



Gender-based violence is also a workplace matter: time for EU action

Statement by EU sectoral social partners to mark International Day for the Elimination of Violence against Women on 25 November 2021

On the occasion of the United Nations' Day for the Elimination of Violence against Women, European trade union organisations in central, regional and local governments, hospitals, education and the employers for local and regional government, wish to underline the following:

Gender-based violence in all its forms and manifestations is a crime and a violation of human rights. It undermines a person's confidence, dignity and professional career chances, damages the working environment and leads to burnout and psychological trauma.

Against a background of income inequalities, under-resourced and under-valued public services as well as mistrust in public institutions, we see, across our different sectors an increase of violence and harassment, including of a gender-based nature, by users and customers against workers. This is why the signatory organisations have come together to find better policy responses to this serious phenomenon in sectors which employ a large number of women.

While the responsibility primarily lies with the public authorities to protect citizens from all forms of violence and harassment, there is much room to better prevent and address gender-based violence at the workplace.

Indeed, in most workplaces where risk factors can be identified and addressed, the risk of violence and harassment can be prevented or minimized. However, this requires that employers, together with workers and their trade union representatives, take appropriate precautions. Establishing a zero-tolerance policy toward workplace violence and harassment, including clear procedures for preventing and reporting on gender-based violence and harassment, which covers all workers, patients, clients, visitors, contractors, and anyone else who may come in contact with the personnel, physically or virtually, remains a fundamental starting point.

Our own research findings indicate, however, that too few social partners have integrated gender-based violence in policies or collective agreements. One of the reasons is that there is a need for more detailed guidance, checklists, good practices and policies to combat all forms of violence and harassment at work.

This is why we welcome the European Commission's legislative initiative, expected early next year, on preventing and combating specific forms of gender-based violence. In view of the marked national differences in terms of public awareness, policy responses and public resources to eradicate violence against women, there is a need for a common approach including through sectoral social dialogue, to build further upon at the relevant level. Involvement of sectoral social partners will also enhance the chance of the directive being properly implemented.

The directive should be as holistic and concrete as possible with a universal coverage and firmly anchored in an occupational health and safety ethos. In this regard, it is encouraging

that the legislative initiative has been announced in the EU Occupational Health and Safety strategic framework 2021-2027.

To avoid double standards across the world and ensure policy coherence, the directive should be in line with the ILO Violence and Harassment Convention (No. 190) and the accompanying Recommendation No. 206 on policies to end gender-based violence and harassment in the world of work, including mitigating risks of domestic violence.

It is crucial also that it is in line with the Istanbul Convention. Combined, both Conventions provide for an integrated and comprehensive framework to ending gender-based violence, including in the world of work.

This is all the more urgent in view of the Council's refusal to ratify the EU's accession to the Istanbul Convention, despite a positive recommendation from the Commission and Parliament and the opinion by the CJEU allowing Council to reach a decision by qualified majority voting.

We reiterate our call to EU governments to support the EU ratification of both Conventions.

We agree that the pending directive should address domestic violence.

Despite affecting both women and men, domestic violence disproportionately affects women. One in three women in the former EU-28 has experienced some form of physical and/or sexual violence since the age of 15. According to UN data, 70% of women subject to domestic abuse say it has affected their work performance or their safety at work and many end up losing their job. Furthermore, domestic violence also can lead to violence, harassment, stalking and assault in the workplace, affecting both survivors and co-workers.

Work can potentially be a preventive and protective factor in the lives of victims, by providing a break from the violence and abuse and be a safe place where it is identified and support provided. Achieving equal pay and women's economic independence is also critical to breaking the cycle of power, coercive control and financial dependence.

It is therefore crucial to ensure that the directive provides for the involvement of sectoral social partners in designing and implementing policies against domestic violence impacts in the workplace, including from a health and safety perspective. As domestic violence is reported to have increased during the recent lockdowns due to the COVID-19 pandemic, it raises serious challenges in a context of new working patterns, including continued teleworking and hybrid working patterns (part office, part teleworking).

As part of a broader project on the role of social partners in preventing third-party violence and harassment at work, we have started collecting good practices to prevent and mitigate the effects of domestic violence on workers in the EU and beyond. These include individual and collective measures to support workers who are victims of domestic violence, providing counselling services available at the workplace, referral to specialist services, integration of gender-based violence including domestic violence in safety and health risk assessments, and establishing new forms of safe paid leave and other workplace supports to help workers stay in their employment.

These measures, however, remain too few and do not cover all workplaces.

This is why we are convinced that a directive would be crucial to establish a common floor so that no woman in Europe is left without protection. It would help to generalise good policies with a view to eradicate violence and ensure work is a safe and protective space.

We further call on the Commission to encourage national authorities to invest more in public services which offer vital help, healthcare, financial support, protection, shelter, employment opportunities to victims of domestic violence, as well as in public awareness-raising campaigns on the scale, impact of gender-based violence and long-term solutions. Service providers in health, education, social services need to be provided with resources, training and guidance on preventing and addressing domestic violence. Further investment in raising awareness against gender stereotypes since an early age, including integrating gender equality in school curricular and promoting classes on democratic values, equality and diversity for students and families, is also essential to prevent gender-based violence.

As social partners, we constantly try to connect workers' well-being to the common good. We will continue working jointly on the topic of third-party violence including through an evaluation of the implementation of the multisectoral guidelines on prevention of third-party violence and whether they remain fit for new challenges in relation to gendered violence based on evidence and further exchanges on good policies negotiated at national, sectoral, and EU levels.

Brussels, 24 November 2021

The European Confederation of Independent Trade Unions (CESI)

The European Trade Union Committee for Education (ETUCE)

The Council of European Municipalities and Regions (CEMR)

The European Federation of Public Service Unions (EPSU)