UNI-Europa
Finance Sector Workshop

Multisectoral guidelines on violence and harassment

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1. An integrated approach to violence and harassment, including:

- gender-based violence and harassment
- third-party violence and harassment
- vulnerabilities faced by some workers
- an intersectional approach

ILO Violence and Harassment Convention (No.190)

Article 9 sets out obligations on governments to prevent violence and harassment, including positive duties on employers to protect workers, to:

a) adopt and implement, in consultation with workers and their representatives, a **workplace policy on violence and harassment;**

b) take into account violence and harassment and associated **psychosocial risks in the management of occupational safety and health;**

c) **identify hazards and assess the risks of violence and harassment**, with the participation of workers and their representatives, and take measures to prevent and control them; and

d) provide to workers and other persons concerned **information and training**, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures.

Occupational safety and health

- Violence and harassment is an occupational safety and health risk:
  - violence and harassment (and domestic violence) are recognised as OSH risks in the 2021 EU OSH strategy
  - key role for risk assessment (see OiRA / Copenhagen risk assessment tools)
  - importance of gender-reponsive risk assessment

  - C190 gives a strong focus on prevention, including addressing the underlying risk factors and causes of violence and harassment and ways to overcome them in occupational risk assessments, and expanding their role to cover psychosocial risks and gender-based violence, in the workplace.

Recommendation 206

The Recommendation states that account should be taken of risk factors that increase the likelihood of violence and harassment, including **psychosocial risks and hazards**, that:

a) arise from working conditions and arrangements, work organization and human resource management, as appropriate;

b) involve third parties such as clients, customers, service providers, users, patients and members of the public; and

c) arise from discrimination, abuse of power relations, and gender, cultural and social norms that support violence and harassment.

What are psychosocial risks?

Psychosocial risks arise from poor work design, organisation and management, poor social context of work.

They could also result in negative psychological, physical and social outcomes such as work-related stress, burnout, depression, violence and harassment.

Examples:

- Excessive workloads
- Conflicting demands and lack of role clarity
- Lack of involvement in making decisions that affect the worker and lack of influence over the way the job is done
- Poorly managed organisational change, job insecurity
- Ineffective communication, lack of support from management or colleagues
- Psychological and sexual harassment, third party violence

Address rising levels of third-party violence and harassment (TPVH)

Aggression, abuse and harassment has increased in recent years:

- 62% say TPVH is an extremely serious or very serious problem
- 42% say it has negatively impacted on the quality of the service provided
- 44% say covid has had a big impact

WHY?
- Reduction in staffing levels
- Heightened stress levels during covid
- Withdrawal or closure of services
- Policing of covid protocols / mask wearing adds risks
- Societal culture of impunity

2. Domestic violence: a workplace issue

Domestic violence: a workplace issue

Domestic violence frequently involves control, coercion, threatening behaviour and abuse of an intimate partner.

Domestic violence can have devastating physical, economic and psychological consequences, affecting a woman's confidence, her ability to leave a violent relationship and to sustain meaningful employment.

- **Physical violence**
- **Sexual abuse**
- **Coercive control**
- **Financial/economic abuse**
- **Emotional/psychological control and threats**
- **Spiritual abuse**
- **Stalking**
- **Cyber harassment**

ILO Violence and Harassment Convention No.190 and Recommendation No. 2016

ILO Convention No.190:

"Noting that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence." (Preamble)

The Convention calls on governments to "…recognize the effects of domestic violence and, so far as practicable, mitigate its impact in the world of work." (Article 10f)

ILO Recommendation No.206:

Policies for mitigating risks of domestic violence can include:

(a) leave for victims of domestic violence;

(b) flexible work arrangements and protection for victims of domestic violence;

(c) temporary protection against dismissal for victims of domestic violence, as appropriate.

(d) the inclusion of domestic violence in workplace risk assessments;

(e) a referral system to public mitigation measures for domestic violence, where they exist; and

(f) awareness-raising about the effects of domestic violence.

Financial / economic abuse

Aproximately, 90% of cases of domestic violence involve financial abuse.

