 2014 amended the Judicial Code and the Royal Decree of 10 April 2014 accordingly. A feature of the Belgium law is that cases of sexual harassment and harassment based on discrimination have to be referred directly to the Wellbeing at Work Act. Article 7 of the Gender Act was amended accordingly so that complaints of harassment or sexual harassment must rely exclusively on the Wellbeing at Work Act. The 2014 Act specifies that harassment, sexual harassment and violence at work may be relating to criteria referred to in the three anti-discrimination Acts of 10 May 2007.

Bulgaria

The law on Protection against Discrimination of 2004 prohibits all forms of discrimination, including sexual harassment. The Labour Code on occupational safety and health refers to a safe and dignified working environment and the employer is required to comply with these provisions in the workplace through the establishment of safety and health committees with representation of workers, annual training, and monitoring employee's take up of medical services consequent of workplace risks. The Labour Code does not provide redress mechanisms for victims of sexual harassment, who are reliant on the Criminal Code (Article 150). The Civil Procedure Code and Criminal Procedure Code provide protection for victims of violence where there are threats of violence, coercion or abuse of power; however, there are no provisions specific to protection of victims of violence in the workplace. In 2013, the unions in the education and health sectors achieved a commitment from the government to amend Article 133 of the Criminal Code to outlaw violence against teachers and health professionals.

Denmark

The 2010 Working Environment Act provide for the protection of employees and a safe and healthy working environment. Section 9 of the Act states that the performance of work must ensure that the work does not result in a risk of physical or psychological health as a result of bullying, including sexual harassment. Changes to the legislation were adopted on 22 January 2015 to include harassment, both physical and virtual, and other work-related situations that can occur in an employee's spare time; meaning that employers are responsible for their employees' working environment, even when the employee is not actually working. The Equal Treatment Act contains provision to ensure that men and women in the working population are not discriminated against. The Act covers every employer, authority and organisation in public administration and public enterprises; and authorities and organisations and all persons who supply goods and services to the public in both the public and private sectors, including public bodies. The employer is responsible for harassment and sexual harassment by managers and fellow workers if the employer has not taken reasonable steps to avoid or stop the harassment.

France

Gender-based violence and sexual harassment are prohibited under French Labour Law and criminal law, and violence is prohibited in several Articles in Penal Law, where the employer has the responsibility to protect workers against any risk to their health and integrity. In August 2012, the legal definition of sexual harassment in penal, labour and civil servants law was redefined making Labour and Penal law complementary. Since August 2015, French Labour Law has protected employees against any sort of sexist behaviour at the workplace and prohibits any form of sexist behaviour creating an intimidating (...) working environment. The law does not foresee sanctions, but these can be set by the employer in internal rules. Employers have the obligation to guarantee safety and security at work, evaluate risks and undertake any measures necessary to guarantee the security and to protect workers' physical and psychological health. The employer is obliged by law to prevent the risks of sexual, sexist and moral harassment/mobbing, introduced under an amendment to the Labour Code in 2008.

Germany	The General Act of Equal Treatment of the 14 th of August 2016 applies to the private and public sectors. It gives protection against sexual violence and harassment and obliges employers to prevent and protect victims against sexual violence/harassment. Each Land (state) has adopted a regional Gender Equality Act prohibiting sexual harassment in the public sector. In addition, German Penal Law gives protection, in any kind of situation and under certain conditions, against (sexual) violence and sexual assault. Labour law provides for the 'general' obligation to protect employees against any foreseeable risk and danger and to create and maintain a safe workplace.
Ireland	The Employment Equality Acts 1998-2011 are the main legal frameworks on harassment and sexual harassment at work. Section 4 of the Act on Safety, Health and Welfare at Work Act 2005 states that 'Employers should adopt, implement and monitor a comprehensive, effective and accessible policy on bullying at work' and employers are required to identify risks and preventive measures relating to bullying.
Italy	Relevant legal provisions on gender-based violence at work include Legislative Decree No. 198/2006 ('Code of Equal Opportunities between Men and Women'), Law 183 of 2010 on gender equality and women's employment, and legislation introduced in 2013 imposing stricter penalties for perpetrators of domestic abuse, sexual violence, and stalking. Under the Code, Equality Advisers can assist victims of discrimination and act on their behalf. In some cases, prevention of sexual harassment is directed to National/Local Observatories or to Joint Equal Opportunities Commissions at national or local level. In addition to equality legislation, other provisions relating to harassment and sexual harassment exist in criminal law and labour law. Protection of workers against mobbing, harassment and violence are provided for under the Civil Code outlining general responsibilities of the employer with respect to the protection of workers' health. Harassment in relation to other grounds of discrimination (race/ethnic origin, religion, belief, disability, age or sexual orientation as regards employment and occupation) is set out in Decrees no. 215 and 216 of 2003 and Act no. 67/2006.
Netherlands	The 1980 Equal Treatment Act (ETA) for Men and Women and the 1994 General Equal Treatment Act (GETA) cover non-discrimination and harassment at work. In 2007, following the inclusion of the prohibition of sexual harassment in the ETA and GETA, the Working Conditions Act was amended and sexual harassment was no longer defined in this Act. The amended Working Conditions Act put an obligation on employers in general terms to prevent or limit harmful psychosocial conditions (which can also cover sexual harassment, mobbing and discriminatory harassment). The Act states that the employer shall implement a policy aimed at preventing employment-related psychosocial workload, or limiting it if prevention is not possible, as part of the general working conditions policy (Article 3(2)). Employment-related psychosocial workload is described as the factors direct or indirect, including sexual intimidation, aggression and violence, bullying, and work pressure, in the employment situation that cause stress (Article 1(3)(e)). Employers are obliged to draft annual risk assessment reports and develop measures to prevent risks. Sexual harassment is considered to be a health and safety risk and has to be addressed in these reports. The labour inspectorate is tasked to supervise this process.
Slovenia	The Act Implementing the Principle of Equal Treatment (2004), replaced by The Protection against Discrimination Act (2016), the Employment Relationship Act (of 2002, amended in 2007 and 2013) and Civil Servants Act (2005, 2007) are the main legal measures that address violence and harassment, including sexual harassment at work. The amended Employment Relationship Act (ERA-1), adopted in 2013, introduced wider provisions and requirements on employers to prevent and systematically address harassment and sexual harassment. The Act refers to the violation of the dignity of a person and specifically to sexual harassment as any form of undesired verbal, non-verbal or physical action or behaviour of a sexual nature with the effect or purpose of adversely affecting the dignity of a person, especially where this involves the creation of an intimidating, hostile, degrading, humiliating or offensive environment. The employer must provide a working environment where workers are not subjected to sexual and other harassment or bullying on the part of the employer, a superior or co-worker. Sexual and other forms of harassment are deemed to be discriminatory according to the provisions of this Act. Act defines the employers' liability for damages in the event of violation of the prohibition of discrimination or workplace mobbing and for providing compensation to the candidate or worker under the general rules of civil law in such cases. Workers or their representatives have to be included in the process of adopting such internal rules.
Spain	Workplace harassment, including sexual and gender-based harassment, is provided for in the Labour Law. Organic Law 3/2007 of 22 March 2007 regarding gender equality in the workplace expands on the matter of protection against violent acts in the workplace to include measures to impede and tackle sexual and gender-based harassment (Article 46). This law requires businesses to promote working conditions which prevent sexual or gender-based harassment as well as obliging them to put procedures into practice to deal with reports and complaints from victims (Article 48). Businesses are required to provide representation for staff members in case of harassment proceedings. It stipulates that they should negotiate with workers' representatives and workers' representatives are required to contribute to the prevention of sexual and gender-based harassment in the workplace through awareness raising among staff members and management (Article 48).

UK

The Equality Act 2010 is the main legal framework on harassment and gender-based violence at work. An amendment to Section 40 of the Act in 2013 led to the repeal of the provisions in the Act on third-party violence, which means that employers can no longer be held to account if workers are subjected to violence from clients or customers. Furthermore, in 2013 the government introduced fees for cases taken before the courts, resulting in a significant drop in cases before the courts.

B) LEGAL FRAMEWORK ON DOMESTIC VIOLENCE, INCLUDING DOMESTIC VIOLENCE AT WORK

Belgium

The 2012 Belgian law concerning protection from domestic violence provides for protection orders and the temporary prohibition of residence in cases of domestic violence. Domestic violence is defined as a criminal offence under Article 410 of the Belgian Criminal Code.

Bulgaria

The 2005 Law on Protection against Domestic Violence states that domestic violence is “any act of physical, mental or sexual violence, and any attempted such violence, as well as the forcible restriction of individual freedom and of privacy...” (Article 2). Under Article 5 a range of measures are introduced for the protection against domestic violence including prohibiting the abuser from getting in the vicinity of the home, place of work etc.

Denmark

Denmark ratified the Council of Europe Convention on preventing and combating Violence against women and domestic violence (the Istanbul Convention) on 23 April 2014. The 2011 Consolidation Act no 904 sets out the rights of victims of family or partner violence to temporary stay at a shelter, to receive protection and provide support for the women and their children. The law is primarily addressed the municipal level, where shelter and support services are funded and provided.

France

The Law 2010-769, of July 9 2010, on Violence Against Women, Violence Between Spouses and the Effects of these Types of Violence on Children, set out new means of protection against violence in familial structures. The Law created a new Title XIV in the Civil Code on “Protection Measures for Victims of Violence”. Under the Labour Law, the employee has the right to abstain from her obligation to work if she has been a victim of gender-based violence. She/he has to inform immediately her/his employer about the factual situation, the danger she is facing for her life and her health and the failure to protect her. As long as the protection is not guaranteed, the employee can abstain from work.

