

THE EAST AFRICAN TRADE UNION CONFEDERATION



TRADE UNION ACTIONS TOWARDS RATIFICATION, IMPLEMENTATION OF C190/R206
AND ELIMINATING GENDER BASED VIOLENCE AND HARASSMENT IN THE WORLD OF
WORK

2024

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Acronyms/Abbreviations

C190	Convention No. 190 of the International Labour Organization
CBAs	Collective Bargaining Agreements
CESTRAR	The Rwanda Workers' Trade Union Confederation
COSYBU	The Confederation of Trade Unions of Burundi
COTU (K)	The Central Organization of Trade Unions, Kenya
EATUC	East African Trade Union Confederation
GBV	Gender-Based Violence
ILO	International Labour Organization
ITUC	International Trade Union Confederation
ITUC-Africa	The African Regional Organization of the International Trade Union Confederation
NOTU	The National Organization of Trade Unions
R206	Recommendation No. 206 of the International Labour Organization
TUCTA	The Trade Union Congress of Tanzania
ZATUC	The Zanzibar Trade Union Congress
EAC	East African Community

SECTION ONE

Introduction

The world of work has been characterised by increased cases of violence and harassment, including gender-based violence and harassment leading to a global outcry for action. While celebrating 100 years, the ILO at its Centenary Conference on 21 June 2019 adopted the Violence and Harassment Convention (NO. 190) and Recommendation (NO. 206). In this treaty, it was made clear that violence and harassment, including gender-based violence and harassment will no longer be tolerated in the world of work. In fact, the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment was recognized globally. The workplace has long been recognized as playing an important role in preventing and eliminating violence against women as part of an integrated strategy to combat gender-based violence. Although violence at work is not a new issue, trade unions today recognise that the growing casualisation of work, new forms of work organisation and related work pressures have contributed to increased levels of harassment at work and the rendered invisibility of the problem.

It is in this context that trade unions have to play a more direct role in the elimination of all forms of violence and harassment in the world of work. The participation and involvement of trade unions in the prevention and protection of the world of work from violence and harassment including ensuring effective enforcement of regulations against violence and harassment becomes very critical. These notwithstanding, trade unions need ensure that remedies to those affected by violence and harassment in the world of work are commensurate to the violation of such rights. Moreover, it is prudent if trade unions develop and enhance the necessary capacity needed to free the world of work from violence and harassment, including gender-based violence and harassment. However, to date, trade union engagement in eliminating violence and harassment in the world of work among EATUC affiliates has not yielded the core objective of the treaty of a world of work free from violence and harassment. More efforts need to be put in place to realize a world of work free from violence and harassment, including gender-based violence among EATUC affiliates.

ILO (2017) Gender-based violence continues to be a phenomenon that defies all boundaries where a million women in the Africa have experienced this abuse of power through some form of physical assault since the age of 15. It also includes numerous forms of psychological violence. It happens everywhere, be it at home, at work, in public, in every society and every East Africa country, regardless of social background of both victims and perpetrators. It constitutes a brutal form of discrimination and a violation of fundamental human rights. It is both a cause and a consequence of discrimination and the entrenched inequalities between

women and men in work place. As such, gender-based violence is a core trade union and workplace issue affecting workers' health, safety and dignity.

ILO (2019) Women workers and especially young women workers are particularly affected as they often work in low paid and casualties' sectors of the economy; many suffer in silence as they fear retaliation or loss of their jobs. A key issue is to develop workplace solutions that workers trust and that tackle the underlying causes of violence at work. Similarly, domestic violence is a workplace issue – it can impact on a woman's participation in work, her work performance and her safety at work. Violence at work, including the effect of domestic violence at work, affects workers' wellbeing, health, safety and job performance. Negotiating workplace supports, such as flexible work, paid leave or changes in work location, can ensure that women can safely retain their jobs and have the financial independence and support at work that can help them to leave violent partners and live independently without fear of further violence.

Background

Article 23 of the UN Universal Declaration of Human Rights states unequivocally that everyone has the right to work in just and favorable conditions. But globally, culture's perpetuation of gender stereotypes, discrimination, and unequal power relations enables gender-based violence (GBV) and sexual harassment in the workplace. When the proper legal protections aren't in place, women suffer. Workplace harassment and violence spans anywhere from swallowing inappropriate jokes to being asked for sexual favor or suffering unwanted physical contact. And despite the fact that one in every five people have experienced some form of violence at work, these abuses continue to go critically unreported. Violence and harassment kill productivity, too; on top of the actual abuse experienced, women enduring GBV and workplace harassment often have trouble with work attendance, can't advance at their jobs, or see their overall earning capacity hindered.

