

Risks of gender-based violence and harassment:

union responses in the **mining**, **garments** and **electronics** sectors

Jane Pillinger
(with Nora Wintour)
15 March, 2022

#GBV



**FRIEDRICH
EBERT** 
STIFTUNG





TABLE OF CONTENTS

CHAPTER 2: GBVH IN THE ICT, ELECTRICAL AND ELECTRONICS SECTOR	2
2.1 INTRODUCTION	2
2.2 EXTENT OF GBVH IN THE ICT, ELECTRICAL AND ELECTRONICS SECTOR	2
2.3 RISKS OF GBVH IN THE ICT, ELECTRICAL AND ELECTRONICS SECTOR	4
2.4 THE ROLE OF UNIONS AND WOMEN'S LEADERSHIP	7
2.5 DOMESTIC VIOLENCE: UNION ROLES AND SUPPORT	8
2.6 GOOD PRACTICES IN ENDING GBVH	9
2.7 THE ROLE OF ILO VIOLENCE AND HARASSMENT CONVENTION No 190	13
2.8 RECOMMENDATIONS MADE BY UNIONS IN THE ICT, ELECTRICAL AND ELECTRONICS SECTOR	13

Chapter 2: GBVH in the ICT, Electrical and Electronics Sector

2.1 Introduction

This chapter documents the findings from the individual and group interviews held with 22 union leaders and representatives in the electronics sector, in Indonesia (FSPMI factory-based unions: PT. Yamaha, PT. Omron & PT. Epson, and LOMENIK factory union: PT. Kemet Electronics); India (SMEFI, SEM Pune, Ever Electrics Pune union, Siemens Kalwa Unit union, Siemens Goa Unit union); Japan (JEIU, JC Metal, Hitachi Workers Union, Murata Manufacturing Workers Union); and Brazil (Confederação Nacional dos Metalúrgicos da CUT and two affiliated factory-based unions).

2.2 Extent of GBVH in the ICT, electrical and electronics sector

Evidence of GBVH in the world of work

There is limited data on GBVH in the Information, Communications and Technology (ICT), electrical and electronics sector. IndustriALL's gender equality survey, carried out in October 2021, in the ICT, electrical and electronics sector¹ revealed that 48% of worksites had reported cases of GBVH; 41% had a CBA or a workplace policy that included clauses on GBV, and 63% had carried out measures in their unions to address GBVH such as workplace negotiations (44%), campaigns (26%) and supporting and representing women (15%). Only 30% of unions had an internal union policy on GBVH. Overall the survey noted significant gender inequalities, occupational segregation, precarious work, and women's lower representation in decision-making and leadership positions in the workplace and in unions.

Women workers represent a large share of the labour force in global electronics supply chains, particularly in the assembly of small components. These jobs are often in large factories in special economic zones; many women workers are young and migrant workers in precarious and insecure work. An estimated two-thirds of female workers are in temporary, contractual or indirect wage employment (ILO 2015). Young women are often hired for assembly line jobs because they are less likely to make complaints and stand up for their rights (Good Electronics 2017). The electronics sector is characterised by fluctuating orders, "just in time" production and short product cycles. This results in a high level of temporary and agency work, and high levels of overtime. Poor working conditions, involuntary overtime, insufficient rest/time off and exposure to toxic chemicals, put women at risk of GBVH. Risks from toxic chemicals leading to birth defects and miscarriage - a form of GBVH - have been reported across the electronics industry (van der Velden, M. 2019, Electronics Watch/LIPS 2018). In the monitoring of Samsung factories in Indonesia, the NGO Sedane Labour Resource Center (LIPS 2017) identified problems faced by assembly line workers resulting from excessive production targets, precarious work and exposure to toxins.

Voices of women workers: experiences of GBVH

Interviews with union representatives revealed frequent verbal and non-verbal harassment, and inappropriate touching of women's bodies. Some women are disproportionately affected, particularly young women, migrant women, women single parents and women on precarious contracts. One woman interviewed in Indonesia spoke of a male worker exposing himself in the workplace. Another woman from a unionised factory in India said that GBVH was not a problem in her factory, but it had been in her former non-unionised factory:

The boss used to pressure the women and he used abusive language and there was no representative to report to – if they report they would be harassed further. (Women union leader, India).

A further problem, cited by women union leaders in India, is that many workers are not aware they are experiencing sexual harassment:

Many workers are not aware; they think that physical abuse [sexual assault] is sexual harassment. It has been important to help them understand that it can be psychological and we have programmes in the union on awareness. (Sanjyot Vadhavkar, National Secretary, SMEFI, India)

A factory union leader from the Confederação Nacional dos Metalúrgicos da CUT (CNM-CUT) explained the disrespectful way that women are treated:

[The male supervisors] are always making so-called jokes about women's clothes and bodies and laughing at our expense. They make women feel uncomfortable and some of the younger women are reduced to tears...There are few women in supervisory positions and promotions are often dependent on women going along with the men and accepting this kind of sexual banter.

In Japan, where women represent around 30% of workers in the electronics sector, power harassment (workplace bullying) is the most frequently reported form of harassment at work. Women leaders speak about inappropriate verbal comments and touching being commonplace. Often women are not aware that this behaviour is sexual harassment, and as one woman union leader said, "it happens all the time at an everyday level" (Union leader, Japan). Several union leaders reported in the interviews that "minor forms" of sexual harassment at work and when commuting on public transport are common in Japan. Part of the problem is that men still see women as inferior and gender inequalities and social norms are closely connected to women's care roles. This also impacts on fathers who may want to take care leave:

We get some complaints such as sexual harassment, or harassment related to maternity leave or related to childbirth/childrearing. There are problems at many levels such as when they have to go home early to care for children, or take maternity leave – when men want to take paternity leave there is verbal abuse preventing men from taking the leave. (Union leader, Japan)

In one large electronics company, women and men work on assembly lines to manufacture electronics components. The factory operates on a 24/7 basis and both women and men work shifts. Women represent nearly 30% of employees, largely in assembly line positions, with only around 2% in senior or managerial positions. Generally, it is assumed that women will carry out lighter work than men, especially during pregnancy. The union wants to ensure that women have the same opportunities as men, and discussions are being held about how to strengthen measures to enable men to take care leave and to end the culture that views men as the primary wage earner who "brings home the bacon". As one union leader said:

This culture devalues women's roles and work and underpins a culture of sexual harassment. Some changes are evident amongst younger men who want to play a greater role in the family.