Germany

The 2011 Violence Protection Act increased the competencies of the police and judiciary where a victim has a protection order. Sect.1 obliges the perpetrator not to approach the protected person at the place where the victim usually is, which may also include the workplace. No specific obligations exist for employers to protect or support victims of domestic violence at work.

Ireland

The Domestic Violence Act 1996 and the Non-Fatal Offences Against the Person Act 1997 are the main legal instruments. The National Strategy on Domestic, Sexual and Gender-based Violence (2016-2021) makes little or no reference to the workplace or to the role played by unions and employers as stakeholders in eliminating gender-based violence.

Italy

The criminal law Act no. 38 of 23 April 2009 introduced the new crime of ‘persecutory acts’ (stalking). The 2016 Jobs Act includes three months paid leave for victims of domestic violence with a protection order, which can be taken flexibly over a three-year period. The law aims to provide a single law relating to parenthood and reconciliation of family life. The Act states that employers cannot reject the leave and that the right is granted to woman worker by law. During the three months leave they receive full pay, social security and holiday leave and other compensation provided by the employer, which are based on the same principles established for maternity leave. Employers, in their income statement, can deduct the amount paid from the social security contributions that they have to pay to the relevant social security institution. Workers can change from full-time to part-time work, or take leave on a flexible basis, for example, on a daily or hourly basis, over a period of up to three years. These requests must be negotiated in CBAs and discussed with employers and social partners.

Netherlands

The Netherlands ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) in November 2015. Domestic Violence is not a separate offence under Dutch law, but can be prosecuted under other serious (sexual) offences under the Criminal Code (Article 304). Restraining orders are provided for in civil law.

Slovenia	Slovenia ratified the Istanbul Convention in December 2014. The main legislation providing for protection and support for victims of domestic violence is the 2008 Family Violence and Protection Act (ZPND), amended in November 2016. The Act set out the basis for the government Resolution on the National Programme for Family Violence Prevention 2009–2014 and provided the basis for the revision to the Criminal Code 2008, which defines family violence for the first time as a criminal offence.
Spain	<p>Organic Law 1/2004, of 28 December 2004 on Comprehensive Protection Measures against Gender-based Violence, sets out a range of comprehensive measures aimed at preventing, sanctioning and eradicating domestic violence, including workplace measures that aim to adapt the working situation for victims of domestic violence in areas such as working hours, transfers, and suspension or termination of working relationships (Article 21). Article 1 defines gender-based violence as "...violence which, as a manifestation of discrimination, the unequal situation and the power relations of men over women, is exercised against women by those who are or have been their spouses or those who are or have been connected to them through similar relations of affectivity, even without cohabitation."</p> <p>It is worth noting the Catalan law 5/2008 on the right of women to be free from gender violence uses the concept of: 'violència masclista' to reflect that the source of violence against women is from men and exerted by men against women. The preamble of the law states that: "it is a violence against women by the mere fact of happening in the context of unequal power relations between women and men". In this Act, other forms of violence are set out, including physical, psychological or economic violence, sexual harassment, forced marriages, sexual assault and female genital mutilation.</p>
UK	Domestic violence, as well as stalking and ongoing harassment, are criminalised in legislation in England and Wales. Under the amended Serious Crime Act 2015, the offence of controlling or coercive behaviour in intimate for familial relationships was introduced.

APPENDIX 2: NATIONAL SURVEY DATA ON GENDER-BASED VIOLENCE, INCLUDING SEXUAL HARASSMENT AT WORK AND DOMESTIC VIOLENCE AT WORK

This appendix provides national data on gender-based violence from the eleven country case studies in relation to: a) gender-based violence and harassment at work and b) domestic violence at work.

A) SURVEY DATA ON GENDER-BASED VIOLENCE AT WORK

Belgium

Between 2004 and 2010, 14% of Flemish employees experienced harassment which largely remained stable during that period. During the same period sexual harassment increased from 2.1% to 3% of employees (The Foundation for Innovation and Work, cited in Numhauser-Henning & Laulom, 2011).

The CSC union of Food and Services (CSC-Alimentation et Services), which organises workers in predominantly female dominated jobs in cleaning, services, catering and home help sectors, has recently launched a large-scale survey to measure the problem of violence and harassment, including sexual harassment, in the workplace. To date there have been 7,500 responses and the results will be released on the 10th Anniversary of 'Cleaning Day', on 20 June 2017.

Bulgaria

A survey of 177 women by the transport union FTTUB (2010) found that:

- ▶ Over half (53.3%) of all cases of violence against women were from passengers, one-third were from a colleague and 16.6% were from a manager.
- ▶ Acts of aggression included unwanted physical contact, sexual comments, physical violence, physical threats, verbal threats and psychological pressure.
- ▶ A significant proportion of women working in the urban transport system in Sofia reported having been exposed to bullying and/or harassment at work. A high proportion of respondents indicated that they had been exposed to violence from their colleagues, principally managers, the highest of which was in the bus company.

In the health sector, there are significant problems of workplace violence, including sexual harassment (CITUB, 2003). Patients were most commonly the perpetrators of physical abuse and staff members or manager/supervisors were more typical perpetrators of verbal abuse and harassment; women were more affected by verbal abuse while men and women are almost equally affected by bullying. Although only 2.2% of the respondents said they have been subjected to sexual harassment in the past 12 months, the authors noted a lack of understanding of the issue and the absence of laws or disciplinary procedures that existed at the time.

Denmark

Denmark has one of the highest reported rates of sexual harassment in Europe, with 80% of women responding to the FRA survey stating that they had been sexually harassed at some point in their lives and 37% had experienced sexual harassment in the previous year (FRA, 2014).

A national study found that 4% of Danish women have been subject to unwanted sexual attention in the workplace in the 12 months; 60% stated that had been subjected to sexual harassment from citizens/customers in the course of their work, 21% by a colleague and 15% by a manager. Young women were at a higher risk of sexual harassment than men. Public transport workers followed by social and healthcare assistants experienced the highest level of sexual harassment (National Research Centre for the Working Environment/Det Nationale Forskningscenter for Arbejdsmiljø, 2012). A further study in 2016 found that one in every four women has been subjected to sexual harassment, bullying, violence and/or threats of violence at work in the past year (compared to 16% of men). It is mainly women under 30 years who are at risk, with 10% of women under the age of 30 years were subjected to sexual harassment. In addition, more women than men experience bullying in the workplace and twice as many women as men suffer violence and/or threats on the job (14% of women, compared to 7% of men).

Denmark

A study by the union run Economic Council of the Labour Movement (Arbejderbevægelsens Erhvervsråd) found that that every fourth woman (and 16% of men) in Denmark has experienced sexual harassment, threats of violence or bullying at work over the past year. 3F and FOA report that 17-20% of their members have been exposed to sexual harassment.

A study on third-party sexual harassment was carried out of 3F members in Private Service, Hotel & Catering who have regular contact with the public in 2015 found that one quarter of all employees (24%) suffered from sexual harassment (27% of women and 19% of men), which mostly it affected younger women. Sexual harassment mainly took the form of verbal harassment, followed by inappropriate touching. Only about a quarter of respondents knew of a formal policy for handling sexual harassment at work and nearly one-quarter knew of a trade union representative in their workplace.

One third of nurses in the public sector in Denmark had been exposed to violence or another form of threatening behaviour on the job over the past year (Danish Nurses' Organisation/Dansk Sygeplejeråd, DSR, 2015).

Increasing levels of physical violence against school teachers by their students is reported by the Danish Teachers Organisation (Danmarks Lærerforening, 2015), where incidents have increased by more than 50% (from 66 cases in 2013 to 102 in 2015). These cases are of physical violence, and not psychological or verbal harassment, from students. The union believes that many cases go unreported.

Sexual harassment in the workplace in Denmark is the subject of a new research study being carried out by Professor Anette Borchorst, Aalborg University, with the involvement of several trade unions. The research aims to provide more in-depth data and analysis about sexual harassment cases and to fill a research gap on sexual harassment at work, particularly in relation to the excessive documentation requirements in cases, and to evaluate workers' compensation cases and previous sexual harassment cases in the courts.

France

Research carried out in January 2014 for the French Rights Defender (IFOP, 2015) found that of 20% of interviewees had been victim of sexual harassment in the workplace, 16% on one occasion and 4% at least twice. 57% of women worked in a professional environment where sexist jokes and remarks occur frequently and 57% declare being not sufficiently informed about their rights and the prohibition of sexual harassment. 94% stated that sexual harassment is not sufficiently identified as such in the workplace. In 30% of the cases, women worked in a precarious contract (fixed term or internship) and in 25% they were isolated.

In a survey on sexism and sexual harassment at the workplace by the French Superior Council on Gender Equality (CSEP, 2015), 80% of respondents stated that they were regularly confronted with sexist attitudes or decisions, having an impact on their self-confidence, their wellbeing and their performances. 86% of men think that this sexist behaviour may modify the behaviour of women.

A survey in 2012 in the department Essonne covering found that 43% of the women had experienced in the past 12-month sexist harassment, 16% sexual harassment, 45% harassment (moral or sexual) and 4% sexual aggressions or rape.

Germany

A survey by the Federal Ministry of Women (BMFSFJ, 2003) found that 19% of the acts of violence are committed in the workplace by colleges, superiors and third persons/clients. 52,2% of the interviewed women had experienced sexual violence and harassment either in a public space, at work or in the private sphere.

