
Health & safety and gender equality: A trade unionist perspective

Resolution of the 'Women's Rights & Gender Equality' Commission

1. Introduction

- 1.1. As a trade union representing more than five million workers across Europe the European Confederation of Independent trade Unions (CESI) is strongly concerned by health and safety challenges at home and at work. CESI attaches great importance to action of trade unions, social partners, authorities and policymakers, at the European and national levels, to improve on the health and safety of workers.
- 1.2. Violence and harassment is a particularly important challenge for health and safety: It has considerable negative consequences for the mental and physical well-being of the victims and it jeopardises their occupational participation, attendance and performance.
- 1.3. Violence and harassment concerns all areas of work as well as domestic life. This means that violence and harassment at work and at home are intrinsically linked and always need to be considered together too.
- 1.4. Violence and harassment within workforces and in families is often facilitated by stress, which is in turn conditioned to a considerable extent by insecure and excessively flexible and precarious working conditions and environments. Next to measures targeted directly at combating violence and harassment, making employment again more secure and less precarious is of paramount importance.
- 1.5. It is often the women which experience violence at home, and women are also especially affected by harassment and stress at work. A clear rise in the number of cases of violence and psychological and sexual harassment against women at the workplace in Europe has been observed, as shown by a Eurofound report from 2015 on 'Violence and harassment in European workplaces: Extent, impacts

and policies'.¹ Research has also demonstrated that women are disproportionately at risk of burnout than men².

- 1.6. Violence and harassment against women persists even if it has been a problem for a long time and even if the EU has already put in place legislation on the protection of victims of violence³.
- 1.7. In view of this, trade unions and trade union organisations, including CESI and its member organisation, have the duty to take concrete and localised action for a better health and safety at work and at home – especially for women.

CESI and its member organisations should aim to:

2. Strengthen the legal framework for a better protection of women against violence and harassment

- 2.1. The European Union signed the Istanbul Convention Against Violence Against Women of the Council of Europe in 2017. The objective of the convention is to achieve legally binding standards to prevent genderbased violence at home and work, protect victims of violence and punish perpetrators. CESI and its member organisations should push for a ratification and implementation of the Convention by the EU and all Member States, if necessary by means of a dedicated EU directive, and strive to become involved in the policy making process to this end.
- 2.2. As in all Member States there are different approaches towards the prevention of violence against women, CESI's member trade unions could put a share best practices and, more generally, help create a European consciousness of the problem of gender-based violence and harassment. This awareness raising process should be facilitated by CESI. The long-term objective could be to spread promising awareness-raising campaigns and put forward proposals for standards and benchmarks at the national level (through legal frameworks) or at the sectoral level together with employers (through collective or social partner agreements).

3. Better address and prevent violence and harassment against women

- 3.1. Social dialogue can be an instrument to identify and share innovative solutions with employers to prevent violence and harassment at work from happening in the first place. In particular, it can be a tool to pressure employers to hire specialists who can help put in place and implement preventative

¹ Eurofound, *Violence and harassment in European workplaces: Extent, impacts and policies*, February 2015.

² Pelusi, M. P., Tiraboschi, M., *Health and safety at work in the public sector in Europe: New challenges*. Brussels: CESI – Europe Academy, 2017, 26p.

³ See Directive 2012/29/EU *establishing minimum standards on the rights, support and protection of victims of crime* (<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1421925131614&uri=CELEX:32012L0029>), Regulation 606/2013 on *mutual recognition of protection measures in civil matters* (<https://eurlex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32013R0606>), Council Directive 2004/80/EC relating to *compensation to crime victims* (<http://eurlex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004L0080>).

mechanisms. CESI should encourage its member trade unions to use social dialogue systematically to this end.

- 3.2. Preventing gender-based violence and harassment effectively requires specific joint training of employers and employees. Such training, which can include dedicated projects, should target in particular the deconstruction of gender-based stereotypes and outdated gender roles, and it should also be supported, implemented and evaluated by trade unions and social partners, especially at the level of the company/ authority/ employer. CESI could facilitate a dialogue on promising training approaches and projects. The objective must be a culture of acknowledging violence and harassment as a serious offense.
- 3.3. Better addressing and preventing violence and harassment against women is a cross-factorial challenge. 'Women' vary in their socio-economic situations, in their family backgrounds or in their personal character traits. As such, 'women' cannot be seen as a homogenous group with equal problems and needs and 'harassment' is a concept that is interpreted differently by different women: Some women may feel being harassed in a given situation that is not perceived as such by other women. Trade unions and trade union organisations such as CESI and its membership should encourage and work together with social partners, NGOs and authorities to develop situation-specific and tailor-made prevention mechanisms. The guiding principle should always be that violence or harassment has to be deemed exercised if it is perceived like this by the (female or male) victim. Victims should always raise the matter to the perpetrator and ask him or her to stop. Occupational or legal proceedings should only be initiated if the perpetrator does not change his or her behaviour.

4. Provide assistance to enhance the self-empowerment of abused women

- 4.1. Having an effective and non-discriminatory access to justice is a tough obstacle course for victims of violence or harassment at home and work, in particular when complaints are about gender-based violence. Intimidation, lack of resources and dependence on the perpetrator are amongst many other barriers to overcome. CESI and its trade union network should encourage a further empowerment of women to address the subject of unequal power relationships. In cases of demonstrated abuses, strict and adequate penalties against perpetrators must be applied via public prosecution and, in the case of violence or harassment at work, job-related consequences (in the office at work, perpetrators must at least be displaced away from the victim). Trade unions should be able to represent and act on behalf of member victims in occupational and legal procedures against perpetrators.
- 4.2. Often, victims of sexual violence and harassment lack ways to find assistance to overcome the psychological consequences of suffered traumas. CESI and its member trade unions should explore ways to provide systematic individual and collective psychological assistance for victims of violence and harassment. This could include making experts available and creating fora for dialogue.