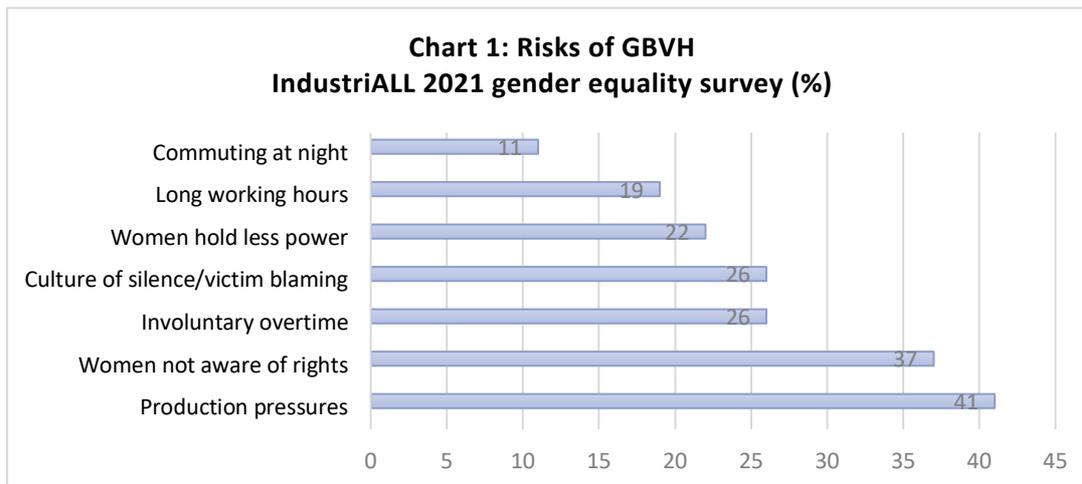
Japanese companies operate under a pro-active legal framework on ending violence and harassment at workⁱⁱ, while company programmes put value on diversity and inclusion. As one union leader explained, sexual harassment is still not addressed as a serious issue:

GBVH is an important issue, we have legislation in place that means it is an employer's responsibility to address the problem. However, gender bias and a culture of male dominance in Japan mean that in reality sexual harassment is often not addressed as a problem in the workplace... Despite this reality, younger workers are demanding change,

and along with the #MeToo movement and some high-profile cases in Japan, there is much better awareness of the problem

2.3 Risks of GBVH in the ICT, electrical and electronics sector

Multiple risks of GBVH are evident in the sector, and these have all increased with the Covid-19 pandemic. IndustriALL's 2021 gender equality survey in the ICT, electrical and electronics sector reported on a variety of risks leading to GBVH. As Chart 1 shows, the most frequently reported risk is production pressures, reported by 41% of unions, followed by women not being aware of their rights (37%), involuntary overtime (26%) and a culture of silence and victim blaming (26%). Other risks were reported of women holding less power, long working hours and commuting at night.



Risks associated with excessive production targets in the supply chain

Excessive production targets not only lead to a culture of verbal abuse, but they lead to women being denied access to toilet facilities, which in turn affects women's urinary and reproductive health.ⁱⁱⁱ In the interviews, women argued that risks of GBVH were heightened when production targets were too high, confirming the findings from the IndustriALL's 2021 survey. This creates a work environment where verbal abuse and sexual harassment are used to increase productivity, as explained by one union leader:

...in the electronics assembly work, risks of verbal abuse can occur when there is stress at work. Workers are prepared to work hard to reach production targets and work closely with management to reach these targets. Production targets have increased during the COVID-19 pandemic, and these higher targets can result in much greater stress and work pressure, which can lead to verbal abuse.

At factory level, a trade union leader from the FSPMI in Indonesia spoke of the problems of production pressures in her factory, resulting in increased levels of verbal harassment and not allowing women to access toilets:

It is mainly verbal harassment in the factory...when there are production pressures...in one hour when they have to produce 2400 pieces, this is where the pressure happens [and the] discrimination starts such as not allowing women to go to the toilet, this is harming women. (Union representative, Indonesia)

Similarly, in India, similar problems arise when there are tight production targets:

When it comes to discipline they are strict [in meeting production targets]. Sometimes in the guise of discipline they are harassed, such as not being able to go to the toilet. (Union representative, India)

While production pressures are routine and women are harassed to complete orders and work longer hours, unionised factories in India have attempted to mitigate these impacts, for example, by ensuring overtime is voluntary: “It is our choice and we can say no to the request to do overtime”. (Union representative, India).

Risks from employment insecurity and low wages

Many of the union leaders and representatives interviewed were from factories where women carry out repetitive assembly work, in low paid and insecure jobs. Where the workforce is predominantly female and contracts are precarious, risks of GBVH are high.