It is in this context that trade unions have to play a more direct role in the elimination of all forms of violence and harassment in the world of work. The participation and involvement of trade unions in the prevention and protection of the world of work from violence and harassment including ensuring effective enforcement of regulations against violence and harassment becomes very critical. These notwithstanding, trade unions need ensure that remedies to those affected by violence and harassment in the world of work are commensurate to the violation of such rights. Moreover, it is prudent if trade unions develop and enhance the necessary capacity needed to free the world of work from violence and harassment, including gender-based violence and harassment.

ITUC (2022) However, to date, trade union engagement in eliminating violence and harassment in the world of work among EATUC affiliates has not yielded the core objective of the treaty of a world of work free from violence and harassment. More efforts need to be put in place to realize a world of work free from violence and harassment, including gender-based violence among EATUC affiliates. The law requires any union with 50 or more members to be registered, a threshold few companies could meet (see more in Ratified ILO Conventions sub-section). It also sets literacy standards for trade union officers. The law

provides the registrar considerable powers to restrict registration by setting forth criteria for determining whether an organisation's constitution contains suitable provisions to protect its members' interests.

In East African Community, February 2023, cases of sexual harassment were uncovered by BBC news in tea farms owned by James Finlay and Co. and Unilever in Kenya. About 70 women informed BBC that they had been sexually abused by their supervisors(www.bbc.com/news/uk-64662056). Cases of sexual harassment have as well been revealed in Kenyan universities among lecturers and students.

In Uganda, sexual harassment has been reported to be a common occurrence in workplaces though remain unnoticed, Moreover, sexual harassment and violence at workplaces remain on the rise despite Uganda having the requisite laws.

In the United Republic of Tanzania, both male and female workers have experienced sexual harassment especially in public sector workplaces. In fact, sexual harassment is termed as a silent monster in workplaces. (see links of news in reference)

A review of the state of ratification by Member States from the East African Community (EAC) who are members of EATUC in March 2024 from the ILO website shows that among the Partner States including the Republic of Burundi, the Republic of Kenya, the Republic of Rwanda, the Republic of Uganda and the United Republic of Tanzania, only the Republic of Uganda and the Republic of Rwanda had ratified C190. Uganda ratified C190 on 07 August 2023 and the Convention will enter into force for Uganda on 07 August 2024 while Rwanda ratified the C190 on 1st November 2023, the convention will enter into force for Rwanda on 1st November 2024.

It is upon this background that EATUC has carried out the study to its affiliates to identify policies and actions that trade unions can use to eliminate violence and harassment, including gender-based violence and harassment in the world of work. The report covers all the EATUC affiliates, namely the Central Organization of Trade Unions (COTU-K)-Kenya, the National Organization of Trade Unions (NOTU)-Uganda, Zanzibar Trade Union Congress (ZATUC), the Trade Union Congress of Tanzania (TUCTA), the Confederation of Trade Unions of Burundi (COSYBU), and the Confederation of Trade Unions of Rwanda (CESTRAR).

SECTION TWO

Overall Objective of the Survey

The overall objective of the study is to assess the trade union actions towards a world of work free from violence and harassment in EAC Partner States including gaps in the regional policies related to violence and harassment.

Specific Objectives of the Survey

- a) To assess the state of ratification of C190 by EAC Partner States to enable trade unions initiate campaigns for ratification of C190 and addressing GBV,
- b) To establish the gaps in policies and actions on GBV in East Africa
- c) To assess forms of violence and harassment experienced by workers in EAC.
- d) To assess challenges facing by trade unions while responding to the global call to eliminate violence and harassment in the world of work
- e) To ascertain how different sectors have been affected by GBV

Relevance of this Study

The relevancies of this study may among others include:

- a) Findings of this study provide data which can inform and guide unions to organize training programs for their members to enable them initiate campaigns on ratification of C190 and addressing GBV at workplace.
- b) The study results also provide data about gaps in the policies and actions aimed at addressing GBV at workplace in the East African region which trade unions ought to use to make constructive proposals during national and regional debates about GBV
- c) The study findings also provide information which trade unions in the East African region ought to use to assess capacity and ability of its members to address

SECTION THREE

METHODOLOGY

In this section, the methodology used to collect data is given. This section of the study gives details about the methods adopted in an effort to collect the required data so as to achieve the objectives of the study. Section two therefore presents the methodology employed by the study and it details the survey design, methods of data collection.

The study involved desk review of reports, data collected from all six EATUC affiliates, and data/relevant information from countries' presentations and contributions made during the Regional Meeting on Gender-Based Violence in Nairobi, November 2023, and the East Africa Women Roundtable Strategic Meeting in Arusha, June 2024, to get familiarized with the trade union actions towards a world of work free from violence and harassment, to better understand the world of work free from violence and harassment findings and other documentation, which are the basic building blocks for the report. The report emphasized the trade union actions towards a world of work free from violence and harassment.

A qualitative research approach was employed by this in a bid to collect qualitative data in regard to GBV.