A survey by Federal Anti-Discrimination Agency (Eurofound, 2015) found that 81% do not know that their employer was obliged to protect them against sexual harassment and 70% do not know about a responsible person inside the company to talk to. 60% of Working Councils representatives stated that nothing in their company is done to prevent sexual harassment even though it is their task to ensure that the employer fulfils its prevention duties. 46% of interviewees were not aware of any prevention or measures undertaken in their companies. A further 2% of victims are dismissed as a consequence of their internal complaint and 5% quit their job in order to protect themselves.

<p>Ireland</p>	<p>A study of students' experiences of sexual harassment by the Union of Students in Ireland (USI, 2013) found that 1 in 5 women experienced unwanted sexual attention, 11% experienced unwanted sexual contact, and 9% of women students experienced comments with a sexual overtone.</p> <p>In a study on psychosocial risks (Watson, Maître & Russell, 2015), 2.3% of employees in Ireland had experienced unwanted sexual attention (in the previous month) and 5.5% had experienced bullying and harassment (in the previous 12 months).</p> <p>A study by the nurses and midwives' union, the INMO (McMahon, 2013) found that 80% of respondents indicated that they had observed bullying in the workplace. In July 2014, the survey was updated and survey found that there had been an almost 14% increase in the number of reported cases of bullying over the last four years and that 6% of respondents said they were bullied on a daily basis (INMO, 2014).</p> <p>A national survey on workplace bullying (Economic and Social Research Institute, 2007) found women were more at risk of bullying 11% women reported bullying in the previous six months, compared to nearly 6% of men). The highest rates of bullying were found in the public sector in education, public administration, health and social work and transport and communications. A higher incidence of bullying was found for workers on casual contracts (14%) and temporary contracts (9%), compared to workers in permanent employment (7.6%).</p>
<p>Italy</p>	<p>A survey carried out by FIT-CISL on violence and harassment against women in the transport sector revealed high levels of violence against women in the sector, and painted a picture of negative and sexualised attitudes towards women in the sector. The survey results, based on 1000 completed questionnaires, pointed to systematic sexual harassment and negative attitudes to women.</p>
<p>Netherlands</p>	<p>Analysis of the FRA survey by the Dutch Institute for Gender Equality and Women's History, ATRIA (Römkens et al., 2016) found that in the Netherlands 78% of respondents had experienced sexual harassment (not limited to the workplace) (as against the EU average of 55%). 26% of respondents had been victims of stalking (against the EU average of 18%).</p> <p>The Netherlands Working Conditions Survey 2011 (TNO/CBS, 2011) found that 24% of workers in were exposed at least once to some form of third-party violence from people such as customers, clients, students and passengers, and a further 16% were exposed to workplace violence from colleagues or supervisors. The most prominent type of third-party violence is intimidation (19%), followed by harassment and bullying (7%), physical violence (6%) and sexual intimidation (5%). Intimidation is also reported to be the most frequently experienced type of work-related violence (11%), followed by harassment and bullying (8%), sexual intimidation (2%) and physical violence (1%). Nearly 9% of the female employees surveyed had been a victim of unwanted sexual attention from customers in the previous twelve months. Just under 3% had received such attention from a supervisor or colleague. Employees, who have been victimised, report in sick more often than an average of seven days per year.</p> <p>A study on aggression at work found that exposure to violence leads to increased absence from work, health problems, decreasing work satisfaction and eagerness to change jobs. It is estimated that violence costs employers about 1.7 billion euros per year (cited in Römkens et al., 2016).</p> <p>4% of teachers and pupils in secondary schools had experienced some form of sexual harassment. In 2007/2008, 7% of all schools reported 'incidents' in this area to the inspectorate (Mooij et al, 2008).</p> <p>More than a third of nursing and care workers have faced sexual harassment (Rademakers et al, 2008). More than half of the cases involved remarks of a sexual nature and a third involve physical contact. A survey by students in medical training, found that 25% of medical women students had experienced sexual harassment. Three out of ten students reported that the incident had a negative influence on their work</p> <p>The Ministry of Social Affairs, in cooperation with FNV, has recently carried out research about sexual violence in the Polish community. However, there is a taboo about talking about sexual violence and many women were reluctant to speak about violence. Many were in precarious work and may have feared losing their jobs if they talked about violence. FNV considers this is an issue that has been very hidden, particularly as regards migrant workers.</p>
<p>Slovenia</p>	<p>A survey on sexual harassment in the workplace, dating back to 1999, found that one in every eight women had experienced sexual harassment. A further survey by the Office for Equal Opportunities, in partnership with trade unions in 2007 found that every third woman was a victim of verbal sexual harassment and every sixth woman a victim of physical sexual harassment (cited in Numhauser-Henning & Laulom, 2011).</p> <p>A 2008 national survey on mobbing/harassment, by the Institute for Occupational Medicine, was presented at the tripartite government Council for Occupational Health and Safety in January 2009, showed that in the six previous months, 10.4% of employees were victims of workplace harassment themselves and 18.8% had witnessed harassment of co-workers.</p> <p>PhD research carried out by Sonja Robnik, surveyed workplace bullying from a gender perspective amongst teachers. The research, carried out in partnership with Education, Science and Culture Trade Union of Slovenia, covered 700 teachers, 85% of whom were women. The research revealed that 8% of victims experienced serious forms of workplace bullying, much of which was sexualised.</p>

Spain

Research by the Women's Institute (Instituto de la Mujer, 2006) an independent body under the Ministry of Employment and Social Affairs, found that nearly 15% of Spanish women reported some form of sexual harassment at work during 2005. Sexual jokes, as well as inappropriate compliments and comments were the most common type of harassment reported. The report was based on a survey of 2,007 women aged between 16 and 64 years in employment.

United Kingdom

A TUC (2016) survey on sexual harassment at work of 1,533 women in Great Britain found that more than half of all women and nearly two-thirds of women aged 18 to 24 said they have experienced sexual harassment at work. 32% were subject to unwelcome sexual jokes and 28% were subject to sexual comments about their body or clothes. Nearly one in five women experienced unwanted sexual advances – with one in eight being touched intimately or kissed against their will. One in five stated they avoided certain work situations as a result of sexual harassment, and 15% said they felt less confident at work. A separate TUC poll of trade union members found that many victims of sexual harassment are do not report cases to or seek support from their trade union reps.

A 2016 survey of the University and College Union's (UCU, 2016) women members on sexual harassment in the university/college sector, found that of the 1,953 responses, 54% reported a personal experience of some form of sexual harassment at work. 57% reported unwelcome or derogatory comments about their appearance or clothing; followed by leering and suggestive gestures and remarks (42%); physical contact such as invading personal space and unwelcome touching (38%). The least common forms of sexual harassment were offensive comments by social media (9%) and sexual assault (2%). 89% did not speak to a union representative. They feared that complaints would be taken seriously or potential consequences (retaliatory action, professional status or relationships with colleagues). This is of particular concern as 75% worked in organisations that had a policy and procedures on sexual harassment.

A NASUWT teaching union survey on online harassment and abuse in 2016 found that 50% of members were aware of comments or information being posted online about them in relation to their role as a teacher. Many also reported online harassment of girls by boys in the school, including circulating naked photographs without consent.

A survey by the Federation of Entertainment Unions (BECTU, NUJ, Equity, Musicians' Union and the Writers' Guild) (2015) revealed significant levels of bullying and harassment, primarily because the majority of workers work on short term contracts or work on a freelance basis, with few statutory rights. Sexual harassment was the most commonly reported form of bullying and harassment, and included pressure to enter a sexual relationship by a person in a position of power, physical molestation, lewd gestures, comments and unwanted advances.

A 2016 survey of sexual harassment in public places by the End Violence Against Women coalition (EVAW, 2016) found that 85% of women aged 18–24 years had experienced sexual harassment/unwanted sexual attention in public places and 45% have experienced unwanted sexual touching. It particularly affects women when they travel to and from work and women who are dependent on public transport or have to walk on poorly lit streets following the end of a late shift. The survey found that almost half did conscious safety planning if they went out in the evening, such as avoiding public transport and paying for taxis, leaving early and taking a different route.

B) DATA ON DOMESTIC VIOLENCE AND DOMESTIC VIOLENCE AT WORK

Belgium

A survey of 382 trade union representatives in the industrial cleaning, public services, metal manufacturing, home help, chemicals and retail sectors was carried out by FGBT on domestic violence in the workplace (2011) as part of FGBT's participation in a Daphne III project (2009-2011). It found that a minority of men thought violence was an issue for workplace awareness-raising, in contrast, 89% of women thought it should be turned from a matter of private interest into a societal, public health and welfare at work concern. 3.30% of union representatives had already been asked directly by victims for help or information (cleaning industry and retail sector). Within these sectors, 60% of union representatives had spotted signs of physical or psychological abuse. However, only 5.72% of workplace representatives thought that union representatives needed a toolkit to act as a referral point to appropriate services. Long- and short-term sickness absences and being late for work were the most frequently cited consequences of domestic violence, which pointed to the importance of union representatives negotiating with an employer. The survey suggested that there is a lot more awareness raising that needs to be carried out with workplace representatives in order to convince them that domestic violence at work is a trade union issue.

