



# **ILO Violence and Harassment Convention 190 Still Waiting For Government Action**

**Though the 21 June 2020 represents the 12 month anniversary of the ILO Convention on the Elimination of Violence and Harassment at Work, the Federal Government is yet to take any steps towards its ratification.**

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## **Background**

Last year, this ground breaking convention was successfully negotiated and adopted overwhelmingly at the International Labour Organisation in Geneva. The two-year negotiation included ACTU and other world trade unions, ILO member governments and employer organisations.

The ILO Convention 190 and Recommendation 206 established for the first time an international standard to prevent and eliminate violence and harassment at work. It places obligations on governments to develop national laws prohibiting workplace violence, and on employers to take proactive steps to prevent violence and harassment.

Violence against women has been recognised as a human right violation since the 1993 UN World Conference on Human Rights in Vienna. However, it has taken until the adoption of this Convention and Recommendation to have a dedicated instrument that specifically addresses gender based violence in the world of work.

The official adoption of Convention 190 and Recommendation 206 was a key milestone for labour rights and women's rights.

## **Uruguay and Fiji Lead the World in Ratification of C190**

Ratification is the process where a country's government states its intention to be bound by the ILO Convention and accepts to apply the ILO Convention in law and practice without reservation.

The Uruguay and Fiji have now become the first two countries to ratify the convention in their respective parliaments, thus allowing the convention to enter into force.

**While the Australian Government voted in favour of the ILO Convention 190 and the associated Recommendation 206 to eliminate gendered violence at work, it is yet to ratify the ILO Convention.**

**Until Federal Government ratification, C190 and R206 will remain aspirational for Australia society.**

## **Gendered Violence; The Shadowed Pandemic**

The ILO Convention 190 is needed more now than ever before.

Violence and harassment is unacceptable anywhere and anytime, whether in times of prosperity or of crisis. The risk of violence and harassment is even higher during times of crisis and the COVID 19 pandemic has been a sombre reminder of this.

The impact of the COVID 19 pandemic has seen an increase in the incidences of gendered violence, both at work and at home. The pandemic is placing greater financial, health and domestic pressures on households, and at the same time increasing women's isolation and reducing their financial and job security.

The social distancing and forced isolation requirements are changing home arrangements. For many, the home is now the workplace. For people experiencing domestic or family violence, attending work provides a safe-haven and a means of accessing vital support. Large numbers of workers are now to work from home, regardless of whether it is a safe environment to do so. Women have not been able to seek the support of friends and family due to social distancing and isolation measures.

At the workplace, front line workers in care and service industries are facing increased risks of violence and harassment from anxious and stressed customers, patients, parents and clients.

## **The ILO Convention 190 provides wide ranging protections**

The ILO Convention provides protection to everyone who works, irrespective of contractual status, including interns, volunteers, job applicants, and persons exercising the authority of an employer. It applies to the public and private sectors, the formal and informal economy, and urban and rural areas.

Gender-based violence and harassment is specifically highlighted within the Convention. It also takes into account third parties (e.g. clients, customers, service providers and patients) because they can be victims as well as perpetrators.

Importantly, the impact of domestic violence on the world of work is also included. This is a significant step in bringing domestic violence out of the shadows and changing attitudes. Recommendation 206 also sets out practical measures, including leave for victims and flexible work arrangements.

## **Urgent action needs to be taken**

*IEU – representing 75000 teachers, principals and ancillary staff in faith based, community and independent schools, pre-schools and early childhood centres and post secondary centres across Australia. June 2020*

Urgent action needs to be taken in the COVID-19 context to ensure everyone's right to a world of work free from violence and harassment, not only during and after the outbreak, but also to build a sustainable recovery and better resilience in the face of future crises.

Efforts to ratify and implement both the Convention 190 and Recommendation 206 need to be a key element of the Federal Government's COVID 19 pandemic response and recovery measures.

## **It Is Time For Action!**

**It is time to campaign for fair, effective and efficient laws which prevent and protect against gendered violence at work.** It is time for the Federal Government to ratify ILO C190 and R206

IEU members are asked to

- **Sign the ACTU petition** calling upon Attorney-General and Minister for Women to urgently commit to ratify ILO Convention 190 to make workplaces healthy, safe and respectful for all. <https://www.megaphone.org.au/petitions/call-on-the-australian-government-to-ratify-ilo-c190-now?fbclid=IwAR1WmUgmAurVwxTldpBExZ7KfCnGuPtFoDf7x6SUEiDZh4ioP-7FvZ4H8y4>
- **Hold discussions in schools to educate colleagues** on importance of ILO Convention 190 and Recommendation 206 More information can be found at [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_737414/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_737414/lang--en/index.htm)
- **Email the Prime Minister** (<https://www.pm.gov.au/contact-your-pm>) and call for immediate consultation with unions with the view to ratify ILO Convention 190 and Recommendation 206
- **Contact your local Member of Parliament** to ask what is the Morrison's Government's timeline and process for the ratification of ILO Convention 190 and Recommendation 206 ([http://www.aph.gov.au/Senators\\_and\\_Members/Members](http://www.aph.gov.au/Senators_and_Members/Members))

**Together we can ensure all workers are safe and workplaces are free from violence and harassment.**