

Risks of gender-based violence and harassment:

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

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Chapter 1: GBVH in the mining sector

1.1 Introduction

This chapter summarises the research in the mining sector based on individual and group interviews with 21 women union leaders and two male trade union leaders in South Africa (NUM & NUMSA), Colombia (Sintracarbon), and Canada (Unifor & USW). Sexual harassment and sexual violence are pervasive in the mining sector and GBVH is sustained by unequal power relations and a masculinised culture at work and in the family. As the ILO argues in its report on women and mining: “One of the biggest challenges faced by women who work in mines is gender-based violence and harassment...above and below ground” (ILO 2021, 36). GBVH was also a prominent issue discussed in IndustriALL’s first global network meeting on women and mining, held in May 2021.ⁱ

1.2 Extent of GBVH in the mining sector

Evidence of GBVH in the world of work

GBVH has been widely reported as a pervasive problem in mining (ILO 2021, IndustriALL 2019, 2021, IFC 2018, Oxfam International 2017). Women across the industry regularly experience physical assault, sexual assault, verbal abuse, being asked for sexual favours in return for employment, promotion or other benefits. Many women report discriminatory barriers to promotion and career development.

South Africa has a very high level of violence against women. Problems of GBVH have been widely reported in South Africa (Minerals Council South Africa 2020, Barralho 2014, Benya 2017a, 2017b). In a baseline report by Action Aid (2018) 40% of women surveyed stated that mining jobs were only available in return for sexual favours. In the communities around mines, 85% of women reported an increase in violence resulting from the influx of men looking for employment as part of the development of a mine, and resulting in an increase in violence, sexual abuse and rape, drug abuse, alcohol abuse, and a rise in prostitution and unwanted pregnancies.

Women’s share of employment in mining in South Africa has grown in the last decade to approximately 12% of the mining labour force of 453,543.ⁱⁱ More attention is now being given to the problem of GBVH by unions and by employers, including a campaign and White Paper on GBVH by the Minerals Council South Africa (2020), with strategies to advance women in mining and to develop policies on GBVH. Although unions in South Africa welcome this greater focus on GBVH, they believe it will have limited impact without more enforceable obligations on companies. Unions have called for stronger legislation and measures to address a culture of institutional and organisational sexism. In addition, the shift from centralised bargaining to local bargaining weakens the role of the unions generally and brings additional problems for unions who must bargain at plant level. The absence of centralised bargaining adds further risks as consistent standards are no longer possible across the sector.

There is limited data on the extent of GBVH in the mining industry in **Colombia**. Mining in Colombia as in other parts of the world is a male-dominated industry, although in recent years there has been a gradual increase in women’s participation in the mining workforce in both operator, supervisory and management positions. Both the union Sintracarbonⁱⁱⁱ and the Ministry of Mines and Energy, the Asociación Colombiana de Minería and other partners, have identified GBVH as a problem in the industry that needs to be tackled. A gender equity policy drawn up by the Asociación Colombiana de Minería (2020) aims to increase the participation of women in the sector and promote a culture of gender equity and prevent GBVH.

In **Canada**, as with many countries women are under-represented in all mining occupations, particularly at senior levels, although more women now work in professional jobs, such as geology. There has been a trend toward importing coal, for example, under the Canada-Colombia trade agreement, and coupled with mechanisation there has been a reduction in jobs in the sector. Women represent 14.4% of the workforce in mining and exploration (well below the national average of 47.7% of women's labour market participation). Mining is one of the sectors with the widest gender pay gap (WiM 2020). Sexual harassment is widespread, with one survey showing that nearly half (47%) of women in management positions had experienced harassment (Peltier-Huntley 2019). The #MeTooMining campaign grew out of the concerns of women about a pervasive culture of GBVH. It was founded by a woman geologist who had experienced systematic sexual harassment and assault at work. This led her to establish #MeTooMining as a platform for training and awareness raising on active bystander interventions.