In Manaus, Brazil, the electronics sector is female-dominated and women generally work in assembling circuit boards. The majority are on temporary contracts and employed indirectly through agencies. In India, labour law reforms and a culture of hire and fire have impacted most workers who are contract workers assembling small parts, often working long hours, and facing significant risks of sexual harassment. The situation has become worse with the Covid-19 pandemic, when employment insecurity increased:

Women workers are mostly those affected by reduced wages and allowances...and with Covid there are new challenges in securing employment for workers. The jobs that go first are women’s jobs. There are layers of impact that make them more vulnerable – less security, less rights – who will complain about sexual harassment? The employer can at any time fire them without any recourse (Sanjyot Vadhavkar, National Secretary, SMEFI, India)

In some factories women have experienced sexual harassment and assault because facilities available to them have been reduced, such as no longer having separate toilets from men. In one factory in India only 126 of the 1500 workers were on a permanent contract. Contracts usually last for 6 months and there is constant workforce turnover. “Most permanent workers are with the union and have all of the protections of the job and the union. They are in a better situation.” (Union representative and Women’s Committee member, India)

In Japan, these risks mainly occur where jobs are outsourced and there is no protection from the union:

Many operations done by women in the past have been outsourced. Some of these women are still organised through the company, such as outsourced dispatched engineers, but many are not organised. (Union leader, Japan)

Risk of unsafe travel to and from work

Long hours, involuntary overtime and unpredictable shift work mean women often have to travel home in the dark. Women spoke of risks they faced travelling to and from work on both public transport and sometimes in company transport. Women frequently put in place their own safety strategies, such as travelling with a colleague or carrying pepper spray. In Japan, commuting at busy times brings risks of sexual harassment:

Many women have spoken about the everyday reality of travel commuting on public transport that includes inappropriate touching, sexualised verbal abuse, jokes and sexual innuendo, and men reading pornography on public transport. (Union leader, Japan)

According to one union leader in India, some unions have taught women how to be strong and stand up to harassers. Another safety measure is the provision of shuttle buses for workers, introduced in some factories in India and Indonesia. In the IT sector in India, women engineers were provided with a car service by their employer following several reports of rape committed against women taking taxis at night:

So they discussed it with the union and said you can't expect women to work at night if they can't be safe. The employer started taking precautions about checks on taxi drivers. (Sanjot Vadhavkar, National Secretary, SMEFI, India)

Indian women workers report some of the biggest risks to their safety, where sexual harassment and inappropriate touching on public transport occurs during busy commuting times. Many remain silent about this daily reality.

They don't want it to come out on social media, they don't talk about it as their husbands will be cross. There are compartments for women on trains, so that helps. (Union representative, India).

Travelling to one factory in India takes women up to two hours on public transport. Early and late shift work brings added risks of sexual harassment and assault for women workers.

There are problems particularly for women with the early morning shift, who have to leave the house for some of them at 3.30am. There is insecurity on the buses... you won't find anyone around, the bus stop is very far from their place, even in the bus there is sexist taunting and touching... The women on the evening shift [ends at 23.15h] face daily risks of sexual harassment and sexual assault on the bus. If they can't get to work safely they can't work safely/productively. (Union representative, India).

As a result, some factories in India do not allow women to work the night shift because of safety issues, but as one trade union leader said this just evades the problem: "Instead of making it safe for everyone [we should ask] what protection and safety will the employer give to women before we start." (Sanjot Vadhavkar, National Secretary, SMEFI, India)

Absence of complaints procedures and/or lack of trust in complaints mechanisms

Significant additional risks arise because of the absence of workplace policies and procedures, and/or a lack of trust in complaints procedures. Fears of reporting are closely linked to employment insecurity and many women know that they will not be taken seriously. Most interviewees said that women do not want to report GBVH, as one union leader in Indonesia said women find it embarrassing and they put up with it. Furthermore, a culture of victim blaming stops women from reporting. In Brazil, complaints procedures are not included in company policies, making it difficult for workers to make complaints. One woman union leader in an electronics factory in São Carlos in São Paulo State, Brazil made it clear that "Women do not make complaints because they fear they will lose their jobs". The absence of an enabling legal framework is a further barrier:

At the moment it is very difficult to present a complaint for moral or sexual harassment because under the existing legislation you have to provide evidence that everything you claim took place. So you need people who are willing to give evidence and act as a witness. So it is very difficult even if the harassment is taking place openly in the workplace. Women fear they will lose their job even though they recognise it might help to stop the abuse of other women in the future. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil)

A problem exists because women who have been victimised rarely have proof. In India, where independent complaints committees are required under the law, there is still a lack of trust. With

the burden of proof resting on the complainant, security cameras are seen as one way to protect workers. However, unions say that the cameras are used inappropriately for the surveillance of workers and union reps:

They have to have the proof. There are some places where they can't be caught on camera. Security cameras don't always work. If they find woman alone this is where it can happen. They use cameras as a means of revenge to target the union members and union leaders and to monitor their performance – it is not for the security of the workers but surveillance of workers/union. (Union representative, India)

Risks related to gender inequalities and discrimination

Gender inequalities, male dominance and privilege, and a low level of awareness of GBVH, are reasons cited for additional risks in the electronics sector. In Brazil, deeply engrained gender stereotypes impact on women's work in the electronics sector, where work is very repetitive and involves painstaking precision and working at a very fast pace, so women suffer from repetitive strain injuries and many other work-related problems. As it is a female-dominated sector:

It is said that women are naturally gifted with these skills but it is a way of discrediting the quality of women's work in order to pay women less. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil).

However, in some workplaces women are in the minority and it has been harder to get sexual harassment taken seriously, as is the case in a male-dominated workplace in India:

It is a male-dominated environment, initially there were many problems as we were small in numbers. Slowly they have changed and they – the men and the union - gradually responded to our problems and they are more respectful now. (Union representative, India)

2.4 The role of unions and women's leadership

There is no doubt that the presence and role of women in unions in the ICT, electrical and electronics sector has made a huge difference to women workers' perception of the role of unions and in speaking out about GBVH. Consultations with women workers, listening to their experiences and encouraging them to make complaints, have all proven to be very important. Organising women and youth has helped to transform unions, and there are now more women leaders who give priority to GBVH in their work, building trust and opening up spaces for women to confidentially talk about GBVH. Some unions spoke of the positive impact of the IndustriALL Pledge in helping them to progress this work.

Women leaders have carried out training and awareness-raising programmes, discussion groups and have found creative ways to engage with women workers in building trust and breaking the silence on GBVH. However, participating in the union is not always easy, particularly when women have family responsibilities. The vital importance of women's leadership to eliminating GBVH is summed up by two women leaders at factory level in Indonesia and India.