Research on the consequences of domestic violence at work, carried out by the Liège-based anti-domestic violence group 'Collectif contre les violences' has highlighted the loss of self-esteem experienced by victims, which makes it difficult to build a positive self-image and maintain social contacts, which are vital in getting to work. In particular, "Experiences of violence-dominated relationships that can make the person reject all forms of authority at work, or be unable to situate themselves in an "authoritarian" set-up leaving them vulnerable to bullying." COFACE (2011)

Bulgaria	<p>There is no data on domestic violence at work. The most comprehensive national study on public attitudes to domestic violence was carried out by the National Centre for Public Opinion Research in 2003 (commissioned by the Ministry of the Interior) (OSI, 2007). A survey carried out by Bulgarian NGO 'Women and Mothers against Violence' as part of a European project on domestic violence at work (Leroy, 2011), found that of the 180 adult men and women interviewed in 18 different Bulgarian towns, 40% of respondents were personally acquainted with a victim of violence and 62.2% of people knew a woman who was being psychologically abused by a family member. 5.5% had been or were enduring physical abuse and 12.5% had experienced harassment, humiliation, verbal abuse. The report noted the significance of the findings that 49.2% of respondents (mainly men) thought that domestic violence was a private matter, while 50.8% (mainly women) thought it was a public issue.</p>
Denmark	<p>Data from the Danish government shows that an estimated 29,000 women and 10,000 men (between the ages of 16 and 74) are victims of violence in intimate relations in Denmark each year. Data from 2005, found that of the 2,000 women who live in shelters (out of an estimated 28,000 women who are abused each year), many risked rejection from the labour market and are at risk of becoming socially marginalised because of a weak attachment to the labour market. The statistics show that abused women have a higher rate of unemployment than the general population. One of the reasons cited for this is that abused women often take sick leave. A study by the Danish National Board of Social Services (2007), found that victims of domestic violence who were working had twice as much absenteeism; twice as many women were unable to work, had switched jobs or worked part-time because of health problems caused by the abuse; and four times as many had conflicts with their colleagues. The study found that many women hide their violence in the workplace, have bad health, poor quality of working life and less influence at work, and strained relationships with colleagues.</p> <p>A further report by the National Board of Social Services (2009) showed that for the 83% of women who had been in employment in the previous three years, the abuse had negatively affected their work and which made it difficult to keep a job. Thirty-five per cent of the abused women who were interviewed experienced difficulty in achieving their professional objectives as a result of the violence. Psychological and social problems resulting from the abuse influenced their participation in and contribution at work. Many were unable to work and took sick leave. 35% of women experienced difficulty finishing their work assignments as a result of the violence, and experienced loss of concentration, fatigue, depression, irritability, post-traumatic stress disorder, paranoia and anxiety. These factors resulted in a loss of productivity, the demotivation of colleagues and third parties, a higher rate of absenteeism increasing the risk that the victim will stop working. 77% of women who had worked during the last three years, the perpetrator extended his abuse to their work situation, for example, by demeaning their work, jealousy of colleagues, controlling wages, and harassment, abuse and threats in person or by phone at the workplace. 55 % were worried about what their colleagues think.</p>
France	<p>There are very few surveys on the impact of domestic violence at the workplace. A survey by the Ministry of Interior (2014) found that more than 223 000 women (1%) every year are victims of domestic violence committed by their partners (Leroy, 2011). It found that 83% of employees, who were victims of domestic violence stated that there were negative effects on their professional situation and their ability to continue to workplace. Data from the EU Daphne project "Companies Against Gender Violence" (CARVE) cites the following: 83% of employee's victims of aggressions have negative impact resulting from the violence and have difficulties to keep their job; and 75% of the perpetrators had difficulties to concentrate and 19% provoked an accident at the workplace (CARVE, 2016b).</p>
Germany	<p>There is limited data available on domestic violence in Germany. The 2014 FRA survey data results found that in Germany, one in three women have experienced physical and/or sexual violence since the age of 15 and 38 % of people in Germany said they knew a woman within their circle of friends and family who has been a victim of domestic violence.</p>
Ireland	<p>In 2014, ICTU participated in a survey on the impact of domestic violence in the workplace (along with UK unions from England, Scotland and Wales). In both jurisdictions (Republic of Ireland and Northern Ireland) there were nearly 2000 responses to the survey, which found that one-third of respondents had experienced domestic violence; nearly 20% knew someone in employment who had experienced domestic violence; nearly all respondents (94%) said they thought that domestic violence can have an impact on the work lives of employees. The effects of domestic violence at the workplace included threats (70.2%), physical injury or restraint (66.5%), refusal to show up to care for children prevented them attending work (28.7%), partner hid/stole car keys or money (26.1%), partner hid or stole personal documents (16.5%). Nearly 90% said that they were harassed at work through phone calls or email messages. The survey was launched at a seminar in Belfast in November 2014 (ICTU, 2014).</p>
Italy	<p>There has been little or no data collection or research studies on domestic violence at work, although national data and FRA (2014) shows high levels of domestic violence in Italy.</p> <p>According to the 2015 Italian National Institute of Statistics report, almost 1 in 3 women in Italy have disclosed physical and/or sexual violence. The percentage of women aged 16—70 that are victims of some form of violence is 31 % (20 % physical violence and 21 % sexual).</p> <p>According to the 2015 Italian National Institute of Statistics report, almost 1 in 3 women in Italy have disclosed physical and/or sexual violence. The percentage of women aged 16—70 that are victims of some form of violence is 31 % (20 % physical violence and 21 % sexual).</p>

Netherlands	<p>The FRA study found that 41% of respondents from the Netherlands had been a victim of physical violence at some point in their lives. This is higher than the EU average of 31%. 22% of all Dutch women said that the physical violence they experienced was perpetrated by a partner or ex-partner. Approximately half the victims of violence from their current partner have experienced more than one violent incident, and approximately two-thirds of victims of an ex-partner have experienced repeated violence. Nearly one third of those who experience this violence have seen their lives changed drastically as a result. 80% of cases are committed by men. The FRA data correspond with the results of the first Dutch study carried out in 1992 into the prevalence of intimate partner violence, where one in five women (20.8%) reported that they had experienced physical violence from a partner or ex-partner. In a more recent Dutch study, published in 2010, over 11% of the women surveyed reported having been the victim of 'obvious domestic violence' by a partner or ex-partner in the past five years (Van der Veen & Bogaerts, 2010).</p>
Slovenia	<p>A national survey of the prevalence of domestic violence 'The Extent and Responsiveness to Violence in the Domestic Sphere and in Partnerships' was carried out in 2010 (co-funded by the Office for Equal Opportunities, the Ministry of the Interior/Police and the Slovenian Research Agency) (Leskošek, Urek & Zaviršek, 2010). The survey found that every second woman (56.6%) had experienced one form of violence since the age of 15. The most frequent form of violence was psychological violence (49.3%), followed by physical (23%) and property-related violence (14.1%), restriction of movement (13.9%) and sexual violence (6.5%). The survey found that victims suffered higher levels of stress, anxiety, indigestion, loss of appetite, stomach problems, headache, sleep disorders and poor concentration. The survey reported on some aspects of the impact of domestic violence at the workplace, based on information provided by respondents about how psychological and physical violence impacted on their connection with the workplace, for example, concerning restrictions on freedom of movement, stalking by partners at the workplace, and constant surveillance of victims. Some victims reported that they avoided relationships in the workplace and the majority did not tell work colleagues.</p>
Spain	<p>Between 1 January 2003 and 31 December 2012, 658 women were killed by a partner or ex-partner, the level of which has been falling in the last few years. Surveys conducted in 1999, 2002 and 2006 by the Women's Institute and in 2011 by the Government Delegation against Gender-based Violence, with the cooperation of the Sociological Research Centre showed that the number of women who feel abused by their ex-partner/ ex-spouse has doubled. It increased from 3.6% in 2006 to 7.2% in 2011. The surveys have consistently shown that domestic violence significantly affects women's health and wellbeing (susceptibility to infections and colds, poor sleep, anxiety, low self-esteem and confidence).</p>
United Kingdom	<p>20% of victims of domestic violence had taken a month or more off work in the previous year due to domestic abuse and 56% of abused women arrived late for work at least five times a month and 53% missed at least three days off work (Crown Prosecution Service, 2015; Home Office, 2009). More than one in ten victims of domestic violence chooses to confide in a manager or colleague (Refuge, 2010). A TUC survey found that of the 3,449 respondents found that 41.6% of respondents had an experience of domestic violence (TUC, 2014).</p> <ul style="list-style-type: none"> ▶ 40% stated that domestic violence affected their ability to get to work and of these nearly three-quarters stated that this was due to physical injury or restraint; another quarter stated it was due to car keys or money for public transport being hidden or stolen by the abuser. ▶ Over one in ten of those who experienced domestic violence reported that the violence continued in the workplace. 81% stated that this involved harassing or abusive emails or phone calls, and of these the abuse took the form of their abusive partner physically turning up at their workplace or stalking them outside the workplace. ▶ Fewer than one in three of those experiencing domestic violence discussed the violence with anyone at work and less than 10% talked to their union rep. A further one-third said that even though they had not told anyone they believed their colleagues knew about the abuse. Fear, shame and issue of privacy were reasons given for not disclosing. ▶ who told someone about the abuse nothing really changed – 4% who told someone at work said that it made matters worse.

APPENDIX 3: EXAMPLES OF COLLECTIVE BARGAINING AGREEMENTS AND WORKPLACE POLICIES

This appendix covers gives examples of agreements, clauses and workplace policies from the eleven country case studies in relation to: a) gender-based violence and harassment at work and b) domestic violence at work.

