



International
Labour
Organization

► Safe and healthy working environments free from violence and harassment

The report at a glance



- ▶ In June 2019, the Centenary Conference of the ILO adopted the Violence and Harassment Convention, 2019 (No. 190), and its accompanying Recommendation (No. 206).

The new standards recognize the right of everyone to a world of work free from violence and harassment and set out a clear and common framework to prevent and address violence and harassment, based on an inclusive, integrated and gender-responsive approach.

These landmark instruments add to the number of International Labour Standards already adopted by the ILO to protect workers' physical and mental health. These include: the Occupational Safety and Health Convention, 1981 (No. 155), its accompanying Recommendation (No. 164) and the Protocol of 2002 (No. 155); the Occupational Health Services Convention, 1985 (No. 161) and its accompanying Recommendation (No. 171); the List of Occupational Diseases Recommendation, 2002 (No. 194); and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187) and its accompanying Recommendation (No. 197). Even if not specifically mentioned in these instruments, violence and harassment constitutes an obvious occupational safety and health (OSH) risk.



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► What is violence and harassment in the world of work?

Convention No. 190 defines 'violence and harassment' in the world of work as 'a range of unacceptable behaviours, 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' (Article 1(a)).¹

Violence and harassment in the world of work can be **physical** (e.g., physical attacks, beating, kicking, slapping, shooting, pushing, biting, etc.), **psychological** (e.g., verbal abuse, mobbing, bullying and cyberbullying; psychological harassment at work particularly can include manipulating a person's reputation,

isolating a person, withholding information, slandering and ridiculing, devaluing rights and opinions, setting impossible goals and deadlines, underutilizing talent, etc.), and/or **sexual** (e.g., sexual assaults, sexual blackmail, sexual advances, sex-based comments, disparaging remarks about the sex of the target, innuendos, the display of sexually suggestive or explicit material, etc.).

Violence and harassment at work can be perpetrated between co-workers (**horizontal violence**), between supervisors and subordinates (**vertical violence**), or by clients/customers/patients (**third party violence**).

¹ This definition applies to violence and harassment 'occurring in the course of, linked with or arising out of work: (a) in the workplace, including public and private spaces, where they are a place of work; (b) in places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities; (c), during work-related trips, travel, training, events or social activities; (d) through work-related communications...; (e), in employer-provided accommodation, and; (f) when commuting to and from work' (Article 3).

► What are the causes?

Violence and harassment in the world of work can be induced by a number of individual, social and work-related factors (including psychosocial hazards, workplace culture, particular working situations, etc.).

Examples of **psychosocial hazards** that may contribute to the risk of workplace violence and harassment include:

- **Job demands** (e.g., assignments are not matched to the individuals' knowledge and abilities);
- **Job control** (e.g., individuals have little or no say in how to perform their job);
- **Task design** (e.g., repetitive or monotonous work)
- **Role clarity** (e.g. individuals' work responsibilities, duties and authority are unclear);
- **Workplace relationships** (e.g., inappropriate criticism; exclusion; lack of support from supervisors and/or colleagues; lack of feedback and communication);
- **Leadership styles** (e.g. autocratic leadership with limited workers' involvement in decision-making; laissez-faire leadership with poor supervision and little or no guidance to workers);
- **Organizational justice** (e.g., lack or inconsistent application of workplace policies and procedures, including on career advancement and recruitment; unfairness in decision-making);
- **Organizational change management** (e.g., organizational restructuring/ downsizing; changes in technologies, work methods and /or work organization; outsourcing);
- **Physical working environment** (e.g., design and maintenance of work equipment and facilities).

Discrimination interacts with psychosocial risks, and has an impact on violence and harassment in the world of work. It may be based on on a number of real or perceived differences, such as – but not limited to – race, colour, sex and gender, religion, political opinion, national extraction or social origin, pregnancy or family responsibilities, age, disability, real or perceived HIV status, migration and indigenous or tribal peoples' status

Women may face a higher risk of work-related violence and harassment than men. In particular, certain groups of women tend to be more vulnerable to sexual violence and harassment, notably girls and young women, domestic workers, women with limited job security, migrant women and women in male-dominated occupations, and, more generally, in situations where large numbers of women are supervised by a small number of men.

The risk of violence and harassment can also increase in a **workplace culture** where there is a '**normalization**' of violence and harassment (violence and harassment occurs so frequently that it comes to be seen as a normal, or unquestioned, part of daily work, such as passengers verbally abusing bus drivers, customers sexually harassing waitresses, etc.), **discrimination and bullying behaviours are not challenged**; and/or **alcohol or drug abuse is tolerated**.