Women's union participation is important, we encourage women members to attend the meetings with management, we want to make sure women speak up...Having women in the union, they can listen, they can be more open if they have union reps that are women. But it can be very difficult for women to participate in the union. (Union leader, Indonesia)

Having the union has helped our working conditions, in the absence of the union our life would have not been so rosy. The union has been very important. (Union leader, India).

Women's trade union networks have helped to provide information, training and support for women workers. For example, CNM, Brazil:

...has created women's networks in different States to promote exchange, communications and mutual support for women workers. There are also WhatsApp groups and telephone support lines so women feel a bit more protected and safe as a result of the support of the trade union. We have held meetings about gender issues including the question of combating violence [and] the union also offers training courses for women to learn how to negotiate. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil)

Internal union policies

Several women union leaders spoke about the importance of internal union policies to address GBVH. As a woman leader from Japan argued:

Although #MeToo gave a lot of public attention to the problem of sexual harassment, it didn't really have a concrete impact in companies, workplaces and trade unions. It needs to be taken up inside of trade unions as well.

A women trade union leader from CNM Brazil spoke of the resistance she had faced from male union colleagues. She spoke about how women assembly line workers were often blocked from promotion and sexual harassment was a frequent occurrence. Although she has seen some change in attitudes there are still big challenges in the trade union movement:

We still need some very big changes in the trade union movement. Women still face harassment, both sexually and morally, within the union from male colleagues who can behave in a gross manner. Often women are invited to participate in a meeting in the union but when they arrive they find the treatment is quite different. We need some radical changes in our structures so that they are open for both men and women and we need to create unions that are more humane and respectful. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil)

2.5 Domestic violence: union roles and support

Union representatives spoke about their roles in giving support to survivors of domestic violence, albeit a new issue for many unions who had traditionally viewed domestic violence as a private family matter. None of the unions interviewed had negotiated policies or clauses on domestic violence in their CBAs and most support was ad hoc. Women union leaders spoke about their roles in spotting the signs of domestic violence, such as stress, showing signs of injuries, arriving to work late, or taking leave. In some cases, union representatives negotiated time off or reduction in work tasks for survivors when productivity was affected. Several unions provided legal support via union lawyers. All unions highlighted an increase in domestic violence during the Covid-19 pandemic and several unions were involved in raising awareness about domestic violence and femicide.

Examples of support were given by all unions interviewed. Two examples are given below from Indonesia and India:

If someone comes to us for help, we will definitely help them. The union communicates with HR and they discuss what can be done to address any problems, particularly that might exist in performance. (Union representative, Indonesia)

[If someone discloses to the union] we tell the manager/supervisor about her problems, and HR can play a role. The union council member is also called to provide counselling and

medical support from the doctor if necessary. Women have to be supported and her experience kept confidential. (Union leader, India).

Some unions were beginning to consider what they could do, recognising the importance of union policies, negotiations, and support:

We tend to give attention to workplace issues, we don't intervene in the household in a concrete way...I would like to learn from colleagues from other unions. It is important to share this issue and experiences across the world. (Union leader, Japan)

2.6 Good practices in ending GBVH

Despite many of the problems identified above, there are some good practices in the ICT, electrical and electronics sector that show marked progress in preventing and addressing GBVH.

Company complaints mechanisms

Several good practices exist of company complaints mechanisms that have been negotiated and established with unions and a joint approach exists in handling confidential complaints. In one FSPMI-organised factory this had been a positive experience for the union:

We have an agreement with HR department so that when [there is an incident] we will deal with it confidentially, so that it doesn't expose the victim or the perpetrator. The perpetrator may be a man and his wife may be working in the factory as well. (Union representative, Indonesia)

Unions in the electronics sector have successfully negotiated several ways for workers to make complaints, either directly through the company procedure, directly to the union or via a third party complaints system. One union had negotiated a policy, which includes a contact person in every workplace from HR/admin. A further union had negotiated a policy on sexual harassment with the company and guidelines have been drawn up as part of its HR policy. A procedure for dealing with sexual harassment under the compliance committee and reference to the guidelines are included in the current CBA.

In India, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, requires factories to establish workplace Internal Complaints Committees (ICC) on sexual harassment. This has been an important basis for unions to negotiate clauses on ICCs in CBAs. Not all factories have ICCs and where they do exist, they are not always functioning effectively. The interviews with union leaders in India show that where unions exist it is more likely there is an ICC in place, that is effective in preventing sexual harassment, and it covers all workers regardless of their contractual status. In large factories, particularly where there are many women workers, unions are actively involved in the establishment and running of the committees; many organise awareness and training programmes in the factories resulting in workers' better awareness of sexual harassment.

For example, an ICC was established following negotiations with the Union in a factory, and the union takes a proactive role on the committee, in training ICC members and raising awareness amongst workers about the role of the ICC. Workers who are victims or witnesses of sexual harassment can confidentially make written or verbal complaints directly to the committee, and complaints can be made anonymously. Since the establishment of the ICC several complaints have been successfully addressed.

Not all factories have managed to achieve union representation in the ICC. Unions have argued that the ICC should be transparent about how it functions and should include workers from the shop floor, not just management. In one case a union leader noted that workers had little trust in the

committee and most women workers do not contact the ICC because it has put pressure on women to produce witnesses. In another case, management put pressure on the worker to withdraw her complaint, in an effort to protect a “high-value” employee. In a further case reported to the ICC, a worker made a complaint about being humiliated by her supervisor in front of her colleagues after she asked to go to the toilet; in this case there was a lack of understanding of what constitutes sexual harassment by committee members and how the committee should function:

The problem is that [the ICC] is dominated by the management. There should be sensitisation and everyone should know what is sexual harassment, they should know they can approach the Committee. If more workers are involved in the Committee, workers will have better trust in it. Workers should know what is appropriate and inappropriate behaviour. The workforce will have trust – they feel that it is my committee – they can then approach the committee. (Union representative, India)

Confidential external or union reporting mechanisms

In some countries, systems have also been established for reporting complaints directly to the union. This has helped unions to identify where there are risks of sexual harassment and make recommendations to management about ways to mitigate them. In Japan, some companies in the electronics sector participate in a third-party complaints system, known as the E-partner. Established in 2020, the system enables workers to make confidential complaints, which can be investigated impartially. Any sanctions or other outcomes are published by the company in order to deter future harassment and build trust with workers. Workers can call free of charge to report sexual harassment. The E-partner has no financial or other interest in the companies.