A) AGREEMENTS, CLAUSES AND WORKPLACE POLICIES ON GENDER-BASED VIOLENCE AT WORK

Bulgaria: Transport	Four municipal-level agreements have agreed between the transport union, FTTUB, and municipal authorities on prevention of violence against women at work: Sofia (2009), Varna (2015), Burgas (2015) and Gabrovo (2015).
Bulgaria: Transport	<p>A special chapter on 'Protection against violence at the workplace and gender equality' was negotiated by FTTUB in the 2010-2012 sectoral transport CBA, with joint actions by employers and unions to prevent violence and a zero-tolerance approach. The relevant clauses specify that:</p> <ul style="list-style-type: none"> ▶ The employer together with the trade unions shall take effective measures to prevent from all forms of physical and psychosocial abuse, and ensure working conditions that help to prevent workers from chronic stress, physical and mental disabilities in the workplace; ▶ The employer shall ensure that the principle of gender equality in pay, access to training and career development is guaranteed; ▶ The employer is obliged to pursue a policy of zero tolerance against discrimination and workplace violence in its various manifestations – physical, mental and sexual; ▶ The parties shall develop training plans to raise awareness of managers and employees in order to identify signs of abuse and workplace violence, and to initiate preventive or corrective actions. These measures should be applicable to third-party violence; ▶ The Employer shall develop procedures to be followed in cases of bullying or violence, which must contain: (1) Immediate and fair internal investigation; (2) Statistics; (3) Feedback; (4) Adequate disciplinary measures against the perpetrators to be taken if they are employees in the same establishment; (5) Support for the victim and if necessary psychological help on the reintegration process; ▶ The employer may decide to ensure appropriate treatment the injured employee.
Bulgaria: Transport	CBA between FTTUB and Bulgarian Rail on violence against women at the workplace, signed on 7 March 2012.
Bulgaria: Transport	CBA between FTTUB and Sofia airport on violence against women in the workplace, signed on 25 November 2012.
Bulgaria: Education sector	Education sector CBA of 2012 called for measures to address the illness rate of teachers and students and the factors that influence it (Article 6).
Bulgaria: Metal sector	Sectoral collective in the metal sector (CITUB, PODKREPA and the Employers Union in the Metal Industry), 16 April 2015. Chapter 9 Social Cooperation: The parties have agreed to work together to not allow any form of direct and or indirect discrimination when implementing the labour rights and obligations in the enterprises from the sector (Article 40(3)). The parties have agreed to consult each other opinion exchange in formation and interact with joint initiatives for protection of their joint interest in the area of care and support for the most vulnerable workers and employees in the enterprises (Art. 42(4)).
Bulgaria: Energy sector	National federation of energy workers' sectoral CBA, 2013. To take measures against moral and physical abuse of a worker or employee performing their duties at the workplace. Increasing the health culture and the level of professional attitude with regards to health and safety at work.

Bulgaria: Postal sector	Bulgarian Post CBA, 2014-2016. Chapter 7 prevention of discrimination at the workplace. Art.85, para 1: The employer commits to zero tolerance to discrimination and violence at the workplace in its various manifestations, physical psychological and sexual. Article 87(2): The unions and their branch units may 1) claim on behalf of the people whose rights have been violated, 2) act as interested party in an open procedure in the case of already pending hearings, 3) submit their own claim as per Article 7(1) of the anti-discrimination act in the case of discrimination when rights have been violated.
Bulgaria: Mining of Mineral Resources	Sectoral CBA in Mining of Mineral Resources, 2015. The parties to this contract shall monitor any manifestation of discrimination expressed verbally or in any other way which aims at or results in a violation of the the dignity of a person or in the creation of hostile or dangerous work environment, together with other indicators as per Article 4 (1) of the anti-discrimination act (Article 9 of the CBA).
Bulgaria: Breweries sector	Sectoral CBA in Breweries, 27 August 2015. Article 34(1): The parties have agreed that the employer must guarantee the quality of work for all workers in the company and the company must undertake the measures necessary to avoid any form of discrimination.
Bulgaria: Health care sector	<p>The Federation of Health Service Unions and the CITUB first agreed clauses on violence at work in 2004, including prevention of violence and the introduction of better security in public spaces to reduce third-party violence. Clauses on violence and harassment have been included and maintained in the 2006, 2008, 2010 and 2014 agreements (under Part III of the sectoral CBA in relation to 'Health and safety at work'), and includes prevention measures to be taken jointly between employers and trade unions and the establishment at Working Conditions Committees to investigate and deal with complaints. The Sectoral CBA in health care for 2014 states that the employer jointly with the unions must undertake efficient measures for prevention of any form of discrimination (direct or indirect), or physical or psychosocial harassment, and must guarantee working conditions that prevent the workers from chronic stress, physical and psychological damage at the workplace (Chapter 8).</p> <p>A sectoral CBA in health between the Bulgarian national health insurance fund, the Union of Civil Servants and the Federation of Health Care Unions, of 14 May 2015. It states that the employer shall protect the dignity and honour of the employee during the performance of their duties within the labour contract (Art. 12, para. 5). The employer shall undertake all measures provided by law – inclusive of providing legal protection against moral or physical violation against the employee during the time of performing labour duties as per labour contract (Art. 6).</p>
Bulgaria: Draft framework agreement	Draft framework agreement on violence and harassment and stress at work (implementing the two European framework agreements of 2007 and 2004), drawn up by CITUB experts (in cooperation with PODKEREPA). The employers have consistently refused to sign the agreement and it is still on the table.
Denmark: National agreement	National agreement signed by the Danish Working Environment Authority, the Employers' Confederation and LO-Trade Union Confederation, 2001, stipulates that local agreements have to be adopted to tackle mobbing, harassment and sexual harassment at work. The agreement led to the adoption of guidelines by the Government and an amendment to the paragraph of the Ministry of Employment Labour regulations which affirms that: "the work does not imply any risk of physical or mental health deterioration due to bullying/harassment including sexual harassment". The agreement has led to a wide range of local agreements (principally at company levels and in municipalities/regions).
Denmark: State Sector	Agreement on Cooperation and Joint Consultation Committees in State Sector Enterprises and Institutions of 2008, the parties to the agreement (State Employer's Authority and the Confederation of Danish State Employees Organisations) agreed to incorporate a new clause on harassment and violence: "The Cooperation Committee shall lay down guidelines that ensure a working environment where employees are not exposed to mobbing, (sexual) harassment or violence from colleagues, management or a third party. The Cooperation Committee must continuously oversee that the guidelines fulfil their purpose." (Article 5(10))
Denmark: Regional and municipal sector	General CBA for the Danish regional and municipalities sector, 2008, covers preventing, identifying and managing harassment and violence, includes sexual harassment and third-party violence at work. The agreement, signed by the two employers' unions (Local Government Denmark and Danish Regions) and the Danish Association of Local Government Employees' Organisations (the joint negotiating body for 46 trade unions representing members employed in municipalities and regions), specifies that municipal and regional workplaces, through co-determination committees in each region/municipality, have to prepare guidelines on preventing harassment and violence by 1 April 2010.

Denmark: Local Government	Agreement signed by the employers and the Danish Association of Local Government Employees Organisations, signed on 1 April 2015, set aside DKK 2 million (€270,000) to fund a study on the psychosocial working environment in the sector.
Denmark: Post Denmark	Funen and South Jutland Postal Area policy on 'Bullying, harassment and violence', agreed in 2013, sets out the company's intention to prevent and address harassing and offensive behaviour as part of a healthy working environment. Assistance and support is given to employees who may be affected by bullying, harassment or violence, regardless of whether they are a victim or a spectator, and includes harassment that takes place outside the workplace, including electronic forms of harassment via media such as Facebook, etc.
France: National CBA	National CBA 'on harassment and violence at the workplace' signed on 26 March 2010, transposing the 2007 European Framework Agreement. The government extended the agreement with a ministerial decision on 23 July 2010. The agreement invites unions and companies to: "adopt the agreement on the company's level, to declare that violence and harassment on the workplace are not tolerated and to foresee concrete and appropriate measures of prevention and reaction in case it occurs". It includes a list of items, which should be dealt with on the company's level.
France: BNP PARIBAS	Agreement on Harassment and Violence at Work between BNP PARIBAS and the banking union SNB/CFE-CGC (1 July 2014), covers definitions, prevention, roles of different actors, awareness raising and training, procedures for identifying situations of harassment and complaints, the establishment of a national confidential committee and measures to protect victims and witnesses.
France: SAFRAN	SAFRAN (aerospace, defence, security) CBA adopted in June 2013 on "Prevention of sexual harassment and violence at the workplace" covers the definition harassment and violence at the workplace; identifies the measures to be taken in order to prevent and to guarantee security and to protect physical and psychological integrity; identify, alert and treat complaints of harassment and violence; support of the victims of harassment; and sanctions and measures to protect employees' health.
France: La Poste	LA POSTE CBA on 'professional equality', signed by all unions on the 3 July 2015 includes a chapter on 'Violence and sexual harassment at the workplace, violence committed by clients and domestic violence'. It covers the prevention of moral and sexual harassment and La Poste commits itself to inform and communicate in order to prevent harassment. It describes its internal appeal and in the case of violence committed by a client, La Poste pays legal fees and reserves its right to file a claim against the client.
France: L'Udes	L'UDES (social and solidarity economy) with twelve branches, concluded a CBA for professional equality between women and men in November 2015. Article 9 addresses the combating of gender-based violence and sexual violence. It defines the concepts; it underlines the obligation of the employer to prevent sexual harassment; it demands a special article to be inserted into the companies' rules on the fight against sexism; and it foresees a procedure for dealing with internal and external violence in the workplace.
France: Public sector	The French public sector adopted the first CBA on gender equality in the workplace on 8 March 2013. Chapter 4 of the agreement deals with the obligation to prevent all kinds of gender-based violence at the workplace as well as domestic violence detected at the workplace. Amongst the definition of the concepts, the legal obligations and sanctions, it foresees training sessions on the topic of health and security at work with a focus on the specificity of gender-based violence for all new civil servants and management. It underlines the importance of the role of the CHSCT committee to detect and prevent violence.
France: Carrefour	A health and safety agreement, signed in May 2009, gives a specific focus to the fight against moral and sexual harassment, including psychological and other support for victims of aggression and violence from customers. The Global Framework Agreement between UNI and Carrefour (2015) "For the promotion of Social Dialogue and Diversity, and Respect for Basic Employee Rights" has the objective to promote social dialogue, diversity and respect of fundamental rights at work.
Germany: Volkswagen AG	Volkswagen AG (592 600 employees, automobile and logistic industry) started in 1996 with a company agreement, which was an initiative of the Works Council to prevent and inform of all kind of discrimination, mobbing and sexual harassment. The agreement is called 'Partnerschaftliches Arbeiten am Arbeitsplatz'/collegial working at the workplace.