Data Collection Methods

Two methods of data collection were employed by this study in the process of collecting data needed to answer the study's research questions and these included; primary data collection from EATUC affiliates through survey (see questionnaire attached at the end of this report) and document analysis, which is also known as desk research. This involved identifying existing secondary data sources including documents with information related to the GBV in East Africa, gaps in policies and action on GBV in East Africa,

SECTION FOUR

FINDINGS OF THE STUDY

Trade union actions towards a world of work free from violence and harassment in East Africa

EATUC affiliates have made commendable progress towards the ratification of C190 in their countries. Based on the data collected and reports submitted to EATUC by its affiliates on the country-by-country progress towards the ratification of C190, including the implementation of its provisions and related R206, we can summarize that:

In Uganda, the National Organization of Trade Unions of Uganda, NOTU succeeded in having C190 ratified and continues to advocate for the government to update existing national laws and policies for an integrated, inclusive, and gender-responsive approach that emphasizes both prevention and response to violence and harassment at the workplace. In particular, NOTU:

- ✓ Negotiates with employer organizations to integrate issues of Gender Based Violence (GBV) in Collective Bargaining Agreements (CBAs)
- ✓ Educates and organizes their members in support of C190
- ✓ Held National Campaigns nationally for the ratification of C190 through media engagements like TV, radio talk shows and social media
- ✓ Holds Stakeholder engagements to end violence and harassment in the world of work
- ✓ Develops and disseminates training materials on C190
- ✓ Developed a position paper on Gender Based Violence and harassment to support its advocacy.

In Rwanda, the Rwanda Workers' Trade Union Confederation, CESTRAR prioritized Convention 190 by integrating it into all trainings and campaign activities to create awareness among workers. In particular, commendable progress was made that saw C190 ratified in 2023. Some of the progress included:

- ✓ Domestication of the provisions of C190 into national laws and policies in workplaces. In particular, the new labour law N0. 66/2018 of 30/08/2018 regulating labour in Rwanda provides for Anti- Sexual Harassment provisions at work place and protects sexual harassment victims. It emphasises that all private and public institutions should have gender and sexual harassment policies.

- ✓ Putting in place policies at local levels and at all protocols through the national labour council where trade unions, employers' federation and government representatives worked on the requirements for Rwanda to ratify the C190.
- ✓ Having the National Labour Council agree on the urgent need of the C190 convention to be ratified and the Rwanda Law Reform Commission receiving and approving the legal draft instruments of the C190 from the Ministry of Labour.
- ✓ The Draft law approving ratification of the Convention C190 was submitted to the Ministry of Foreign Affairs and International Cooperation which initiated and processed the ratification of C190 and had it signed by the President of the Republic of Rwanda.

In Kenya, the Central Organization of Trade Unions, COTU (K) has adopted an inclusive and integrated approach towards the ratification of C190. This includes lobbying other social partners to join this course for ratification. The strategy involved the development of a COTU (K) Advocacy Strategy for Ratification of C190 in Kenya which will commit Kenya to put in place policies and appropriate legal framework to address violence and harassment at work. While the main long-term goal is to integrate the provisions of C190 into the policy and legal frameworks in Kenya, COTU (K), together with its social partners has undertaken the following steps towards the ratification:

- ✓ Creating awareness and sensitization on C190 among different partners, trade union members and the general public, for instance a meeting of COTU-K regional women leaders which brought together women leader from COTU's 12 regions in August 2024.
- ✓ While targeting workers most vulnerable to violence and harassment in the world of work and leaving no one behind, the women and youth mentorship programs on C190 have been ongoing with the second cohorts commencing in 2023. There are as well disability champion mentorship programs.
- ✓ Incorporating the provisions of C190 in Collective Bargaining Agreements of different unions
- ✓ Mobilizing different partners to lobby for ratification and implementation of C190
- ✓ Lobbying government to ratify C190. A petition was presented to the Ministry of Labour on 8th December 2022. The President also committed to ratify the convention during the 01st May 2023 Labour Day Celebrations.
- ✓ Lobbying parliament to make amendments to existing laws, policies and new laws to include the provisions of C190. Petitions were presented both to the National Assembly and the Senate on 8th March 2023 for consideration

In Burundi, the Confederation of Trade Unions of Burundi, COSYBU continues to advocate for the ratification of C190. Besides having a National Gender Policy in that guides against violence and harassment against women, various legal provisions of the constitution of Burundi align to C190. Some of the labour codes whose implementation is ongoing include articles that:

- ✓ Protect workers from gender-based violence and harassment,

- ✓ Protect women in maternity leave including those that are pregnant and breast feeding,
- ✓ Protect children in workplace
- ✓ Protect persons living with disability.