Research by the UK TUC (2018), five-point plan that would see:

- Survivors and agencies identifying and responding to abuse
- Banks dealing with abuse more effectively
- Changes to the delivery of Universal Credit to reduce the risk of further opportunities for financial abuse
- Benefits and child maintenance systems supporting survivors
- Further data collection to identify more detail about this form of abuse, so that more effective interventions can take place

Examples of measures to address financial abuse

Australian Banking Association

Updated guidance on financial abuse (2021) to help banks respond appropriately to domestic violence, family violence and elder abuse:

- Supporting customers / safe communications, recognising increase in financial abuse during COVID-19
- Training for staff about spotting the signs of financial abuse and how to respond
- Prevention of financial abuse
- Financial support

UK Finance & Building Societies Association

- Financial Abuse Code of Practice 2018
- Over 20 banks signed up to the Code.
- To raise awareness and understanding about financial abuse for firms, colleagues, victims, potential victims and their families
- Ensure more consistency in the support available for those who need it.
- Training for staff in how to respond / communicate

3. The role of social dialogue

Social dialogue & collective bargaining

Evidence points to the positive outcomes from social dialogue (workplace cooperation, information and consultation with workers, collective bargaining):

- better awareness of risks of violence and harassment / prevention
- solutions that are jointly negotiated build trust amongst workers
- social dialogue at the centre of C190 / R206

Examples of CBAs in banking and insurance

- **Germany:** A CBA on Cooperative Behaviour at the Workplace, Raiffeisen Bank International in 2021: guidance on the prevention of bullying, discrimination and sexual harassment.

- **Spain:** The 24th Banking CBA signed by CCOO, UGT and the Spanish Banking Federation, FINE, 29 January 2021, provisions on violence and harassment for negotiations for company equality plan, as and workplace supports/paid leave for survivors of domestic violence.

- **Spain:** CBA in the insurance and mutual insurance sector, signed in 2021 by CCOO and UGT, covers sexual harassment, harassment based on gender, moral harassment and domestic violence.

- **France:** violence and harassment/domestic violence is covered under the Générale Telework Agreement, 2021, Société Générale

- **Ireland:** Danske Bank "Domestic Abuse: Support for our colleagues' policy" agreed with the Irish Financial Services Union in 2021.

European / global

- The European Banking Federation, ESBG, European Association of Cooperative Banks and UNI Europa Finance, signed a Joint Declaration on Remote Work and New Technologies on 7 December 2021.

- Joint Declaration of the European Insurance Social Partners on Diversity, Inclusion and non-Discrimination was signed on 8 March 2022

- GFA: UNI and Crédit Agricole S.A.,31 July 2019, sets out the company's commitments to human rights, trade union rights and social dialogue, non-discrimination and equality, training, and health and quality of life at work.

4. Recommendations

Recommendations for cross-sectoral guidelines in the services sector

An integrated, comprehensive and gender-responsive approach:

- recognition of the interlinkages of violence and harassment, including GBVH
- all workers covered, including at recruitment, temporary workers, interns, trainees
- understand why some workers are more vulnerable (e.g. precarious work, employment insecurity, nature of the work, multiple and intersecting discrimination)
- world of work, includes commuting
- underpinned by social dialogue

What can the banking and insurance sector unions do?

- CBAs aligned with C190/R206
- Establish workplace policies/ complaints systems
- Develop protocols for TPVH
- Address workplace effects of domestic violence
- Training of union members negotiators, OSH representatives
- Raise awareness and participate in campaigns for C190
- Carry out research to highlight the problem
- Build strategies for women's leadership
- OSH/Prevention / risk assessment, gender-rsponsive

Recommendations for EU-level actions

1. A strong legal framework:

- **European Commission's Draft Directive on GBV** must recgonise the importance of obligations and rights in the world of work and the role of trade unions/social dialogue
- Ratification of C190 (member state and EU level) / Istanbul Convention

2. Make the case for:

- Social, economic and business benefits for an integrated and comprehensive approach to ending violence and harassment
- Social dialogue at the heart of an integrated EU policy on ending violence and harassment (non-discrimination, gender equality, occupational safety and health)
- Strong enabling mecahnisms for implementation of C190/R206
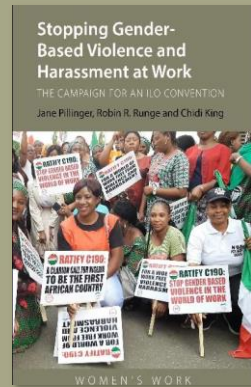
Stopping Gender-Based Violence and Harassment at Work
THE CAMPAIGN FOR AN ILO CONVENTION

Jane Pillinger, Robin R. Runge. Chidi King

Women across the world experience gender-based violence and harassment in the workplace. Women in insecure, precarious employment and women not protected by trade unions are the most at risk of violence and as the #MeToo movement has shown, it stretches across societies rich and poor.

In June 2019, the International Labour Organization adopted a ground-breaking global Treaty on eliminating violence and harassment in the world of work. This historic vote was the result of more than a decade of campaigning and lobbying by women trade union leaders and their allies across the world. Chidi King, Robin Runge and Jane Pillinger played a key role in the campaign and the negotiation of the Convention. Combining both their activist and academic backgrounds, this book documents their unique insights into and experience of the campaign and its landmark achievement in international labour law, global policy and the cross-movement building of workers' and women's rights, which has reignited the role of trade unions, and particularly women in trade unions, in global advocacy.

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