Germany: Deutsche Telekom	Sexual harassment and violence included in a company directive called 'Policy on personal security', which entitles each employee to have a workplace free of physical and psychological violence and a 'fear-free' working environment. It aims to raise awareness and carry out training workshops for managers, including trained and nominated 'harassment managers' who give advice, orientation and support to employees and victims. A working group on 'harassment management' meets on a regular basis and gives advice and supervision to the harassment managers.
Germany: Charité – University Clinic Berlin	Charité – University Clinic Berlin has drafted a workplace policy in the form of a 'directive' on the prevention and treatment of sexual harassment at Charité'. This directive covers in its scope employees and students of Charité and was adopted by the board in the summer of 2016. Represented unions have contributed intensively on the elaboration of the directive.
Deutsche Bahn AG	Deutsche Bahn AG company agreement of January 2016 'for equal treatment and protection against (sexual) harassment and discrimination'. It includes the legal obligations of the ADG (appeal procedure, sanctions), training sessions for managers and employees, external help-lines for staff, measures to empower and training female employees, including training on self defence against physical and sexual violence perpetrated by clients.
Ireland: Civil service policy	In the Civil Service, an 'Anti-Bullying, Harassment and Sexual Harassment Policy – A Positive Working Environment', was negotiated in 1999 and was the first policy of its kind in the civil service in Ireland. It put an obligation on employers to have a clear, strong, robust policy in place to deal with complaints of bullying, harassment and sexual harassment. As an outcome of consultations and negotiation a new policy "Dignity at Work – An Anti-Bullying, Harassment and Sexual Harassment Policy for the Irish Civil Service" was agreed in 2015 setting out four stages for complaints. The Policy also includes details of the supports that are available to the parties of a complaint.
Ireland: Health care policy and procedure	An 'Anti-Bullying, Harassment and Sexual Harassment Policy and Procedure' in the Irish health service recognises the right of all employees to be treated with dignity and respect and is committed to ensuring that all employees are provided with a safe working environment, which is free from all forms of bullying, sexual harassment and harassment. It foresees confidential support persons who are employed and trained to provide support and information to victims of bullying, harassment and or sexual harassment. The policy was drawn up by a Working Group comprising representatives of employers and unions.
Italy: Cross-sectoral	National Framework Agreement on Harassment and Violence at work, 2015, transposed the 2007 European Framework Agreement. Signed by the three confederations (CGIL, UIL and CISL) and the employer's organisation (Confindustria), it adopts the definitions and text of the 2007 European Framework Agreement and specifies that employers' associations and trade unions at territorial level will, within three months from signing this declaration, meet to identify if necessary procedures and what are the most suitable structures to provide support, including psychological and legal counselling to victims of workplace violence and harassment. In compliance with the agreement, a statement/declaration is annexed to the agreement that can be directly implemented at company level.
Italy: Water sector	In the gas and water sectors, national agreements with six employers' associations were amended in 2010, and set out the roles of the national industrial relations observatory, which has the role in monitoring the implementation of agreements, including the principle of non-discrimination and violence at work.
Italy: Energy and petrol sector	In the energy and petrol sector the national agreement includes a section on "Protection of men and women's dignity in the workplace". It specifies that "Actions will be promoted to prevent any behaviours, which may jeopardise men and women's dignity at work. The parties, hereby, commit themselves to implementing prevention and information policies on discrimination and sexual harassment, stating the right for both, men and women workers, to live in a safe work environment that also encourages human relations, while respecting the dignity of men and women workers who are carrying out their tasks".
Italy: Gas and water sector	The FILCTEM CGIL, FEMCACISL and UILTEC platform for negotiation of the renewal of the gas and water agreement (2016-2018) includes provisions for training plans containing sessions aimed at disseminating the gender culture and respect, with the aim of preventing abuse and harassment against women, and the possibility for women who were victims of violence, to break down the leave period so that it can be taken flexibly.
Italy: Electrical sector	The bargaining proposal of FILCTEM CGIL, CISLReti and UILTEC for the renewal of the national electrical agreement (2016-2018) makes reference to workplace harassment and violence, specifying that all companies are requested to sign a public "intolerance" statement.

Italy: food sector	National agreement of 5th February 2016 on the prevention of discrimination (between the unions FAI-CISL, FLAI-CGIL, UILA-UIL and 15 employer's associations from the employers' body Confindustria) includes a 'Joint Statement' based on the National Framework Agreement on violence and harassment at work. The parties to the agreement commit themselves "to drawing up and finalising a national behavioural code against sexual harassment and mobbing". The agreement includes a clause setting out the legislative provisions for an additional three months leave period for victims of domestic violence, which is in addition to the three months leave in the legislation.
Italy: ENEL	The national agreement between energy unions and the company ENEL under the corporate welfare agreement 'People Care in ENEL' covers wellbeing and health and addresses sexual harassment and violence at work. The national agreement refers to 'equal dignity to prevent sexual harassment and limitation on one's freedom; safeguard the dignity of men and women in the workplace'. A 2012 report by ENEL's National Committee on Equal Opportunities for Promoting Equality, Diversity and Respect sets out objectives to further promote equality and dignity at work, which are currently being discussed under ENEL's 'Policy Project for Diversity'.
Italy: Woodworking sector agreement	Agreement on sexual harassment in the woodworking sector signed by the three unions in the sector (Feneal-Uil, Filca-Cisl, Fillea-Cgil) and the employer (FederlegnoArredo). Unions are using the agreement to implement territorial and company-level agreements.
Italy: Transport sector	Agreement with ANAS (the national road management authority) sets out a commitment to prevent and address workplace harassment through an agreed protocol that stipulates that the company shall undertake actions and procedures to identify if cases have occurred, to guarantee confidentiality to victims and to provide health and other support to victims through the company's Committee on Equal Opportunities.
Italy: Transport sector	Agreement with ENAV (the national air traffic controllers organisation) sets out the principle that employment relations have to take place in suitable environment, with methods and conditions to guarantee equal dignity between women and men, to identify cases of harassment, to change behaviour and correct attitudes that may jeopardise the development of good relationships in the workplace.
Italy: Transport sector	In the freight sector the company TNT agreed a declaration of accountability (based on the 2007 European Framework Agreement) signed on 25 January 2016. It uses the language of the 2007 European Framework Agreement notably that the company "consider unacceptable any harassment or violence in the workplace and will implement appropriate measures against those that perpetrate the actions". It specifies that the company will promote a work environment where the dignity of everyone is respected based on principles of equal opportunity.
Italy: Transport sector	In the air transport, the airline easyJet signed an agreement on 4 March 2015 on the protection of worker's dignity and prevention of sexual harassment. The agreement states that sexual harassment and mobbing is a disciplinary infringement and that it is illegal to sanction actions that have not occurred simply to damage someone or obtain any benefit at work. Cases of sexual harassment reported to the company must be followed up in a timely manner accompanied by unbiased and confidential procedures.
Italy: Transport sector	An agreement with Busitalia signed on 18 February 2015 is based on the principles set out in the national agreement and parties commit to implement equal opportunities and positive action measures, prevent, eliminate and sanction any undesired behaviours, which offend people's dignity and which can be defined as harassment, including sexual harassment (in accordance with the legislative decree 198/2006). The agreement also covers other forms of violence, including psychological violence.
Netherlands: National recommendation	The 2007 European Autonomous Framework Agreement on Violence and Harassment at Work has been translated into Dutch and is annexed to the implementing recommendation concluded by the national social partners in November 2008. The 'Joint recommendation on harassment and violence at work', 5 November 2008, was agreed by the Dutch social partners in the National Labour Foundation: VNO-NCW, MKB-NL, LTO-NL (employers' organisations) and FNV, CNV and MHP (trade union organisations). It recommends that the parties engage in collective bargaining at sector and company level and take serious steps to prevent and combat harassment and violence at work. It states that it is in everyone's interests to promote mutual respect in the workplace as this contributes to a company's success and to employee job satisfaction.