Some of the strategies being implemented by COSYBU to push for the ratification of C190 in Burundi include:

- ✓ Setting up advocacy structures such as the Women Committee of COSYBU ; the Gender bipartite committee made up of workers and employer representatives as well as the Executive Board of the committee composed of the President, Deputy President and the Secretary General.
- ✓ Advocacy for the effective application of the legal provisions on Gender- Based Violence, especially in favor of women workers in the formal and informal sectors while calling for the improvement of working conditions of women workers.

In the United Republic of Tanzania, C190 is yet to be ratified. However, an action plan has been developed to have C190 and its related R206 ratified by February 2024. To realize this goal, some of the intended campaigns the trade unions under the Trade Union Congress of Tanzania (TUCTA) and the Zanzibar Trade Union Congress (ZATUC) include:

- ✓ TUCTA organized C190 TOT workshop in August 2024 which brought together women committee leaders from all 13 unions of TUCTA
- ✓ Identification of existing gaps within the legal framework of the United Republic of Tanzania in line with the provisions of C190 and R206.
- ✓ Stakeholder awareness creation on violence and harassment and its impact on the world of work and sustainable development
- ✓ Enhanced capacity building of public and private decision makers including technical staff from the tripartite partners and other relevant institutions to promote the ratification of C190.
- ✓ development of the Five-year National Plan of Action to End Violence against Women and Children (NPAVAWC 2017/18 – 2021/22)
- ✓ Prime Ministers’ Office – Coordination and Policy (PMO-CP) in collaboration with ILO, convened awareness raising meeting on C190 and R206 in November 2020 with key national stakeholders from the government ministries
- ✓ Enactment of laws and policies by the government of Tanzania towards achieving gender equality
- ✓ Integration of Gender aspects into the National Five-Year Development Plan (2021/22 2025/26), and the Tanzania Development Vision 2025 emphasizes the country’s commitment to promoting gender equality in all social, economic, and political contexts.
- ✓ Formulation of multi-sectoral taskforce composed of 15 members for the roadmap towards ratification of C190

- ✓ TUCTA's Gender committee which is instituted constitutionally, which performs several initiatives which includes, reviewing its Gender Policy, gap analysis and eradicating the GBV and harassments in the workplaces.

Form of violence and harassment in the world of work

The ILO Violence and Harassment Convention, 2019 define the term “Violence and Harassment” in the world of work as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment”. And that “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, of affecting persons of a particular sex of gender disproportionately, and includes sexual harassment”.

According the survey, all the EATUC affiliates had experienced various forms of violence and harassment in the world of work in their countries. The worst form of violence experienced is Economic violence which was reported by all EATUC Affiliates followed by psychological forms of violence and harassment and Sexual harassment, which were reported by five EATUC affiliates. The third form of violence witnessed in the world of work among EATUC affiliates was the physical violence and harassment. The case of cyber bullying was also mentioned as a form of violence and harassment experienced in the world of work.

Table 2: Form of violence and harassment in the world of work

Type of Violence and Harassment	Kenya	Uganda	Zanzibar	Tanzania Mainland	Burundi	Rwanda
Physical violence and harassment	✓	✓	✓	✓	✓	✓
Psychological violence and harassment	✓	✓	✓	✓	✓	✓
Sexual violence and harassment	✓	✓	✓	✓	✓	✓
Economic violence and harassment	✓	✓	✓	✓	✓	✓

The challenges facing trade unions while responding to the global call to eliminate violence and harassment in the world of work

With C190 making a global call to end violence and harassment in the world of work, various attempts have been put in place by trade unions to this cause. It is important however, to note that none of the trade union centers reported lack of domestic laws prohibiting violence and harassment domestically indicating good progress in responding to the global call to end violence and harassment in the world of work. The survey results showing the challenges by country.

As shown in table 2 below, all EATUC Affiliates have experienced various challenges while responding to this global call to end violence and harassment in the world of work. Most of the EATUC Affiliates indicated that they had limited access to remedies and support for victims. This implies that whenever a case of violence and harassment occurs, most of the victims bare the pain with little remedy or support if any. Most importantly, none of the trade union centers indicated the lack of domestic policies prohibiting violence and harassment domestically. The table below offers a view of the trade union actions towards a world of work free from violence and harassment situation.

Table 2: Challenges facing trade unions in responding to the government call to eliminate violence and harassment in the world of work

Country	Challenges faced by trade unions
Kenya, Tanzania, Burundi,	Non ratification of the ILO Convention (No. 190)
Kenya, Tanzania, Burundi	Non- domestication of some provisions of ILO Conventions (NO. 190) in the local laws
Uganda, Burundi,	Limited domestic policies addressing violence and harassment domestically
Uganda, Tanzania, Rwanda	Lack of a comprehensive strategy to implement measures to prevent and combat violence and harassment
Rwanda, Kenya, Uganda, Burundi, Tanzania	Inadequate enforcement and monitoring mechanisms against violence and harassment
Kenya, Tanzania, Uganda, Burundi, Rwanda	Limited access to remedies and support to victims
Tanzania, Burundi, Uganda,	Inadequate appropriate tools, guidance, education and training materials including awareness creation materials against violence and harassment