Across the world significant problems of GBVH exist in remote work camps and in artisanal mining, where a male dominated and transient workforce, shift work, substance abuse, addiction and economic insecurity have fuelled heightened levels of domestic violence. In Canada, for example, unions have highlighted the need for recognition of the vulnerabilities faced by women with multiple and intersecting identities. Indigenous women, in the workplace and in local communities' experience significant levels of sexual harassment, sexual violence, including rape, while sex trafficking perpetuates a culture of violence against women (Pauktuutit 2021, Bond and Quinlan 2018). The National Inquiry into Missing and Murdered Indigenous Women in Canada (2019) concluded that resource extraction projects can fuel violence against Indigenous women; repeated calls have been made for workplace policies that address gender- and Inuit-specific impacts in the workplace (Pauktuutit 2021).

In artisanal and small scale mining, where the workforce is largely made up of men-knit without their families, there is an acceptance of GBVH and of the commercial sex trade (Advocates for Human Rights 2019). One study found that 74% of women in eastern Democratic Republic of the Congo have been subjected to sexual violence, in a country with a strong association between mining, sexual violence and armed conflict (GIZ 2020). Unions in DRC confirm that while there are high risks and prevalence of GBVH, there have been very few reported cases of GBVH in unionised mines.

Voices of women workers: experiences of GBVH

The interviews with women trade union leaders and members give stark evidence of the daily reality of GBVH in the lives of many women in the mining industry. Examples of incidents cited by interviewees range from inappropriate remarks and harassing comments in the queue to enter the worksite at the start of a shift, sexualised banter and verbal abuse, to regular inappropriate touching and slapping, sexual assault and rape. Some women spoke about the remoteness and relative isolation of mining sites which make women more vulnerable to such violence. Sexual harassment and sexual assault remain significant concerns for women workers, particularly when working underground and/or at night in lift shafts, poorly lit tunnels and work areas, often where there is a lack of toilet and changing facilities. Women are also overlooked for promotion, have undervalued skills and lower earnings compared to men. In addition, women and men work and live in the same communities, making it harder to make complaints against a colleague or a supervisor. A further related issue is that women work in close-knit communities where reporting someone could put their job at risk:

You probably know the man, you grew up with their wives, if I am going to report someone I put their job at risk...we know each other and families, and men when such cases come, how

do you feel, they do not understand how this makes me feel uncomfortable. (NUM Shop Steward, South Africa)

Some of the worst incidents in South Africa occurred underground and on night shifts, including rape when a woman is working alone with men in the dark. Fewer incidents of sexual harassment were reported to have taken place in open cast mines.

There is sexual harassment...when women go down in the mine, in the cages going down, they are petted, they stand next to each other, you could hear someone masturbating, when they went out of the cage...you could see it. It was bad how our female comrades are subjected to these conditions. (Ruth Ntlokotse, 2nd Deputy President, NUMSA, South Africa)

Women in operations experience some of the highest levels of GBVH, while women in administrative positions said that sexual harassment by senior men against junior women is prevalent. A culture where women are expected to give sexual favours in return for jobs continues in some mines, particularly affecting women in the lowest paid positions. Union leaders recounted some painful stories of women workers agreeing to sexual favours to gain the support of men, for example, in the allocation of tasks, when burdened with heavy tasks, or to get promoted. Many women spoke about the lack of trust in the promotions system:

Women at the lower levels [are expected to give sexual favours] because they are promised better positions, they offer them extra money, the women believe their promises, but it is always in return for something you do for him. But they don't fulfil their promises. These men have a mindset that she is a victim. (Union representative, NUM, South Africa)

Other examples were given of women being subjected to humiliating naked body searches. Following their complaints, a body scanner was introduced, but women, particularly pregnant women, were concerned about the radiation emitted from the body scanner. One woman interviewed who worked in a mine in South Africa spoke of her difficult experiences of sexual harassment by a senior manager in administration. After she made a complaint she asked to be moved to another office, instead she had to stay put and endure animosity from the manager. The company wanted to resolve the case informally and quickly, and did not involve the union.