Finally, there are **working situations** common to a number of occupations that tend to increase the risk of violence and harassment at work, especially in relation to third parties. These include working alone, working in **contact with the public**, working with **people in distress**, working with **valuables and cash handling**, and working in **isolated or remote locations**, at **evening and/or night**.

► **Violence and harassment in the world of work during the Covid-19 pandemic**

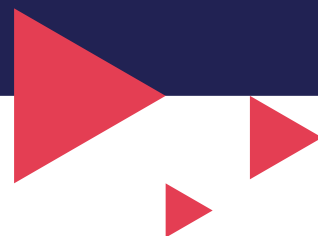
During a health crisis, violence and harassment (both physical and psychological) can rise, in addition to an increase in social stigma and discrimination.

For instance, in the course of the COVID19- outbreak, social stigma and discriminatory behaviours were found against people of certain ethnic backgrounds and nationalities and anyone perceived to have been in contact with the virus.

The higher mortality rate associated with epidemics, the distress coupled with uncertainty about symptoms, the unavailability of test kits and the absence of vaccines and treatments, can lead to acts of violence against healthcare professionals and others who directly care for patients and their families.

Restrictive measures against citizens' mobility, together with the shortage of necessary items, can result in backlash against staff assigned to enforce these measures (i.e., police officers) or staff involved in the sale and transport of essential goods.

Furthermore, when distancing and confinement measures are put in place and people are asked to work from home, the risk of domestic violence is likely to increase. As women in abusive relationships spend more time in close contact with violent family members and families cope with additional stress and potential economic or job losses, the likelihood that they are exposed to domestic violence increases.



► What is the impact?

Violence and harassment may affect the **victims'** physical and mental health, well-being, dignity, self-esteem and work situation. They may suffer a range of mental health injuries and problems (including fear, sadness, shame, powerlessness, anger, helplessness, chronic fatigue, despair, anxiety, depression, sleep problems, post-traumatic stress syndrome (PTSD) and increased suicide risk), as well as physical disorders (such as decreased physical strength, musculoskeletal disorders and a heightened risk of cardiovascular disease).

Workplace violence and harassment can also have detrimental effects on the mental health and well-being of other individuals, not personally victimized, such as **witnesses**,

colleagues, patients and clients, as well as victims' family members and friends.

The associated costs to **organizations** are related to workers' absenteeism; higher staff turnover; increases in recruitment, onboarding and training costs; reduced morale, performance and productivity; damaged reputation; increased insurance premiums; etc.

Violence and harassment at the workplace may also have consequences for **society** as a whole, in terms of costs related to medical consultations, treatment and/or rehabilitation, as well as expenditure for social welfare/benefits due to premature retirement.



► How to address the issue through national OSH frameworks?

Convention No. 190 requires governments to adopt an **inclusive, integrated and gender-responsive approach with a view to preventing** and eliminating violence and harassment in the world of work, in consultation with representative employers' and workers' organizations. According to Article 4, the key elements that should be included are the following:

- Prohibiting in **law** violence and harassment;
- Ensuring that relevant **policies** address violence and harassment
- Adopting a comprehensive **strategy** in order to implement measures to prevent and combat violence and harassment;
- Establishing or strengthening **enforcement and monitoring** mechanisms;
- Ensuring access to **remedies and support** for victims;
- Providing for **sanctions**;
- Developing tools, guidance, education and training, and raising awareness, in accessible formats as appropriate; and
- Ensuring effective means of **inspection and investigation** of cases of violence and harassment, including through labour inspectorates or other competent bodies.

Measures and initiatives to address violence and harassment in the world of work should be integrated into the **national OSH framework** (including OSH laws, policies, strategies and programmes). Such a framework should aim at protecting workers' physical and mental health and well-being and should focus on the prevention, management and remedy of all work-related risks, including psychosocial risks and workplace violence and harassment.

The **OSH laws** of a number of countries stipulate that employers must protect both the physical and mental health of their workers at the workplace. Many countries explicitly require employers to undertake preventive measures in relation to psychosocial risks, sometimes specifying commonly recognized forms of violence, such as psychological, physical and sexual violence. While many countries establish only a general duty to take preventive measures, other countries indicate precisely which measures employers must adopt to ensure the health and safety of their workers.