Netherlands: Municipal sector	The 2010 agreement of the Association of Netherlands Municipalities (VNG) and municipal trade unions, contained a new section on policies to reduce harassment and violence. It provides for the appointment in municipalities of a harassment and violence coordinator, the adoption of best practices and procedures, and an incident reporting system. This joint action between employers and trade unions has led a reduction in number of incidents in local government, as noted in the report 'Aggression and Violence'. In 2008, 52% of employees reported incidents, while in 2010 the figure decreased to 48%.
Netherlands: Public sector	In the public sector, safety and health at work codes and voluntary agreements have been established between the social partners on how to deal with violence and harassment at work, including prevention and awareness-raising. A voluntary safe workplace framework agreement in 2009 led to a number of safe workplace agreements that agree rules, prevention, reporting and dealing with cases, as well as care and support for victims.
Netherlands: Hospital sector	In the hospital sector, the CBA for Hospitals 2009-2011 recommended a number of measures to prevent violence including risk inventory that gives special attention to "tackling work pressure, aggression, physical strain and violence". In the health sector unions have highlighted the need to do more tackle sexual harassment by third-parties (clients and patients). The FNV union official responsible for occupational health and safety in the sector has an objective to raise awareness about the issue, including writing a brochure. It is one of few guidance documents that defines and deals specifically with sexual harassment.
Netherlands: Transport sector	The Collective labour agreement 'Multimodaal vervoer' (multimodal transport), 2014-2015 addresses sexual harassment and makes recommendations such as appointing a confidential counsellor and establishing a complaints procedure and complaints committee. Article 81: Sexual intimidation and discrimination: "The employer shall conduct a policy within his company aimed at preventing and countering sexual harassment and discrimination against workers employed by him. In annex 18 of this Agreement are recommendations of the CAO parties included, by means of which the referred policy above can be supported." Annex 18 (relating to Article 81 Sexual intimidation and discrimination CAO parties recommends to support a policy referred to in Article 81 aimed at preventing and countering sexual harassment and discrimination, in consultation between management and the works council.
Slovenia: Banking sector	CBA for the banking sector: The employers and unions in the banking sector were the first to sign an agreement that includes clauses on harassment at work, including sexual harassment, which occurred before legislation was introduced. The agreement is widely regarded by trade unions as a best practice agreement, including the working environment and psychosocial conditions for work, prevention of psychological, physical and sexual harassment and harassment at the workplace; and protecting victims from such acts. The employer is obliged to regulate the prevention of discrimination, sexual and other harassment and bullying/mobbing at work, in a general document and to adopt concrete preventive measures, and procedures are set out, including the right for victims to take sick leave. The "employer has to take position towards the opinion of the trade union on the proposed general acts or to discuss those proposals with the trade union."
Slovenia: Public administration	A Decree on measures for protecting the worker's dignity at work in state administration was introduced in 2009. Employers in state administration have a duty to protect dignity at work, which includes protecting workers from bullying, harassment and sexual harassment. The regulation provides for the appointment and training of workplace counsellors and since 2009 the Office for Equal Opportunities has trained over 600 workplace counsellors to this effect. The head of each public administration service is required to publicise the Decree. The counsellor gives information and helps the alleged victim. Good practices have been established in the police and army; these are sectors where complaints had been made of sexual harassment in the past.
Slovenia: Metal sector	CBA in the metal industry: In an earlier CBA an article on preventing bullying, violence and humiliation at work was included as a measure to create a worker-friendly environment. However, a new CBA was signed in 2015, and no longer includes this article. Instead, a new Article 36 was introduced, which states that the employer is obliged to inform the trade unions at least once a year on the implementation of the measures to protect the workers from discrimination and from sexual and other forms of harassment at the workplace.
Slovenia: Hospitality and tourism	CBA for hospitality and tourism: Article 10, paragraph 7 states that "every employer shall adopt and implement the measures to reduce the risks of violence by third parties". It is one of few agreements that deal with third-party violence. Article 10 also defines (paragraph 8) that: "Employers adopt and implement measures to protect employees against violence, mobbing and harassment at the workplace."

Slovenia: Non-metal production, extraction and processing industry	CBA in the non-metal production, extraction and processing industry: Article 42 states that “the employer and the trade union should aim to achieve efficient protection against violence, mobbing, harassment and other forms of psychosocial risks at work, and to that end they should constantly inform each other, formulate proposals and agree with each other on the measures to eliminate or reduce all such risks that may represent a threat to the worker’s health.”
Slovenia: Electro industry agreement	Electro industry CBA: The agreement in Article 5(a) states that: “once a year the employer shall inform the trade unions on the measures to protect the workers from sexual and other forms of harassment and mobbing at the workplace and shall consult the trade unions on the implementation of such measures.”
Slovenia: Petrol company agreement	A Company CBA for the oil company Petrol and ZSSS (commerce sector) was signed in 2014. The employer is obliged to ensure that working environment in which no worker will be exposed to sexual and other forms of harassment or bullying/mobbing by the employer, supervisor and colleagues, to that end the employer should adopt appropriate measures to protect the workers from sexual and other forms of harassment or bullying/mobbing at the workplace and to protect workers’ personal data.
Slovenia: Mercator Work place policy	Workplace policy against sexual and other harassment and bullying/mobbing at the workplace agreed by the Mercator (supermarket chain) and Mercator Trade Union (ZSSS, commerce sector). It sets out a zero tolerance approach, clear procedures in making complaints on sexual and other forms of harassment, and support to victims.
Spain: Vodafone	The agreement between Vodafone and unions in Spain on a Workplace Equality Plan sets out measures to address violence at work under a ‘Protocol on Sexual Harassment and Harassment for Sexual Reasons’. It sets out the additional instruments that the Company will use to detect evidence of harassment and/or discrimination among its staff, including a fact-finding period and disciplinary measures and the dismissal of a harasser.
Spain: Cleaning	An affirmative action clause is included in the sectoral CBA on the cleaning of buildings covers non-discrimination and equal treatment for all workers, with particular emphasis on women’s progression into senior positions, maternity leave and continuity of bonuses and wage increases, and an equality module in the company’s annual training programme and prevention of sexual harassment to be included in Equality Plans.
Spain: Paradores de Turismo	The harassment protocol of Paradores de Turismo gender equality plan, defines different situations of violence in the workplace as well as detailing which types of behaviour are punishable.
Spain: Telefonica	The CBA of Telefonica Ingeniería de Seguridad includes the sanctioning of the use of electronic devices to cause or incite sexual, gender-based or workplace harassment.
Spain: Endesa	Endesa group’s CBA, of 13 February 2014, addresses violence in the workplace as a health and work environment issue, with a commitment to safeguarding the working environment so that workers’ psychological health is never at risk. Special attention is paid to detecting and evaluating possible psychosocial risk factors as well as applying preventive and/or corrective measures. Victims of sexual harassment are granted paid leave of absence while they undergo psychological treatment or legal proceedings. Endesa extends its rules regarding sexual, gender-based and workplace harassment to all staff including those who have temporary contracts through employment agencies and contractors.
Spain: Renault España	The Renault España CBA of 18 April 2013 sets out formal and informal processes for resolving sexual harassment cases. During this process the worker(s) involved will be offered, if possible, a different position in the company until a verdict is reached. Workers have the right to assistance from a staff representative or other person they trust in the company.
UK: Sainsbury’s Retail workplace policy	A workplace equality and diversity agreement with the supermarket chain, Sainsbury’s Retail, agreed on 4 May 2011 states that: “The workplace should be free from discrimination, harassment or bullying, where everyone feels valued and respected. This means we don’t tolerate discrimination, harassment, bullying or victimisation by colleagues or managers against their other colleagues, managers, third part contractors or customers.”
UK: University of Bedfordshire workplace policy	The equality and diversity policy of the University of Bedfordshire, agreed on 1 June 2011, states that: “The University is committed to promoting equality of opportunity in all of its activities. The University aims to enable students and staff to reach their full potential, and provide them with an environment, which is free from unfair and unlawful discrimination, bullying, harassment and victimisation.”

UK: GMB agreement with G4S	GMB negotiated Respect at Work policy with the security company G4S. The policy states that G4S is “committed to conducting business with integrity and utilising the talents of everyone providing a working environment free from any unfair discrimination, harassment, bullying and victimisation”. The policy includes a detailed explanation for the basis of the policy, clear and detailed definitions of bullying and harassment, the processes for managing harassment and bullying, training for managers and supervisors, and collection of data on complaints by gender.
UK: Entertainment sector agreement	Agreement between BBC and unions within the Federation of Entertainment Unions for a new policy, ‘The Bullying and Harassment Grievance Policy and Guide’, to address complaints from staff and freelancers over bullying and harassment, which includes improved processes for handling complaints and involvement of an external expert from the initial grievance through to any subsequent appeal.
European	2007 European ‘Framework agreement to prevent, manage and eliminate violence at work’ (ETUC and European employers BUSINESSEUROPE, UEAPME and CEEP). Across Europe national social partners have reached new agreements or inserted new elements into existing CBAs at sectoral or company level, as well as drawing up jointly agreed guidance, declarations or statements.
European	Social partners from the commerce, private security, local government, health and education sectors (EPSU, UNI EUROPA, ETUCE, HOSPEEM, CEMR, EFEE, EUROCOMMERCE, COESS) agreed in July 2010 guidelines to tackle third-party violence and harassment at work, for example, from customers, clients, patients and members of the public.

B) EXAMPLES OF AGREEMENTS, CLAUSES AND WORKPLACE POLICIES ON DOMESTIC VIOLENCE AT WORK

Denmark: Post	The company’s bullying, harassment and violence agreed with trade unions in 2013 covers measures that managers and co-workers can implement to promote a healthy working environment by addressing violence inside and outside of the workplace. Domestic violence can affect the working environment and the postal area offers support to victims of domestic violence (Denmark: Funen and South Jutland Postal Area).
Denmark: SKAT	SKAT (the state tax/revenue authority) Personnel Policy ‘Violence, intimidation and harassment’ was amended to include prevention of domestic violence at work and support to victims following the intervention of the trade union. Violence, threats and harassment can occur during or outside of the workplace and co-workers and managers have a role to play in preventing violence and threats.
France: La Poste	The CBA on gender equality signed in July 2015 by all social partners represented in the company, contains in Section VIII, a specific chapter on protection against domestic violence and on violence in the workplace. It sets out psychological and practical support, including housing support, for victims of domestic violence.
France: Carrefour SA Hypermarchés	Article 2 of Carrefour’s social agreement on gender equality, signed on 18 May 2012, commits the company to include as part of its Corporate Social Responsibility strategy to inform and to train employees on domestic violence.
France: PSA Peugeot Citroën	Violence was addressed in a company-wide agreement in 2009 when a protocol to prevent and combat domestic violence was signed with the former Minister for Employment and Social Relations. The 2014 agreement includes an article on supporting victims of domestic violence, training of managers and workers, and encourages the various PSA sites to take action against gender-based violence. PSA Group: Company-wide agreement on developing jobs for women and equal employment opportunities for men and women, Article 4(8).
France: Orange	The 2014 agreement on gender equality includes an article on gender-based violence, in the section entitled ‘Work organisation, work-life balance, health and prevention’. It sets out support measures including emergency housing for victims.
France: Ministries of Finance and Economy	The Ministries of Finance and Economy refer to gender-based violence in their 2015-2017 Gender Equality Plan, and include measures for preventing violence in the workplace and in the personal sphere.
France: Michelin	An agreement on ‘the development of diversity and professional equality between men and women’, signed in 2016, contains a paragraph on domestic violence and the provision of care and support for victims.