Several union representatives from Colombia spoke about their experiences of sexual harassment. One woman trade union representative endured sexual harassment from a supervisor, she compiled evidence of inappropriate phone calls and emails asking for sexual favours, and other women also gave evidence of their own experience of similar conduct. The supervisor received a warning and the harassment ended. Looking back she can see that over time there have been fewer cases, in large part because the union has taken the issue seriously. As she says, having the union there is important "If you have a complaint, you don't go alone but accompanied by a trade union representative." Another woman trade union representative interviewed, works as a mechanic. She started working at the company in 2010. She experienced repeated sexual harassment when she joined the company. To begin with she "suffered in silence and just had to bear all the sexual innuendos and remarks". She was also worried that as she was planning to get pregnant she would lose her job. When she became pregnant the second time:

...one of the supervisors really began to make my life impossible...Because I had rejected his advances, the supervisor decided to take revenge. He would not let me go to my prenatal appointments during working hours and he changed my shifts to make things very difficult for me.

She attended a trade union training course in order to find out about her rights and with the support of her union President she made a formal complaint, but all that the human resources department did was to offer her an office-based job which she took as she feared that she could lose her job. Her experience was similar to those of other women, where it is rare that any action is taken against the perpetrator. Another woman interviewed, who works as an industrial engineer, spoke of being overlooked for promotion because she had not accepted advances from her manager.

My manager would ask me out for a drink after work and things like that. But I was not going to accept to be sexually harassed and I put a break on that quite quickly. But then I was overlooked for a promotion I should have been given.

She made a complaint to the human resources department and instead of investigating the complaint, she was relocated to the mine area, without a proper job, or job description.

They just hoped I would resign. Many people protested about my treatment and that I had not got the promotion. I had many witnesses who had been told by the manager that they did not want to give the job to a woman so I submitted complaints to all the internal procedures of the company and to the Ministry of Labour.

After three months, following many complaints to the ethics hotline, she was relocated back to the administration, but in a job with less responsibilities “so it was almost like I didn’t exist.” A culture of fear and bullying followed and colleagues who had made statements on her behalf were victimised by human resources; some either left the company or were dismissed: “I realised that anyone who opposes corrupt and discriminatory practices will be attacked.”

A further example, given in the interview with Igor Diaz, Sintracarbon’s General Secretary, exemplifies the problems faced by women who make complaints and are not taken seriously. When the union supported a young woman to make a complaint against a manager for sexual harassment, no action was taken, despite there being a policy in place, with internal procedures. The woman felt very bitter and her health was affected. However, further women then came forward to make complaints against the manager, and eventually he was dismissed: “In the end human resources decided to dismiss him for sexual harassment but the case was never made public as a warning to others. The manager left in good standing.”

1.3 Risks of GBVH in the mining sector

Risks in a male dominated and masculinised sector of employment

Some of the examples above show the risks associated with a sector where male supervisors and managers are valued and protected, while the opposite is the case for women. Women’s low representation in mining jobs makes them particularly vulnerable to sexual harassment and sexual assault. Further, a lack of policies, and/or their implementation, to address gender inequalities sustains the masculinised culture in the workplace, which is also reflected to some extent in union structures and leadership. Women face many risks and challenges at work that mirror a masculinist and patriarchal culture in society. The institutionalisation of masculine bias in the mining industry ensures that women remain marginalised. According to Asanda Benya (2013), a labour researcher who spent time working underground in mines in South Africa, gender-based violence reinforces women’s second class status in the family and in the workplace.

A Unifor representative working in a Canadian mine described the risks facing women in the mining sector. She and several other women had been the first women to be hired in production jobs over

two decades ago and says that “we learnt the hard way” working in a male-dominated environment, and women had to “man-up” to survive. She has become an advocate for women in the union, particularly for younger women starting in the job “I tell them what to watch out for and that they need to be assertive.” In the union, with so few women sitting at the collective bargaining table, it has been hard to prioritise policies that benefit women, compared to other sectors where the prevention of GBVH is more systematically integrated into occupational safety and health.