Workers don't always want to report directly to the company...this has worked well...Workers are issued with pocket-sized cards with information on how to contact the third-party to make a complaint, who in turn report back to the company anonymously about complaints that have been made. A possibility also exists for workers to report directly to the trade union, who will then follow-up with the company. (Union leader, Japan)

Some unions have established their own systems for handling complaints, either informally by encouraging workers to talk to their union reps, or through a more formal complaints system. One union in the electronics sector in Japan has a contact place where workers can make their complaints directly to the union. Another example is from a unionised factory in Indonesia:

The union handles complaints, and there is a very good relationship between union and company. If there is shouting, the company will deal with it. A procedure exists. If a worker experiences this she can approach anyone from the union, and they can approach HR. We have a WhatsApp group to discuss this. (Union representative, Indonesia)

The electronics union in Manaus, Brazil, has a radio programme called “The Voice of the Worker” (*A Voz do Trabalhador*) which is broadcast throughout the State of Amazonas every day between 5am - 7am. Workers can phone in and make complaints about working conditions and the union leaders will follow up the issue with the employers. This is one way that women can raise the issue of sexual harassment. Information has been given on the radio about domestic violence during the pandemic.

Collective bargaining

IndustriALL's 2021 gender equality survey in the ICT, electrical and electronics sector found that 41% of unions responding to the survey had a CBA and a workplace policy with measures to prevent and address GBVH; 11% of unions responding to the survey had only a CBA or only a workplace policy on GBVH. Overall, 22% had neither a CBA nor workplace policy. The most common measures negotiated on GBVH concern complaints and investigation procedures (reported by 41% of unions),

training and awareness raising for managers and workers (33%) and prevention measures through risk assessment (30%). Just over one-third (37%) of unions responding to the survey said that the agreement or policy was genuinely implemented.

The interviews with union leaders show that many unions have either negotiated clauses on GBVH in CBAs or are planning to do so. Unions cite several reasons for this increased attention, including increased awareness of the problem, larger numbers of women in union leadership and negotiating positions, greater visibility internationally because of ILO C190 and R206, and the priority given to this by IndustriALL.

Unions in Japan, India and Indonesia have negotiated company and/or factory level agreements that include procedures for addressing and preventing sexual harassment. Most of these CBAs refer to provisions for making and handling complaints and rarely go further, and cover prevention or risk assessment on sexual harassment, or measures to address domestic violence. For example, women leaders from the LOMENIK union in Indonesia cite good union-management cooperation, including in negotiating CBAs, which union representatives say has helped to build trust and has reduced levels of sexual harassment. The CBA in one unionised Indonesian factory has a clause on violence and harassment that sets out a procedure for handling complaints and specifies the role played by the union. This has helped to build trust and reporting on sexual harassment. In another factory the union representative noted that the rules are not very specific and definitions of what constitutes sexual harassment are not clear:

We have rules in place under the CBA, no one should be allowed to breach the rules in the CBA and if they do there will be sanctions. But they are not specific, but we know that this means that no one can tease, approach or make advances during the work. (Trade union representative, Indonesia)

In Japan, CBAs in the electronics sector have included clauses on GBVH, which cover power harassment and sexual harassment. In one example, a clear procedure has been established which includes the role of the union:

We asked the company to come up with the declaration and policy at the highest level, covering the role of supervisor and sanctions for perpetrators. This is highlighted in the CBA. We have training for managers and workers, and recently, we had e-learning for these matters. We start by doing an investigation of the complaint, the company has to cooperate with this. We have this system clearly identified in the CBA. (Union leader, Japan)

The current CBA in one electronics manufacturing union covers procedures on complaints and sanctions for perpetrators; in the future the union would like to see the CBA going further in addressing sex-based discrimination, the rights of transgender people, and measures to address harassment of LGBTIQ+ workers.

Unions in India have made demands to address women's issues in CBAs, such as non-discrimination and the provision of separate toilets for women. Separate toilets have been an important demand, reflecting the need for women to have privacy and because there have been complaints of sexual harassment and assault occurring there:

We have started including demands on women's issues in CBAs, and we negotiate with the management and in a few industries we have been able to get separate toilets for women ...In the State of Maharashtra, almost 60% of factories are unionised and have CBAs. Where there are larger numbers of women, we include those demands about GBVH, non-discrimination in wages for contract workers, separate toilets for women (as men are the majority in the company and employers don't want the separate expenses), and demand for training. (Sanjyot Vadavkar, National Secretary, SMEFI, India)

Despite union efforts it has been hard to get sexual harassment included in CBAs in Brazil:

In the collective agreements we do not have clauses on moral or sexual harassment. Sometimes they are presented as part of the union proposals but up until now the employers have not accepted that they be included. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil)

The role of occupational safety and health committees in preventing GBVH

Unions have a critical role to play in preventing GBVH and ensuring that it is a central part of occupational safety and health programmes, including risk assessments. Over half (59%) of the respondents to IndustriALL's 2021 gender equality survey said that they had occupational safety and health (OSH) committees with trade union representation, and 52% of the workplaces had women representatives participating in the committees. In Japan, the JEIU has compiled best practice guidelines, including OSH guidelines. One union leader in the electronics sector spoke of their involvement in the formulation of guidelines.

As a trade union we are trying to promote gender equal participation and in OSH to prevent GBV. But by raising awareness in every workplace, including unorganised ones, we can improve this awareness as a whole society, leading to better enactment of laws. (Union leader, Japan)

In Brazil, company level bipartite commissions on safety and health, known as the Comissão Interna de Prevenção de Acidentes (CIPA) have been established by law to monitor risks and identify mitigation measures, and investigate any work-related accidents to prevent their reoccurrence. The unions recognise that the CIPA have the potential to play an important role in the prevention of GBVH. The employer is required to give the CIPA members the necessary time off work and resources to carry out their duties. Because of the increase in domestic violence due to the COVID-19 pandemic, during the annual CIPA week in 2020, the union asked for discussions to be held about prevention of gender-based violence.

