

ILO C190 in the U.S.

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Prevalence of GBVH in the World of Work

- In 2014, two-thirds of women and over one half of men in the restaurant industry reported they had experienced some form of sexual harassment from managers; 80% of women experienced sexual harassment from customers
- In a 2016 survey of hotel workers 58% said that they had been sexually harassed by a guest including answering the door naked or exposing themselves
- A 2021 survey found that 23.6 percent of tradeswomen report that they always or frequently experience sexual harassment
- A 2018 survey of women in business and law firms found that 68% of them experienced sexual harassment

Prevalence of GBVH in the Work of Work

- 7 in 10 women with disabilities have experienced sexual harassment at work
- 68% of LGBT identifying workers report having experienced sexual harassment
- 21% of employees identified as survivors of intimate partner violence in a national survey

In June 2019 ILO C190 to eliminate Violence and Harassment including Gender-based Violence and Harassment in the World of Work is adopted



ILO C190: First Global Labor Treaty Addressing Gender-based Violence

- Women in the global labor movement campaigned for 8 years to make this happen
- Originally pushing for a Convention on gender-based violence and harassment, but it is now much broader
 - Recognizes the right to a world of work free of violence and harassment
 - Addresses all forms of violence and harassment
 - Including other personal characteristics - like race/ethnicity, immigration status and sexual orientation/gender identity

Definition of Gender-Based Violence and Harassment in International Labour Convention 190

“violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately and includes sexual harassment”

Recognizes the need to address the **root causes** of gender-based violence and harassment, including gender stereotypes and norms

- Broader than just sexual harassment, and emphasizes that it is not about sex it's about power
- It is a tool use to maintain power structures based on gender identity and sex.

Emphasizes the Need to Address the Root Causes of Gender-based Violence and Harassment

In order to effectively prevent and address GBVH in the workplace it is necessary to address to root causes:

- Social and cultural norms, practices and structures that shape and are shaped by gender inequality
- GBVH is a societal problem requiring a societal response: the culture and environments of places where it occurs need to change in order to prevent it.
- Identifying and addressing systemic and structural risk factors is necessary to prevent and address GBVH in the world of work

ILO Convention 190 Covers All Workers

The Convention protects:

- formal and informal workers
- **any** contractual status
- trainees
- interns
- apprentices
- volunteers
- jobseekers
- job applicants
- workers whose employment has been terminated

ILO C190 covers the “World of Work”

Recognizing Changing Nature of Where and How Work is Conducted

C190 covers:

- Public and private spaces where they are a place of work
- Where workers are paid, take a rest break or meal or use sanitary, washing or changing facilities
- During work-related trips, travel, training, events or social activities
- Through work-related communications
- Employer-provided accommodations and
- Commuting to and from work

ILO C190 Recognizes the Impact of Domestic Violence on the World of Work

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. As a result, governments, employers and worker organizations should take appropriate measures to mitigate the impact of domestic violence in the world of work including:

- leave from work for victims of domestic violence;
- flexible work arrangements and protection for victims of domestic violence;
- temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences;
- the inclusion of domestic violence in workplace risk assessments;
- a referral system to public mitigation measures for domestic violence, where they exist; and
- awareness-raising about the effects of domestic violence.


(Art. 10(f), ILO C190; Recommendation 206, Para. 18)

ILO C190 in the U.S.

- California, Connecticut, Delaware, DC, Illinois, Louisiana, Maryland, Nevada, New Jersey, New York, Vermont, Virginia, and Washington state now require employers to provide anti-sexual harassment training
- California, Colorado, DC, Maryland, New York, Vermont have expanded definition of sexual harassment
- Delaware has expanded coverage of sexual harassment laws to include unpaid interns, apprentices, DC expanded coverage to independent contractors, Illinois expanded coverage to include consultants and contractors, Maryland expanded coverage to independent contractors, New York expanded coverage to subcontractors, vendors, consultants, South Dakota expanded coverage to interns, Vermont expanded coverage to independent contractors, volunteers and interns, Virginia expanded coverage to domestic workers,

Employment Protections for Survivors of Domestic Violence

- 17 states have passed laws requiring private employers to provide paid safe leave to survivors of domestic violence, sexual assault and/or stalking
- California, Connecticut, Delaware, Hawaii, Illinois, Nevada, New Hampshire, New York, Oregon, Vermont, Washington State, Washington, DC, and PR have laws that prohibit **discrimination against employees who are survivors** of domestic violence, sexual assault
- California, Delaware, Hawaii, Illinois, Missouri, Nevada, New York, Oregon, Washington State, Puerto Rico and Washington, DC require employers to provide employees who identify as survivors of domestic and/or sexual violence reasonable accommodations at work to ensure their safety.



THANK YOU!!