Overall, one of the biggest barriers for women in the workplace and in unions is a culture of male dominance:

Men don't think a woman can be a leader, we should have 50/50 in the union. As a woman it is easier to talk to another woman in the union if they have been sexually harassed. (Union representative, South Africa)

Risks related to gender inequalities and discrimination in mining

Deeply engrained gender inequalities sustain GBVH. As a Unifor officer pointed out, gender inequalities fuel women's economic dependence on men: “The biggest form of GBV is poor wages. If women economically can stand side by side with a man with the same money, then she doesn't need that man for a living and a healthy life; the reliance on men economically is the big problem for women; it creates real violence and they have to tolerate it to survive.” Although mining companies are putting resources into getting women into senior positions, there is scepticism about the impact for women in lower-level production positions.

Women are 30% of the workers, they drive dump trucks, they are plant attendants, but there are few women in supervisory or senior positions. Discrimination exists at work...We try to address it in the union, but it is coming from management. (Union representative, South Africa)

Pregnancy discrimination was also highlighted as being a risk associated with GBVH in the interviews. Examples were given of a woman being refused a job that was given to a man because “women get pregnant all the time”, being moved into a lower paid job to mitigate safety risks, being overlooked for promotion and being harassed for being pregnant.

Some interviewees were optimistic that the greater attention given to the problem of GBVH by unions, along with progress made in some mining companies in establishing complaints mechanisms, gender equality policies and ambitious targets for gender parity, would lead to more progressive change in the future. Overall Anglo American appears to have taken a more systematic approach through its engagement with unions in the development and implementation of workplace policies, training and awareness raising, and including gender-based violence as a priority in its MOU with IndustriALL.

Absence of serious attention by companies to prevent and address GBVH in mining companies

Despite some positive developments, many women workers have not seen real change on the ground and in the workplace. Internal policies and mechanisms to address GBVH are considered largely ineffective and there was a general lack of awareness about complaints mechanism, including that the company even had a policy.

Although mining companies, such as Anglo American and Glencore, have policies on bullying, harassment and/or sexual harassment at work, there is limited knowledge of these policies on the

ground. In South Africa, union involvement in the development and implementation of Anglo American's policy on bullying, harassment and victimisation had helped to build trust and awareness of the complaints mechanisms, as well as support provided through the company's employment assistance programme (EAP) and Mental Health First Aiders. In contrast, there has been little union involvement in or knowledge of Glencore's policy on sexual harassment in Canada, and consequently lower trust in the complaints mechanism. One woman noted: "There is a policy on sexual harassment, but it is not safe for women to report." (Union representative, South Africa)

An assessment of 38 large mining companies by the Responsible Mining Index (RMF 2020) found a significant gap in how companies protect women from gender-based violence and harassment, stating that "none of the assessed companies is able to show systematic action on this issue" (Anglo American scored only 25%, with Glencore and BHP trailing behind with scores of only 20% regarding measures to protect women from GBVH). Overall the report found that "there was virtually no evidence of companies having systems to regularly assess the impacts of their operations on women" (out of 38 companies, Anglo American was ranked first on implementation of 16 gender-related questions, while BHP was ranked 6th and Glencore ranked 8th). Most attention has been given to working towards gender-balance in management and board positions, rather than to addressing the deep structural imbalances of power and pay inequalities that lead to gender-based violence and harassment.

A hostile workplace culture and work environment for women

Working practices, including lone working and in teams with only men, leaves women vulnerable to sexual harassment and rape. These behaviours are deeply embedded in a hostile culture in the workplace where "hypermasculinity" is pervasive and is reinforced through male solidarity and an organisational tolerance of sexism (Benya 2017a). All of the younger women that Asanda Benya interviewed in South Africa said that they had experienced sexual harassment (inappropriate touching and fondling when in cages or working alone, verbal harassment, sexual jokes and suggestions, being whistled at, sexualised jokes). Reports to union officials were not always taken seriously. Sexual harassment frequently took place by someone who had power, such as a supervisor who could determine whether a woman had access to training or a better job above ground, or when working with a male colleague in heavy work. Reporting rarely took place because of intimidation, fear of recrimination or because women knew that their complaints would not be taken seriously