It is not easy to get employers to agree to have these discussions but some companies did so. These discussions can have an impact because many women lack information and feel embarrassed to ask. (Marli Melo, National Secretary for Women, CNM-CUT, Brazil)

At company level, the union is promoting better coordination between the Secretary on occupational safety and health and the Secretary for Women to ensure that the CIPAs strengthen their role in addressing GBVH. Generally, there have been positive changes, as highlighted by a woman leader of a factory union in São Paulo:

Compared to 10 years ago I think the situation is better. I think behaviour has improved and it is a bit less of a macho environment. There is more information available and we discuss the issue more, both at home and in the workplace. There are also more women in the trade union and in the CIPAs. (Union leader, Brazil)

Training of union representatives to prevent violence and harassment

One innovative way to prevent GBVH is to train union representatives to address problems on the factory floor. In Indonesia the FSPMI union has trained "field coordinators" to spot the signs of abuse that may occur because of excessive production pressures and targets. They watch what is happening on the factory floor and they prevent harassment from occurring.

We were able to educate the field coordinators and there are no such production pressures on women, workers can go to the toilet at any time – leaders and field coordinators are union representatives so that works very well. (Union representative, Indonesia)

2.7 The role of ILO Violence and Harassment Convention No 190

Several unions spoke about the greater visibility given to the issue by IndustriALL, in its campaign for the adoption and ratification of C190. Several unions also referred to the importance of the IndustriALL pledge in raising awareness and sensitising unions to GBVH, particularly amongst men in union leadership positions.

Unions have used the framework provided by C190 and R206 in a proactive manner. For example, IndustriALL affiliates in Indonesia have been very active disseminating information to workers about C190, including posters, leaflets, and T-shirts. Although some union representatives interviewed did not know about C190, several others spoke of the ways they hope to use the framework of C190 in their negotiations. Several unions have engaged in training on the issue and others are planning to do so.

The union runs training and awareness programmes, and we are also sensitising men on issues about gender equality and gender-based violence. In 2019 we started holding training programmes at plant and state levels on C190 and how to prevent sexual harassment. Men knew what are their limits and what they should not cross over, and women knew they had the right to come to the union to address their complaints. (Sanjyot Vadhavkar, National Secretary, SMEFI, India)

In Japan, unions consider that C190 would be important in reinforcing union roles in areas of occupational safety and health and in enabling survivors of domestic violence to have workplace supports.

We have labour unions in each company, we suggest that the company make efforts for this purpose. We will be involved in implementation in the workplace and hope to raise better awareness of workers, especially on the OSH approach. (Union leader, Japan)

2.8 Recommendations made by unions in the ICT, electrical and electronics sector

Union leaders made a wide range of recommendations concerning how to create greater visibility and awareness about GBVH in the sector, and how unions can take a more strategic approach to ending GBVH.

- More attention needs to be given by unions to create safe spaces for women to talk about and make complaints about sexual harassment, for example, by undertaking consultations with workers, creating GBV-free zones, and ensuring the effective implementation of company policies and CBAs.
- As the workforce in many electronics factories include both men and women, company policies and CBAs should include clauses on all forms of violence and harassment, particularly sexual harassment and LGBTIQ+ harassment, with the aim to create more dignified and less hostile workplaces for all workers.
- Unions stressed the importance of strengthening existing complaints mechanisms and in ensuring that all workplaces have joint union-employer effective and trusted complaints mechanisms.

- More visibility needs to be given to domestic violence as a workplace issue in company policies and CBAs, in ensuring provision of company supports such as paid leave and readjustments in working time and work location, and in facilitating support by union representatives.
- Training and awareness are needed about what constitutes GBVH, its linkages to gender inequalities, and how unions can negotiate clauses in CBAs and Codes of Conduct on preventing and addressing GBVH, including domestic violence. Consultations with workers and the development of model clauses and policies would be helpful for unions in this respect.
- In particular, GBVH should be recognised as a workplace hazard, and more systematically integrated into existing and new OSH policies and provisions.
- Several unions recommended, in addition to joint union-employer programmes to end GBVH, the provision of self-defence training for women, to enable women to be safe at work and when travelling on public transport.
- Many unions recommended that it is essential that women gain leadership positions in their unions, including as negotiators for CBAs, and that they are trained and supported in these roles. Women's leadership will ensure that anti-GBVH internal and external policies will be given prominence in union strategies and action.
- Compared to the other two sectors (mining and garments and textiles) covered in this report, there has been little or no systematic data collection on the prevalence and types of GBVH in the electronics sector. It is recommended that a new research study, possibly in partnership with Electronics Watch, be carried out to document the extent and types of GBVH in the electronics sector, as a basis for formulating a new set of actions to end GBVH.
- All current and future GFAs in the electronics sector^{iv} should at a minimum include a commitment to ending all forms of violence and harassment, including GBVH, and to implementing C190 in full. All suppliers should be expected to implement a Code of Conduct to prevent and address GBVH, subject to regular monitoring.

Finally, many union leaders spoke of the strategic importance of union campaigns and advocacy for the ratification of C190 and for a comprehensive national legal framework for preventing and addressing violence and harassment, including domestic violence.

ⁱ The survey covered 27 worksites in Argentina, Brazil, France, Indonesia, Japan, Malaysia, Philippines, Singapore, South Korea, Spain, Thailand, USA, Turkey and Vietnam.

ⁱⁱ Under the Comprehensive Labor Policy Promotion Act (CLPPA) (No. 24 of 2019 (Reiwa)) employers are required to have a policy to prevent harassment in the workplace. On 1 June 2020 new rules against sexual harassment and harassment related to pregnancy, childbirth, and childcare leave entered into force.

ⁱⁱⁱ Interview with Dina Septi, Good Electronics.