Rwanda, Kenya	
Kenya, Uganda, Tanzania, Burundi, Rwanda	Limited ability to lobby for an effective inspection and investigation of cases of violence and harassment

It is interesting to note the difference level of challenges facing trade unions while responding to the global call to eliminate violence and harassment in the world of work, in particular. Limited access to remedies and support to victims, Non-domestication of some provisions of ILO Conventions (NO. 190) in the local laws, Non-ratification of the ILO Convention (No. 190) by EAC Partner States ,Limited domestic policies addressing violence and harassment domestically, limited ability to lobby for an effective inspection and investigation of cases of violence and harassment, lack of appropriate tools, guidance, education and training materials including awareness creation materials against violence and harassment, Inability to lobby for sanctions to perpetrators of violence and harassment and lack of domestic laws prohibiting violence and harassment domestically are the main challenges facing trade unions in EAC Partner States, the role of trade union is to ensure they continue to address those challenges as it shown on the table 2 above in order to eliminate violence and harassment in the world of work.

Policies and actions for the elimination of violence and harassment in the world of work

As trade unions step up their efforts and define policies and actions in order to eliminate violence and harassment in the world of work, the survey results show that priority is given to some policies and actions across the region. Table 3 shows the policies and actions, by country, in order of application by the various trade union centers in the elimination of violence and harassment in the place of work. As shown in table 3, various policies and actions have been put in place to eliminate violence and harassment in the world of work. This table provides a critical policy implication on what policies and actions EATUC can support among its affiliates in order to enhance the progress made in eliminating violence and harassment in the world of work among the affiliates. Meanwhile, some of the EATUC affiliates as well pointed out some ways in which they engage in the global call to eliminate violence and harassment in the world of work to cut across other countries but are worth noting as it shown on table below.

Table 3: Policies and Actions for eliminating violence and harassment by Union

Country	Policies and Actions for eliminating violence and harassment in the world of work
Kenya, Uganda, Tanzania, Rwanda, Burundi	Advocating and lobbying for the development of workplace policies against violence and harassment including their adoption and implementation in partnership with the social partners
Kenya, Tanzania,	Carrying out national surveys to identify sectors, occupations and work arrangements that are more prone to violence and harassment
Kenya, Uganda, Tanzania, Rwanda, Burundi	Lobbying for effective monitoring and enforcement of laws and regulations against violence and harassment in the world of work while ensuring easy access to safe, fair and effective reporting and dispute resolution mechanisms and procedures such as complaint mechanisms and dispute resolution mechanisms.
Kenya, Uganda, Tanzania, Rwanda, Burundi	Advocating for the provision of guidance, resources and training tools on violence and harassment to workers and employers and all other stakeholders and authorities in accessible formats for ease of access
Kenya, Rwanda	Identifying sectors in transition from informal to formal and outlining policy pathways including the provision of requisite resources and assistance to prevent and address all forms of violence and harassment during and after the transition.
Kenya, Uganda, Tanzania, Burundi, Rwanda	Developing a comprehensive information and training programme, including on hazards and risks associated violence and harassment in the world of work
Rwanda	Integrating issues of protection and prevention of violence and harassment into the social dialogue and collective bargaining framework by ensuring that all CBAs have clauses on violence and harassment, including on gender-based violence and harassment
Kenya, Uganda, Tanzania, Burundi, Rwanda	Defining and prohibiting any form of violence within the domestic laws and regulations
Kenya, Uganda, Tanzania, Burundi	Lobbying for appropriate and relevant occupational safety and health management systems that take into account violence and harassment including psychosocial risks involved
Kenya, Uganda, Tanzania, Burundi, Rwanda	Carrying out a comprehensive assessment to identify hazards and risks associated with the world of work with a view to adopt measures to prevent and control such hazards and related risks that increase the likelihood of violence and harassment, including psychosocial hazards and risks
Kenya, Uganda, Tanzania, Burundi	Lobbying and advocating for remedies and support to the affected workers and other participants in the world of work to ensure full redress including access to legal, social, medical and administrative support, measures for complainants and victims
Kenya, Uganda, Tanzania, Burundi	Identifying and providing gender responsive guidelines and training programmes for workers, employers and relevant authorities and organizations to counter gender-based violence and harassment
Kenya, Uganda,	Putting in place awareness raising public campaigns to foster safe, healthy and harmonious

Tanzania, Burundi Rwanda	workplaces devoid of violence and harassment as well as campaigns that convey the zero-tolerance to violence and harassment, address discriminatory attitudes and prevent stigmatization of victims, complainants, witnesses and whistleblowers
Kenya, Uganda, Tanzania	Advocating for the provision of access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies for the victims of gender-based violence and harassment.