This is a similar experience in Colombia. A woman trade union representative who had trained as a mechanic experienced many problems. She was often given difficult assignments and many of her male colleagues simply did not think it was right for a woman to do the job telling her that she should be at home looking after her husband and children and hoping that she would quit. Another woman said that male union colleagues do not accept your right to work in the industry. "They question your dignity, attack you for lacking family values and they try and undermine your credibility and reputation." (Hidanora Pérez, Sintracarbon, Colombia)

GBVH as an occupational safety and health risk

Unions have repeatedly highlighted the risk of GBVH as an occupational safety and health issue. However, in South Africa there is still a struggle to get the issue recognised as a safety and health risk by the Mine Health and Safety Council (with a mandate under the Mine Health and Safety Act, No 29 of 1996). NUMSA has recommended that there should be training for all line managers and workers on diversity and sexual harassment, implementation of workplace policies that workers

trust, and that the Council should ensure that ILO C190 and R206 are studied by the council in order to create safe work for women. At the 2019 meeting of the mine safety and health council:

There is a track record to do with mine safety, yet they wouldn't report on what has been the record of the number of complaints, what was reported, what was resolved. The reporting is only on accidents. Why don't we treat GBV the same way? (Union Women's Officer, South Africa)

In addition, women in mining have complained about risks that come from inappropriate personal protective equipment (PPE) and the lack of separate and/or safe toilet and changing facilities. An issue of concern for many of the women interviewed is the provision of appropriate PPE. In Canada, unions campaigned successfully for appropriate fitting PPE, after many years of lobbying of companies. South African companies have been responding to these concerns and under the Mining Health and Safety Act (MHSA) and guidelines have been drawn up requiring companies to prepare mandatory Codes of Practice on the provision of PPE for women mine workers. However, unions know that without strong enforcement, there will be limited impact. As Lydia Nkopane, Chairperson of the South African National Union of Mineworkers' women structure said:

Despite the MHSA, most mines in South Africa still do not systematically provide gender-appropriate PPE...Extreme heat and dust are extremely harmful and damaging for women's bodies, but the women workers who have been asking for adequate protective underwear have been experiencing daily bullying and mockery from their male colleagues and managers. (RMC 2020)

In the interviews some women reported on problems of ill-fitting PPE, designed for men, making it difficult for women to move and work comfortably and safely, and tight PPE which led to women facing sexual harassment and abuse. It is rare that PPE for women is addressed in risk assessments and non-compliance appears to be widespread.

Companies don't comply with PPE for underground work [and] some employers go for cheaper. We have sensitive parts, our wombs and vaginas need to be protected, very tight materials are not suitable underground with the heat and friction...approved garments should be worn, they must provide better quality to keep women safe and healthy. (Lebogang Mafulatha, National Officer, NUM, South Africa)

Risks associated with ineffective complaints systems

Unions report that complaints remain consistently low across all companies and many women say that they do not complain because they know they will not be taken seriously:

Women don't make complaints, most of it is because they are not sure if they have the confidence or the emotional strength to speak out, and that management won't take us seriously. (Union Branch Secretary, South Africa).

Low levels of trust, protection of senior male employees, not believing women, lack of witnesses, complaints systems run by men, and an overwhelming fear of retaliation, were some of the reasons given for not making complaints. Some women workers spoke to their women trade union reps, saying that they didn't want to take the issue further. Others reported incidents they had experienced or witnessed as part of union-run consultations with women.

Women are afraid they may not be believed, it is difficult to make someone believe you if you don't have proof, particularly if that person is in a higher position or it is someone who is liked. We try to encourage women to speak out and report, but it's difficult. (Workplace union representative, South Africa)

In Colombia, the Labour Code recognises work-related harassment and sexual harassment. Some CBAs have a general clause on respecting individual rights, but no specific clauses on harassment or complaints. Internal procedures to address cases of harassment exist, either through the internal audit division or through the bipartite committee for well-being (comité de convivencia), which is a structure established by law. Company ethics hotlines have also been put in place. According to Sintracarbon, these procedures are merely cosmetic because cases are not investigated properly and it is rare that anyone is disciplined. In practice, the HR department prefers to move the victim of sexual harassment to a different team or department. The union argues that in order to address the root problems of deep-seated misogyny, it would be necessary to set examples and discipline the perpetrator.

