



CARE Briefing Paper on Ending Violence and Harassment in the world of work

Background:



This paper sets out CARE International's top line positions and comments on the suggested new International Labour Organization (ILO) Convention and Recommendation on 'Ending violence and harassment in the world of work'. This brief follows the ILO 'Yellow Report' published in March 2018 reflecting the input to the ILO from states, employers, unions and civil society until then on whether to introduce such (a) new instrument(s) and, if so, in what form. The International Labour Conference, which is taking place from 28 May - 8 June 2018 and brings together governments, employers and workers' representatives, will now discuss what the Yellow Report sets out: a proposed ILO Convention and Recommendation.

Ending violence and harassment in the world of work', with a strong focus on the gender dimension of violence and the inclusion of the informal sector in the world of work. CARE considers the Convention and Recommendation essential to signal without ambiguity that violence and harassment in the world of work is the antithesis of decent work and demands serious and urgent attention. The approach to dealing with violence and harassment in the world of work at both international and domestic level is often fragmented and limited in scope. The development of international standard(s) would fill important gaps at international and domestic levels by taking a comprehensive and integrated approach in addressing all forms of violence and harassment across all occupations and sectors. .

Thus, CARE has globally welcomed the provisions of the draft ILO Convention and Recommendation in the Yellow Report² and sets out here some remaining concerns which must be addressed by governments, employers' representatives and workers' representatives. CARE will continue to put forward its positions and respond to negotiations and reports to help ensure the best global agreement and national action possible to bring an end to violence and harassment at workplaces worldwide.

Recommendations:

Based on the review of white report and yellow report, CARE recommends that the following issues need to be considered:

The ILO Convention must define “Workers” and “Workplaces” comprehensively:

Worker groups who are currently poorly protected against violence and harassment (including unpaid care workers, domestic workers, sex workers, workers in the informal sector and workers in politics) should be included within the Convention, explicitly listed as part of an inclusive agreement that clearly supports worker ‘types’ most at risk.

The ILO Convention must include unpaid care workers:

Unpaid care workers – who are largely women - should have the same protections against violence and harassment as other workers and there is much that governments can do to ensure that is the case. The legislative and administrative frameworks of an ILO Convention would help progress such action. There should be explicit acknowledgement of unpaid care workers as a group that should be covered by these instruments.

The ILO Convention must cover corporate value chains:

Missing from the Yellow Report and the proposed ILO Convention and Recommendation is the concept of corporate value chains or supply chains. CARE recommends recognition of the UN Guiding Principles on Business and Human Rights (UNGPR) in the Preamble to the ILO Convention as the Guiding Principles place value chains in the sphere of the responsibility of companies. Including such a reference to the UN Guiding Principles on business and human rights helps establish that companies should adhere to these standards throughout their supply chains.

Call to government for a Convention and a Recommendation:

The International Labour Office has suggested that the ILC endorse a Convention and a Recommendation: a Convention and Recommendation is the strongest combination of instruments available for ensuring legal accountability and providing guidance for how legal commitments can be implemented. Over 50 governments have already indicated support for an ILO Convention and it is time for more countries to step up with their support for such a legally binding treaty.

Conclusion:

A progressive new ILO Convention and Recommendation are needed to ensure a life of dignity for workers. In CARE’s view, the scope of the ILO Convention and Recommendation must reflect the needs of women workers. A new ILO Convention would enable governments to delineate clear responsibilities for public and private employers, workers and their respective organizations, and joint strategies and collaboration. An integrated approach is necessary not only for prevention, but also for protection, rehabilitation, compensation and other remedial action.