France: RAJA	Danièle Marcovici's RAJA Foundation, set up to support women, is the foundation of French company RAJA, a packaging specialist, which has been active on the issue of domestic violence at work since 2014, with fund raising, information and awareness-raising campaigns on domestic violence amongst its employees.
Germany: workplace policies	A list of 16 employers providing workplace policies is published on the website of the domestic violence NGO Terre des Femmes. Most of these employers belong to the public sector, very often city administrations. The Body Shop, the electoral districts of Charlottenburg/Wilmersdorf and Reinickendorf, and the headquarters of the health insurance company Barmer GEK Berlin, have all established workplace policies on good practice.
Germany: municipality	With the staff council, in 2011 the electoral district of Berlin Reinickendorf adopted a binding agreement on the topic called 'NO to "domestic violence"; courage for a confidential conversation at the workplace', with a range of measures to guarantee the physical and psychological protection of victims of domestic violence.
Germany: Body Shop	The Body Shop published a 'model' of its workplace policy in 2012 setting out how victims of domestic violence can be protected and supported in the workplace. The policy includes the training of managers and raising the awareness of all employees.
Germany: Charité	A draft workplace policy is being drawn up, and since 2010-2012 staff have been trained on domestic violence and the detection of it. A designated person has been appointed in the workplace for 'protection against violence'.
Italy: Transport	In the transport sector, the goal is for all new agreements to incorporate the three months' leave entitlement. Unions want to see the legislation enforced and for leave provisions to be utilised flexibly and on an hourly basis.
Italy: Electrical sector	The electrical CBA currently includes reference to violence against women in a section on women's rights. Unions are currently putting effort into extending the leave provisions in the law, which resulted in a bargaining demand to extend the three month leave provisions in the Jobs Act to six months.
Italy: FAI-CISL, FLAI-CGIL, UILA-UIL Food Sector	Joint statement on discrimination prevention in the food sector FAI-CISL, FLAI-CGIL, UILA-UIL (unions) and 15 employers' associations from the food sector of CONFINDUSTRIA, 5 February 2016, sets out provisions of paid leave for women who are victims of gender violence of up to a maximum of 3 months to be paid for by the company in accordance with the legislation.
Italy: Chemical sector	In the chemical sector several agreements have been signed on reconciliation of personal and professional life, which include a leave period for victims of domestic violence, and right to switch between part-time and full-time work.
Italy: National energy and water sectors	In the preparation of the national energy and water sector agreement, unions incorporated the legal provisions contained in the 2016 Jobs Act on domestic violence leave in order to enforce legislation at workplace level. Bargaining proposals have included provision for paid leave to be flexible and for it to apply for up to six months. Women may resort to leave, and apply for this leave period of 3 months to last for longer (to be able to split it) up to six months. Unions are also putting a great deal of effort into creating a single agreement with a dedicated section on specifying that women who are victims of domestic violence are entitled to leave'.
Spain: Equality Plan	Securitas Seguridad España Equality Plan of 5 July 2016 includes a commitment to publish a booklet, which details all legal measures and resources available to victims of domestic violence.
Spain: Equality Plan	The Iberdrola Equality Plan of 2009 provides training for workers as part of measures to prevent domestic violence.
Spain: Equality plan	Emulsa's gender equality plan 2014-2016 rewards the completion of their domestic violence training courses with points, the same way as they would give points for professional training courses, which are taken into account for internal promotion processes.
Spain: El Corte Equality plan	El Corte Inglés gender equality plan, of 6 August 2015, offers 4 days paid leave per year to domestic violence victims when they have to move house or they have young or disabled children in their care. The plan provides for all leave of absence caused by domestic violence to be remunerated in full and the possibility of offering bonus pay in advance to domestic violence victims.

Spain: Equality plan	Aqualia's 2009 gender equality plan states that domestic violence victims can vary their holiday period to any time in the year, providing there is a justifiable and accredited reason.
Spain: Equality plan	Leroy Merlin's gender equality plan builds on the provisions in the law by extending a period of job restructuring allowing a victim to choose between going back to their original position or continuing in their new post.
Spain: Equality plan	The workplace Equality Plan between Vodafone and unions sets out measures to address violence at work and includes provisions to provide leave and support for victims of domestic violence.
Spain: CBA with Grupo Zena	The CBA of 3 March 2016 with Grupo Zena, offers paid leave to victims for doctor's visits or for treatment if social services or the health service deem it necessary.
Spain: CBA LIDL	The 2016 CBA of LIDL supermarkets provides leave of absence of up to 3 years for domestic violence victims with the right to re-incorporate at the same professional level, if the problem is ongoing and more than 18 months have passed.
Spain: CBA Endesa	The CBA of Endesa, 13 February 2014, provides for social and psychological support, medical care, legal aid and assistance, social care, and the right for victims of domestic violence to modify their working hours and have a short break for lunch so that they can work continuously. Financial aid is provided for victims, such as payment of 50% of rental costs for six months when victims have to leave their homes, as well as 50% of expenses such as for personal security and changing school of a child.
Spain: CBA Decathlon	The Decathlon company's 2014 CBA sets out a range of support measures for victims of domestic violence, including help to cover travel and moving costs.
UK: Telecom	British Telecom's domestic abuse policy sets out a range of options for line managers in managing the effects of domestic violence in the workplace, such as leave to attend appointments with specialist agencies such as police, support agencies, solicitors and housing specialists; sick leave where a victim is ill as a result of stress or injury; help and support including the Employee Assistance Programme and BT Counselling Consultants; flexible working and changing work roles in line with the company's 'Achieving the Balance' policy. Other practical actions include a change to an individual's work location, offering an advance of pay or changing payment methods, reviewing any home-based working arrangements, changing an individual's contact details at work and ensuring these remain confidential. Where both people in the domestic dispute are BT employees, reference can be made to BT's harassment and bullying at work policy.
UK: Retail	A domestic violence policy agreed between the Coop (retail chain) and the shop workers union USDAW sets out obligations on the company to provide information for line managers and HR and resources for victims and perpetrators of domestic abuse; provide support to victims such as time off to attend meetings or counselling; provide support to perpetrators who may seek help voluntarily; provide training to raise awareness of domestic violence and understanding of the policy and guidance, and roles of line managers, HR and the Employee Assistance Programme.
UK: Local government	Luton Borough Council Domestic Abuse Policy (2009) sets out the support and help available to staff who are victims or survivors of domestic abuse and provides guidance to line managers in dealing with disclosures of abuse from employees. Special paid leave of up to 20 days can be granted for appointments with support agencies, solicitors, to arrange housing or childcare, or for court appointments.
UK: Local government	A policy agreed with Newcastle City Council provides for up to two weeks special leave with pay for a variety of purposes, including unforeseen personal or domestic crisis. It states that "Managers should look sympathetically at requests for reasonable time-off with pay for employees who have disclosed that they are experiencing domestic violence."
UK: Local government	The Croydon Council Domestic Abuse and Sexual Violence Policy aims to improve the safety and wellbeing of victims of domestic abuse and violence, through awareness raising, support and services that reflect the diversity of the workforce.
UK: Central Government	Workplace policy for government employees in Wales, gives guidance on how to prevent and address domestic abuse and violence against women in the workplace.

<p>Northern Ireland: Belfast City Council</p>	<p>'Workplace policy on Domestic Violence and Abuse' agreed with trade unions in October 2012, setting out definitions of violence and abuse, confidentiality and information sharing, information and support for employees experiencing domestic abuse, information for employees who are perpetrators, information on dealing with the issue if the victim and the perpetrator work in the council, information for managers, communicating the policy and reviewing the policy. Checklists and guidelines are included as appendices.</p>
<p>Northern Ireland: Health</p>	<p>Belfast Health and Social Care Trust and unions has agreed a 'Domestic Violence and Abuse in the Workplace Policy' (2008). It states that: "Employers and Trade Unions are committed to responding sensitively and effectively to those needing help and support as a result of Domestic Violence" and that "Employers and Trade Unions will take all reasonable steps to deal with domestic violence/abuse through the creation of a safe and supportive environment within the workplace". A confidential support service is provided by specially trained staff and trade union representatives. Training and paid release has been provided for 30 union members to support victims of abuse by sign-posting them to relevant support organisations such as Women's Aid.</p>
<p>Northern Ireland: Local government</p>	<p>Unions representing public service workers negotiated a workplace policy on domestic violence and abuse with Belfast City Council, which was agreed in October 2012. Belfast City Council won a gold award in 2015 in recognition of its commitment to supporting employees who have been affected by domestic violence.</p>

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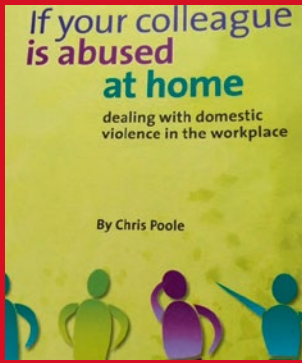
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