► Some examples of laws addressing workplace violence and harassment

Belgium: The Act on the well-being of workers of 4 August 1996

The Act requires employers to conduct a risk assessment and to take the necessary preventive measures concerning situations that can lead to psychosocial risks, stress, violence, moral and sexual harassment (article 2/32). The minimum preventive measures to be taken by the employer to avoid the occurrence of violence, “moral” and sexual harassment at work include: adopting material and organizational measures; taking specific measures to protect workers who come into contact with persons other than the employer and other workers (third parties); informing and training workers; informing the committee for prevention and protection at work (article 32quater).

Under article 2/32, a worker who has suffered violence, moral or sexual harassment at work can ask for an informal psychosocial intervention to the confidential counsellor or to the prevention advisor (informally consisting of looking for a solution through interviews or an intervention with a third party or conciliation), or a formal psychosocial intervention to the prevention advisor (asking the employer to take the appropriate collective and individual measures, following the analysis of the applicant’s work situation and the measures suggested by this prevention advisor).

Canada: Occupational Health and Safety Regulations

According to the regulations, the employer shall develop and post at a place that is accessible to all employees a work place violence prevention policy setting out, among other things, the obligations of the employer, which include the following: (a) to provide a safe, healthy and violence-free work place; (b) to dedicate sufficient attention, resources and time to address factors that contribute to work place violence including, but not limited to, bullying, teasing, and abusive and other aggressive behaviour and to prevent and protect against it; (c) to communicate to its employees information in its possession about factors contributing to work place violence; and (d) to assist employees who have been exposed to work place violence (section 1) 20.3)).

Furthermore, employers shall identify all factors that contribute to work place violence (section 20.4) and assess the potential for work place violence accordingly (section 20.5).

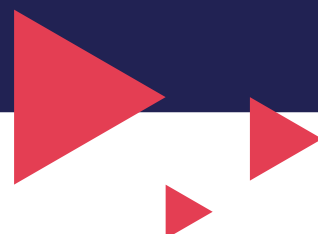
Colombia: Law on sexual and other forms of harassment within the framework of labour relations (Law 1010 of 23 January 2006)

The law provides for the adoption of preventive and corrective measures to address workplace harassment. In particular, workplace regulations must provide for mechanisms for the prevention of harassment and the establishment of internal, confidential, conciliatory and effective procedure to deal with cases of harassment (Article 9).

Sweden: Violence and Menaces in the Working Environment (AFS 1993:2), Ordinance of the Swedish National Board of Occupational Safety and Health

These provisions complement the Work Environment Ordinance of 1977. They require employers to investigate the risks of violence or threat of violence which may exist in the work and take appropriate measures (section 2). Employees shall have sufficient training and information and receive sufficient instructions to be able to do their work safely and with adequate security (section 4); in work where there is a risk of recurrent violence or threats of violence, employees shall receive special support and guidance (section 5).

When cases of violence or threats of violence have occurred, such incidents shall be recorded and investigated (section 10) and assistance and support shall be given to the victims for the prevention or alleviation of both physical and mental injury (section 11).



► How to make use of OSH mechanisms at the workplace level?

Convention No. 190 proposes a number of **preventive measures** that should be implemented at workplace level to prevent violence and harassment.

Adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment.

Such a policy could be integrated into a broader workplace OSH and health promotion policy aimed at protecting workers' physical and mental health and well-being. It should clearly state that violence and harassment will not be tolerated. Key elements mentioned might include: violence and harassment prevention programmes; rights and responsibilities of workers and employers; information on complaints and investigation procedures; right to privacy of individuals and confidentiality; provisions about the due consideration and action granted to all communications related to incidents of violence and harassment. To be effective, the policy should be communicated and promoted, easily accessible and consistently applied.

Take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health.

OSH management systems (OSH-MS) include a set of actions and processes that establish, monitor and evaluate the organization's efforts to keep workers safe and healthy, and comply with national laws. Some specific guidance and standards have been developed to integrate psychosocial hazards and risks (including those related to violence and harassment) into OSH-MS and risk assessment processes.

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.

Employers should analyse the physical layout and organizational characteristics of the workplace to detect those features that are likely to enhance the probability of violence and harassment. They can gather relevant information by conducting workplace surveys;² consulting existing records (previous workplace inspection reports; accidents reports; workers' compensation claims; sick leave and staff turnover registers; performance measures and schemes; etc.); and contacting similar local businesses, employers' organizations and trade associations to learn about the susceptibility to violence in the industry and identify trends.