^{iv} See, for example, GFAs with Electrolux and Siemens, <https://www.industrial-union.org/global-framework-agreements>

References

- ActionAid. 2018. Mining in South Africa 2018: Whose Benefit and Whose Burden? Action Aid. https://www.osf.org.za/wp-content/uploads/2019/02/sar-5.3_online.pdf
- ActionAid. 2019. ActionAid Briefing paper: Sexual harassment and violence against garment workers in Bangladesh. <https://actionaid.org/publications/2019/sexual-harassment-and-violence-against-garment-workers-bangladesh>
- Asia Floor Wage Alliance (AFWA). 2020. Brands' Responsibility in COVID-19 Humanitarian Crisis: Contribute to Garment Workers' Relief: <https://asia.floorwage.org/wp-content/uploads/2020/04/Brand-SRC-forGarment-Workers-Impacted-by-COVID-19.pdf>
- Asia Floor Wage Alliance (AFWA) 2022. A Stitch in Time Saved None. How Fashion Brands Fueled Violence in the Factory and Beyond. <https://asia.floorwage.org/covid-19/>
- Asociación Colombiana de Minería (Colombia) (2020) Plan integral de la Política de Género, 4 March 2020. <https://acmineria.com.co/plan-integral-de-la-politica-de-genero/>
- Benya, A. 2013. Gendered Labour: A Challenge to Labour as a Democratizing Force. Rethinking Development and Inequality, Volume 2, Special Issue, pp 47-63.
- Benya, A. 2012. "Unions Short-Changing Women." South African Labour Bulletin 36 (3).
- Benya, A. 2017a. "Going Underground in South African Platinum Mines to Explore Women Miners' Experiences". Gender & Development, 25 (3): 509–22.
- Benya, A. 2017b. "Women of the Mines: Apartheid and Post-Apartheid Lived Realities of South African Women." Storia Delle Donne 13: 79–101.
- Better Work. 2013. Better Work Indonesia Strives to End Workplace Harassment'. Geneva, ILO.
- Better Work. 2019. Sexual harassment at work: Insights from the global garment industry. Thematic Brief. <https://betterwork.org/wp-content/uploads/2020/01/SHP-Thematic-Brief.pdf>
- Bond, A, and Quinlan, L., 2018. Indigenous Gender-Based Analysis for Informing the Canadian Minerals and Metals Plan. Native Women's Association of Canada (NWAC).
- Borino F. 2018. Piece rate pay and working conditions in the export garment and textile, ILO/IFC Better Work, December 2018. Available at <https://betterwork.org/blog/portfolio/discussion-paper-28-piece-rate-pay-and-working-conditions-in-the-export-garment-sector/>
- Borrhalho, C. 2014. Study shows that several challenges remain for women in mining', 17 January - http://www.miningweekly.com/article/study-shows-that-several-challenges-remain-for-women-in-mining-2014-01-17/rep_id:3650
- Botha, D. 2016. "Women in Mining Still Exploited and Sexually Harassed." SA Journal of Human Resource Management/SA Tydskrif Vir Menslikehulpbronbestuur, 14 (1).
- Brown, D. et al. 2014. Sexual Harassment in Garment Factories: Firm Structure, Organizational Culture and Incentive Systems. Better Work. <https://betterwork.org/global/wp-content/uploads/DP-14-final.pdf>.
- BSR (2016) HERrespect: How Business Can Make A Difference on Violence Against Women and Girls, Program Summary.
- Canadian Centre for Occupational Health and Safety Violence in the workplace. 2020. http://ccinfoweb2.ccohs.ca/legislation/documents/notes/oshleg/leg_viol.htm
- Department of Employment and Labour (South Africa). 2020. Draft Code of Good Practice on the prevention and elimination of violence and harassment in the world of work for public comment. Durban, Department of Employment and Labour.

Electronics Watch / LIPS. 2018. Regional Risk Assessment: Electronics Industry, Indonesia. Contributing organisation: LIPS, Indonesia: https://electronicswatch.org/regional-risk-assessment-electronics-industry-indonesia-december-2018_2554862.pdf

Fair Wear Foundation. 2018. Breaking the silence: Fair Wear Foundation violence and harassment prevention programme Amsterdam: Fair Wear Foundation.

FWF: <https://www.fairwear.org/wp-content/uploads/2018/03/FWF-ILO-submission-final.pdf>

GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit). 2020. Sexual and Gender-Based Violence in the Mining Sector in Africa: Evidence and Reflections from the DRC, South Africa, Tanzania & Uganda.

Global Labor Justice. 2020. Advancing gender justice on Asian Fast Fashion Supply Chains Post Covid-19. <https://globallaborjustice.org/wp-content/uploads/2020/06/Advancing-Gender-Justice-on-Asian-Fast-Fashion-Supply-Chains-Post-COVID-19-Guidance-from-ILO's-Convention-190-on-its-First-Anniversary-single-page.pdf>

Guardian 2021. <https://www.theguardian.com/global-development/2021/aug/04/workers-return-to-bangladesh-garment-factories-despite-record-covid-deaths>

Human Rights Watch, "Whoever Raises their Head Suffers the Most: Workers' Rights in Bangladesh's Garment Factories," April 2015, http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/

ILO 2021. Women in mining Towards gender equality. Geneva, ILO. https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_821061.pdf

ILO. 2015. World Employment and Social Outlook – The changing nature of jobs. Available at: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_368626.pdf

IndustriALL Global Union. 2019. Our Future, Our Union: IndustriALL Women Conference Report http://www.industrialunion.org/sites/default/files/uploads/documents/2020/women_conference_report_eng.pdf

IndustriALL. 2021. Middle East and North Africa unions campaign for ratification of ILO C190. <http://www.industrialunion.org/middle-east-and-north-africa-unions-campaign-for-ratification-of-ilo-c190>

Lin, X, L. and Brown, D. 2014. Sexual harassment in the workplace: How does it affect firm performance and profits? Better Work Discussion Paper Series: No. 16. Geneva, Better Work.