Some of these forms of engagement include:

- Participation in Gender Based Violence denouncing platforms
- Contribution to the dissemination of adopted awareness raising materials on violence and harassment
- Promoting the culture of speaking out and breaking the taboo on Gender Based Violence
- Participating in research and surveys aimed at improving gender equity initiatives
- Serving as role models in eliminating violence and harassment in the world of work
- Inclusion of women in decision making at the leadership levels
- Empowering women and girls across their lifetime by keeping girls in school and empowering women economically
- Regular trade union consultations during any policy formulation relating to sexual harassment at work
- Provision of guidelines and policies on violence and harassment at the work places to minimize violence and harassment against women and youth
- Training of trainers on the ILO Gender Based Convention and campaigning for the ratification of C190

SECTION FIVE

The Next steps towards East Africa Free from Violence and Harassment

Trade union affiliates of EATUC are at different faces of advocacy for the ratification of C190 in their respective countries. This calls for a comprehensive, inclusive, integrated and gender-responsive strategy to prevent, remedy and eliminate all forms of violence and harassment in the world of work covering all workplace.

A comprehensive strategy will cover countries where very little has been done towards the ratification of C190; those that have already established advocacy tools and channels towards ratification; those awaiting ratification as well as taking into consideration post ratification strategy for those that have had C190 ratified. On the other hand, an inclusive strategy will bring on board everyone and every place including victims and perpetrators of violence and harassment in the world of work. This implies that different groups of workers, sectors and work arrangements facing disproportionate levels of violence and harassment will have access to information, tools and training in the right formats for an effective elimination of all forms of violence and harassment in the world of work.

Moreover, the integrated aspect of the strategy will ensure full coverage of the entire world of work processes including labour, equality, non-discrimination, occupation safety and health, migration and criminal laws, regulations and policies as well as collective bargaining across all sectors, formal and informal in order to prevent and eliminate all forms of violence and harassment in the world of work.

These notwithstanding, the gender-responsive aspect of the strategy underscores that women are particularly vulnerable to violence and harassment in the world of work and that there is need to address all gender-based related violence and harassment in the world of work as appropriate. To this extent, the proposed EATUC advocacy strategy covers the workplace (both private and public); places where workers are engaged (such as resting, taking meals, using sanitary, washing, changing facilities among others); workers on transit (such as during travels, trips, commuting to and from work, events among others); work-related communication (including information communication technology) as well as where workers are accommodated by the employer. Furthermore, the strategy should strive to protect and safeguard all persons in the world of work including employees; persons in training and apprentices; persons working without considering their contractual forms; terminated workers; volunteers; jobseeker; job applicants as well as those exercising authority of the employer.

Reflecting on the different advocacy levels and approaches and tools in the global arena for the ratification of C190 including post ratification and the need to urgently eliminate all

forms of violence and harassment in the world of work in East Africa, urgent actions are needed to protect all workers and other persons in the world of work. Trade unions under the East Africa Trade Union Confederation (EATUC), in consultations with respective employers' organizations and governments could free the world of work of violence and harassment by adopting the following approaches depending on their stage of ratification of C190:

(a) The Role of EAC Governments on Creating Safe and Gender-responsive Processes, Ratification and Implementation of C190,

- Fast tracking the ratification ILO Convention 190/R206 by EAC Partner States and ensure that its principles are upheld through legislation and national policies that institutionalize and strengthen frameworks to ensure equal and fair treatment of women in the workplace and the elimination of gender- based violence and harassment for the countries that have not ratified the C190.
- EAC Partner States should work with trade unions and civil society to provide effective, gender-responsive support to access the legal system, including access to psycho-social support in navigating the legal system and effective legal representation. It should also involve long-term counselling and support for re-entering the labour market.
- EAC Partner States should ensure they work with trade unions and civil society to train labour inspectors, court officials, police and other public officers on how to handle cases of workplace violence and harassment, including GBVH and any other discrimination.

(b) The Role of Employers on Eradicating Gender Based Violence at Workplace

- **Assessing Workplace Risks** -Employers should support worker safety by assessing the risk of gender-based violence and harassment both in their industry and in their specific workplace.
- **Reduce Risk** - Assessing workplace for risks can help reduce the incidence of gender-based violence and harassment. For instance, when treating patients with known histories of violence or aggression, employer should assess the worksite to determine what safeguards are needed. Protections may include working in teams, and appropriate training.
- **Implement Workplace Policy** - In consultation with workers and experts, it is important for employers to put in place policies to prevent and respond to gender-based violence and harassment tailored to their specific workplaces. This includes ensuring that a zero-tolerance policy prohibiting gender-based violence and harassment that is widely communicated and accessible to all. It also includes establishing a process for reporting concerns that includes support for those impacted, protection from retaliation for reporting, active review of potential root causes, and clear consequences for gender-based violence, harassment and retaliation.
- **Provide Regular Training**-Employers to prevent gender-based violence and harassment at workplace by providing regular training that helps workers of all levels understand what it is and how it impacts the world of work. Training is most effective when it is

provided regularly, required for all workers and supervisors and co-created by workers to ensure all aspects of their experiences are catered.