Once hazards have been identified and the associated risks assessed, employers should adopt appropriate measures to prevent violence and harassment. Both environmental and organizational measures should be considered. For example, locks and alarms together with proper emergency procedures, adequate training and support mechanisms may be effective to deal with third party violence. Examples of organizational measures that might be implemented to prevent psychological harassment include: encouraging teamwork and cooperation; providing appropriate resources, information and training to execute the job effectively and safely; clearly defining individual job requirements, responsibilities and workload; and ensuring transparent communication.

² **There are a number of questionnaires to measure bullying at work, which include:** the Negative Acts Questionnaire (NAQ-R); the Impact of Event Scale (IES); the Leymann Inventory of Psychological Terror (LIPT); the Danish Copenhagen Psychosocial Questionnaire (COPSOQ) – which has been adapted and translated in a number of countries (including Belgium, Brazil, Chile, Norway, Spain and Sweden); and the Inventory of Violence and Psychological Harassment (IVAPT) – which has been adapted to the national context, validated and widely used in many Latin American countries and Japan.

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, including on the rights and responsibilities of workers and other persons concerned in relation to the policy.

Training programmes should be tailored to the specific needs of the target audience (workers, workers' OSH representatives, members of joint OSH committees, supervisors, managers, etc.) and be relevant to their workplace.

When cases of violence and harassment do occur, there should be appropriate measures to respond and minimize the effects. Convention No. 190 calls for the following steps to be taken, among others:

- ▶ Ensure easy access to appropriate and effective remedies and safe, fair and effective reporting and dispute resolution mechanisms and procedures;
- ▶ Protect the privacy of those individuals involved and confidentiality, to the extent possible and as appropriate, and ensure that requirements for privacy and confidentiality are not misused;
- ▶ Provide for sanctions, where appropriate;

Ensure that workers have the right to remove themselves from a work situation which they have reasonable justification to believe presents an imminent and serious danger to life, health or safety due to violence and harassment, without suffering retaliation or other undue consequences, and the duty to inform management.



► What can be done to end violence and harassment in the world of work?

Creating safe and healthy working environments free from violence and harassment requires the joint efforts of a number of actors.

Governments, in collaboration with the social partners, should address workplace violence and harassment in national OSH policies, strategies and laws, and put in place effective measures to combat it. If they have not already ratified Convention No. 190, they can take steps to do so.

The social partners may adopt collective agreements to address violence and harassment in the world of work and provide guidance to their members on ways to prevent this situation.. They can also collect data on the prevalence and trends of violence and harassment (including with a sectoral approach).

Labour inspectorates should cover violence and harassment in the world of work as part of their mandate. They should investigate any complaints and advise employers and workers on the adoption of appropriate measures to prevent and/or respond to violence and harassment.

Employers are responsible for ensuring a safe and healthy working environment. They should integrate violence and harassment in the workplace OSH management system, where it exists. This includes adopting a comprehensive workplace OSH policy and programme, conducting inclusive risk assessments, and providing appropriate information and training.

Workers should cooperate in the implementation of this enhanced OSH management system. Workers and their representatives can act as whistleblowers if they observe, or are informed by a worker, that there has been a violation of the right to physical or mental health in the organization.

Workers' OSH representatives should consult with workers and discuss the issue of violence and harassment at work to increase awareness of the issue. They can conduct surveys to see if it is a problem at their workplace. They can encourage the reporting of all incidents of violence and harassment and support workers through the complaints process. OSH representatives can also consult with employers to ensure that appropriate measures are taken to prevent violence and harassment, and that adequate training, information and instruction are given.

Joint OSH committees may be established at the workplace to ensure cooperation between workers and employers. Policy development may be a task for the joint OSH committee, together with the design of OSH measures and procedures – including those for preventing, reporting and responding to workplace violence.

OSH practitioners are specialized professionals who can provide advice to employers for ensuring the safety and health of all workers within an organization, including by helping prevent and eliminate violence and harassment at work. They can help employers, managers, workers and OSH representatives understand that the management of OSH and associated risks needs to be an integral part of everyday work – and built into business planning and practices. OSH practitioners can facilitate engagement and influence positive change by supporting leaders to commit to safety and health and to embrace new ideas, including by preparing reports and providing strategic advice into workplace programmes to manage OSH and violence and harassment in the world of work.

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