References

- ActionAid. 2018. Mining in South Africa 2018: Whose Benefit and Whose Burden? Action Aid. https://www.osf.org.za/wp-content/uploads/2019/02/sar-5.3_online.pdf
- ActionAid. 2019. ActionAid Briefing paper: Sexual harassment and violence against garment workers in Bangladesh. <https://actionaid.org/publications/2019/sexual-harassment-and-violence-against-garment-workers-bangladesh>
- Asia Floor Wage Alliance (AFWA). 2020. Brands' Responsibility in COVID-19 Humanitarian Crisis: Contribute to Garment Workers' Relief: <https://asia.floorwage.org/wp-content/uploads/2020/04/Brand-SRC-forGarment-Workers-Impacted-by-COVID-19.pdf>
- Asia Floor Wage Alliance (AFWA) 2022. A Stitch in Time Saved None. How Fashion Brands Fueled Violence in the Factory and Beyond. <https://asia.floorwage.org/covid-19/>
- Asociación Colombiana de Minería (Colombia) (2020) Plan integral de la Política de Género, 4 March 2020. <https://acmineria.com.co/plan-integral-de-la-politica-de-genero/>
- Benya, A. 2013. Gendered Labour: A Challenge to Labour as a Democratizing Force. *Rethinking Development and Inequality*, Volume 2, Special Issue, pp 47-63.
- Benya, A. 2012. "Unions Short-Changing Women." *South African Labour Bulletin* 36 (3).
- Benya, A. 2017a. "Going Underground in South African Platinum Mines to Explore Women Miners' Experiences". *Gender & Development*, 25 (3): 509–22.
- Benya, A. 2017b. "Women of the Mines: Apartheid and Post-Apartheid Lived Realities of South African Women." *Storia Delle Donne* 13: 79–101.
- Better Work. 2013. *Better Work Indonesia Strives to End Workplace Harassment'*. Geneva, ILO.
- Better Work. 2019. *Sexual harassment at work: Insights from the global garment industry. Thematic Brief.* <https://betterwork.org/wp-content/uploads/2020/01/SHP-Thematic-Brief.pdf>
- Bond, A, and Quinlan, L., 2018. *Indigenous Gender-Based Analysis for Informing the Canadian Minerals and Metals Plan.* Native Women's Association of Canada (NWAC).
- Borino F. 2018. Piece rate pay and working conditions in the export garment and textile, ILO/IFC Better Work, December 2018. Available at <https://betterwork.org/blog/portfolio/discussion-paper-28-piece-rate-pay-and-working-conditions-in-the-export-garment-sector/>
- Borralho, C. 2014. Study shows that several challenges remain for women in mining', 17 January - http://www.miningweekly.com/article/study-shows-that-several-challenges-remain-for-women-in-mining-2014-01-17/rep_id:3650
- Botha, D. 2016. "Women in Mining Still Exploited and Sexually Harassed." *SA Journal of Human Resource Management/SA Tydskrif Vir Menslikehulpbronbestuur*, 14 (1).
- Brown, D. et al. 2014. *Sexual Harassment in Garment Factories: Firm Structure, Organizational Culture and Incentive Systems.* Better Work. <https://betterwork.org/global/wp-content/uploads/DP-14-final.pdf>.
- BSR (2016) *HERrespect: How Business Can Make A Difference on Violence Against Women and Girls, Program Summary.*

Canadian Centre for Occupational Health and Safety Violence in the workplace. 2020.
http://ccinfoweb2.ccohs.ca/legislation/documents/notes/oshleg/leg_viol.htm

Department of Employment and Labour (South Africa). 2020. Draft Code of Good Practice on the prevention and elimination of violence and harassment in the world of work for public comment. Durban, Department of Employment and Labour.

Electronics Watch / LIPS. 2018. Regional Risk Assessment: Electronics Industry, Indonesia. Contributing organisation: LIPS, Indonesia: https://electronicswatch.org/regional-risk-assessment-electronics-industry-indonesia-december-2018_2554862.pdf

Fair Wear Foundation. 2018. Breaking the silence: Fair Wear Foundation violence and harassment prevention programme Amsterdam: Fair Wear Foundation.

FWF: <https://www.fairwear.org/wp-content/uploads/2018/03/FWF-ILO-submission-final.pdf>

GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit). 2020. Sexual and Gender-Based Violence in the Mining Sector in Africa: Evidence and Reflections from the DRC, South Africa, Tanzania & Uganda.

Global Labor Justice. 2020. Advancing gender justice on Asian Fast Fashion Supply Chains Post Covid-19. <https://globallaborjustice.org/wp-content/uploads/2020/06/Advancing-Gender-Justice-on-Asian-Fast-Fashion-Supply-Chains-Post-COVID-19-Guidance-from-ILO's-Convention-190-on-its-First-Anniversary-single-page.pdf>

Guardian 2021. <https://www.theguardian.com/global-development/2021/aug/04/workers-return-to-bangladesh-garment-factories-despite-record-covid-deaths>

Human Rights Watch, "Whoever Raises their Head Suffers the Most: Workers' Rights in Bangladesh's Garment Factories," April 2015,
http://features.hrw.org/features/HRW_2015_reports/Bangladesh_Garment_Factories/

ILO 2021. Women in mining Towards gender equality. Geneva, ILO.
https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/publication/wcms_821061.pdf

ILO. 2015. World Employment and Social Outlook – The changing nature of jobs. Available at:
http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_368626.pdf

IndustriALL Global Union. 2019. Our Future, Our Union: IndustriALL Women Conference Report
http://www.industrialall-union.org/sites/default/files/uploads/documents/2020/women_conference_report_eng.pdf

IndustriALL. 2021. Middle East and North Africa unions campaign for ratification of ILO C190.
<http://www.industrialall-union.org/middle-east-and-north-africa-unions-campaign-for-ratification-of-ilo-c190>

Lin, X, L. and Brown, D. 2014. Sexual harassment in the workplace: How does it affect firm performance and profits? Better Work Discussion Paper Series: No. 16. Geneva, Better Work.