- **Change the Culture** -Fostering a safe, respectful, and equitable workplace culture is paramount to preventing gender-based violence and harassment. Employers should promote change workplace culture by increasing diversity and advancing policies that foster a more inclusive workplace (such as paid leave).
- **Reporting Mechanism** -Proper reporting mechanism must be established, employers in consultation with unions representatives at workplace should ensure the proper independent reporting mechanism for violence and harassment are in place to help the victims of GBVH.

(c) The Role of Trade Union

- **Approaches towards Prevention and Protection of the world of work from violence and harassment.**

These approaches cut across and apply to all affiliates of EATUC regardless of the ratification status of C190 as they form firm foundation for a world of work free of violence and harassment, including gender-based violence. They include:

- ✓ Defining and prohibiting any form of violence and harassment within the domestic laws and regulations including appropriate measures to prevent such violence and harassment without excluding or restricting the participation of vulnerable groups of workers such as women, migrant workers, young workers, worker with disabilities, informal economy workers and digital workers.
- ✓ Carrying out national surveys to identify sectors, occupations and work arrangements in the world of work where workers and other persons concerned are more exposed to violence and harassment with the aim of identifying appropriate campaign tools to eradicate violence and harassment at all levels.
- ✓ Identifying sectors in transition from informal to formal and outlining policy pathways including the provision of requisite resources and assistance to prevent and address all forms of violence and harassment during and after the transition.

- **Approaches for Effective Enforcement and Remedy of a world of work free of violence and harassment.**

These approaches are geared towards ensuring that there are no gaps in the implementation of the provisions of C190 and R206. To this extent, the approaches lay ground for efficiency in the implementation of such provisions to realize a world of work free from violence and harassment without any bottlenecks. They include:

- ✓ Advocating and lobbying for the development of workplace policies against violence and harassment including their adoption and implementation in partnership with the social partners. Such workplace policies should include a zero-tolerance statement, preventing

programmes, rights and responsibilities of workers and employers as well as communication strategies involving incidents of violence and harassment and how they are duly handled. There should as well be information centres on complaints and investigation procedures including the right to privacy and measures protecting against victimization or retaliation.

- ✓ Lobbying for appropriate and relevant occupational safety and health management systems that take into account violence and harassment including psychosocial risks involved.
- ✓ Carrying out a comprehensive assessment to identify hazards and risks associated with the world of work with a view to adopt measures to prevent and control such hazards and related risks that increase the likelihood of violence and harassment, including psychosocial hazards and risks.
- ✓ Lobbying for effective monitoring and enforcement of laws and regulations against violence and harassment in the world of work while ensuring easy access to safe, fair and effective reporting and dispute resolution mechanisms and procedures such as complaint mechanisms and dispute resolution mechanisms. Put in place measures to protect complainants, victims, witnesses and whistle blowers against victimization and retaliation. It may as well be appropriate to provide sanctions for cases of violence and harassment.
- ✓ Lobbying and advocating for remedies and support to the affected workers and other participants in the world of work to ensure full redress including access to legal, social, medical and administrative support, measures for complainants and victims. Measures should include the right to resign with compensation, reinstatement, appropriate compensation for damages, orders requiring measures with immediate executory force and legal fees and costs.
- ✓ Advocating for the provision of access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies for the victims of gender-based violence and harassment. Such mechanisms include courts with specific expertise that are able to expediate the cases in an effective and efficient manner. Such victims should have access to the labour market upon exist on the basis of violence and harassment levied on them. Furthermore, advocate for a 24-hour free hotline for counselling, emergency services, medical care and treatment, crisis care centres including specialized trained offices that can handle the victims.

- **Capacity Building Approaches towards a world of work free of violence and harassment.**

These approaches provide a sustainable world of work free of violence and harassment. They include:

- ✓ Developing a comprehensive information and training programme, including on hazards and risks associated violence and harassment in the world of work. This should include preventive and protection measures as well as the rights and responsibilities of workers and other persons in the world of work.

- ✓ Advocating for the provision of guidance, resources and training tools on violence and harassment to workers and employers and all other stakeholders and authorities in accessible formats for ease of access.
- ✓ Identifying and providing gender responsive guidelines and training programmes for workers, employers and relevant authorities and organizations to counter gender-based violence and harassment.
- ✓ Putting in place awareness raising public campaigns to foster safe, healthy and harmonious workplaces devoid of violence and harassment as well as campaigns that convey the zero-tolerance to violence and harassment, address discriminatory attitudes and prevent stigmatization of victims, complainants, witnesses and whistleblowers.
- ✓ Integrating issues of protection and prevention of violence and harassment into the social dialogue and collective bargaining framework by ensuring that all CBAs have clauses on violence and harassment, including on gender-based violence and harassment.
- **Alliance building with other actors/ likeminded organization preventing GBVH**
 - ✓ It's a time for trade unions to work together with other actors who are at the fore front in preventing violence and harassment by developing joint campaigns and joint positions, this will enhance trade union intervention on the preventing gender-based violence and the ratification and implementation of C190. This can also be done through Union-to-Union engagements which will help them in sharing experiences and joint efforts on combating the GBV- harassments at the work places.

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SURVEY QUESTIONNAIRE

PART I: Forms of Violence and Harassment in the world of work

1. Have workers experienced any form of violence and harassment in the world of work in your country?

(YES) Yes () No

If “Yes” please go to question 2. If “no”, go to question 3.

2. Please indicate which of the following forms of violence and harassment have been experienced mostly by workers in the world of work in your country

Statement	
Physical violence and harassment	
Psychological violence and harassment	
Sexual violence and harassment	
Economic violence and harassment	
Other (please specify)	

PART II: Challenges facing Trade Unions in responding to the global call to eliminate violence and harassment in the world of work

3. Have you experienced any challenges while responding to the global call to eliminate violence and harassment in the world of work?

(YES) Yes () No

If “Yes”, go to question 4. If “No”, go to question 5

4. Please identify which of the following challenges limit your response to the global call to eliminate violence and harassment in the world of work

Statement	
Non-ratification of the ILO Convention (No. 190) by our country	
Non-domestication of the provisions of ILO Conventions (NO. 190) in the local laws in our country	
Lack of domestic laws prohibiting violence and harassment domestically	
Limited domestic policies addressing violence and harassment domestically	
Lack of a comprehensive strategy to implement measures to prevent and combat violence and harassment	
Lack of enforcement and monitoring mechanisms against violence and harassment	
Limited access to remedies and support to victims	
Inability to lobby for sanctions to perpetrators of violence and harassment	
Lack of appropriate tools, guidance, education and training materials including awareness creation materials against violence and harassment	
Limited ability to lobby for an effective inspection and investigation of cases of violence and harassment	
Other (please specify)	

PART III: Policies and Actions for eliminating violence and harassment in the world of work

5. Please indicate proposed key areas of intervention in the strategies to promote your response to the global call to eliminate violence and harassment in the world of work in your country

Statement	Not Significant	Significant	Very Significant
Defining and prohibiting any form of violence within the domestic laws and regulations			
Carrying out national surveys to identify sectors, occupations and work arrangements that are more prone to violence and harassment			
Identifying sectors in transition from informal to formal and outlining policy pathways including the provision of requisite resources and assistance to prevent and address all forms of violence and harassment during and after the transition.			
Advocating and lobbying for the development of workplace policies against violence and harassment including their adoption and implementation in partnership with the social partners			
Lobbying for appropriate and relevant occupational safety and health management systems that take into account violence and harassment including psychosocial risks			

involved			
Carrying out a comprehensive assessment to identify hazards and risks associated with the world of work with a view to adopt measures to prevent and control such hazards and related risks that increase the likelihood of violence and harassment, including psychosocial hazards and risks			
Lobbying for effective monitoring and enforcement of laws and regulations against violence and harassment in the world of work while ensuring easy access to safe, fair and effective reporting and dispute resolution mechanisms and procedures such as complaint mechanisms and dispute resolution mechanisms.			
Lobbying and advocating for remedies and support to the affected workers and other participants in the world of work to ensure full redress including access to legal, social, medical and administrative support, measures for complainants and victims			
Advocating for the provision of access to gender-responsive, safe and effective complaint and dispute resolution mechanisms, support, services and remedies for the victims of gender-based violence and harassment.			
Developing a comprehensive information and training programme, including on hazards and risks associated violence and			

harassment in the world of work			
Advocating for the provision of guidance, resources and training tools on violence and harassment to workers and employers and all other stakeholders and authorities in accessible formats for ease of access			
Identifying and providing gender responsive guidelines and training programmes for workers, employers and relevant authorities and organizations to counter gender-based violence and harassment			
Putting in place awareness raising public campaigns to foster safe, healthy and harmonious workplaces devoid of violence and harassment as well as campaigns that convey the zero-tolerance to violence and harassment, address discriminatory attitudes and prevent stigmatization of victims, complainants, witnesses and whistle-blowers			
Integrating issues of protection and prevention of violence and harassment into the social dialogue and collective bargaining framework by ensuring that all CBAs have clauses on violence and harassment, including on gender-based violence and harassment			
Other (please specify)			

6. Please provide any additional information related to your engagement in the global call to eliminate violence and harassment in the world of work in your country.

Training of trainers in the ILO gender-based conventions and campaigning for ratifications of

Thank you for completing the survey. Please return it to the e-mail address shown below no later than **8th March 2024**