According to Igor Diaz, General Secretary, Sintracarbon, women working in mining are frightened to speak out about harassment from supervisors or colleagues for fear of losing their job or non-renewal of their contract. Previously women who were employed at the mines were nearly all secretaries, while in the last 10 years there has been an increase in the number of professional and skilled women working in the production and maintenance sections. Some professional women have decided to speak out and make formal complaints about the behaviour of their supervisors in these sections, but it is rare that women in lower-level production and admin positions speak out.

Sintracarbon has conducted education courses for women union members to explain their rights, how to make a complaint and to encourage women to demand respect for their rights and for their bodies. Women workers are more aware, they know that the union will support them and they are more prepared to make a complaint. As one union representative said, progress has been hindered by a workplace culture of harassment:

The company wants to show it promotes women's participation but they never designed a plan to support women who are a minority outside the secretarial staff. The situation got out of control as many managers saw an opportunity to use the system. They employed a few women and offered them the possibility of permanent jobs in return for sexual favours. So women's professional development depended on their acceptance of these conditions. (Trade union representative, Colombia)

Risks travelling to and from work

Some of the women interviewed spoke about the risks of GBVH when they travelled to and from work, particularly at night. Most mines are some distance away from the towns where mine staff live and mostly workers travel by car or in shared minibuses. Some women spoke of problems, including sexualised comments and gestures, when they travel in a minibus full of men; others spoke of problems travelling alone and at night. The NUM had raised concerns about the safety of women safety officers who were on call and would have to drive alone at night to a worksite. In one instance the union had helped to improve women's safety through self-defence measures:

Some women are driving more than 40k / some as far as 100k per day...It is not safe to drive alone at night...We once proposed that women be given self-defence training...we had a campaign and women went to self-defence training and they brought them the spray

guns...it won't prevent it but it might help if you are attacked. (Workplace union Representative, South Africa)

1.4 The role of unions and women's leadership in the mining sector

A consistent message in the interviews is the importance of women having leadership roles in the unions. As one union leader said, having more women in the union is critical as "they must learn to respect women as equals...they [the men] are used to being alone, they are used to having their own language [and] bringing more women in will help to humanise them". Several union representatives spoke of the importance of having separate women's structures in their unions as this was one way of giving women some space to confidentially report their concerns.

Union leaders interviewed stressed the critical importance of women's roles in collective bargaining as this is where women can have influence. "Women must be part of the negotiations as the branch chair is always male, we should make sure it is women who are at the table to discuss maternity and gender-based violence, otherwise it doesn't get raised" (Mathapelo Khanye, National Secretary for Women's Structure, NUM, South Africa). One NUM leader from South Africa said her main role is to enable "women to stand up for themselves" (Lebogang Mafulatha, National Officer, Dept. Chair of Women's Structure NUM, South Africa).

1.5 Domestic violence: union roles and support

Domestic violence is a significant concern for women in mining. Domestic violence can lead to physical and psychological harm, financial abuse and other forms of coercive control, ultimately affecting women's capacity to be productive and stay in their jobs. Women trade union leaders reported that domestic violence is pervasive and women only seek support when their situation becomes very serious. The interviews in South Africa gave a specific focus to domestic violence. Women working in Anglo American mines were aware of support available from Mental Health First Aiders or the company social worker. However, none knew that Anglo American had a global policy on domestic violence which provides for a range of workplace supports, training for managers and information for workers.

Having women in leadership positions has helped to open up spaces for women to talk about domestic violence in the workplace, and practical, legal and emotional support is regularly provided by women union representatives.

If someone experiences domestic violence and they open up about it, we give them support. How do we get someone to open up about these issues, it is so awful to see them going through so much and we can't help them as they can't open up...we still have a lot to do. (Workplace union representative, South Africa)

The issue of confidentiality is critical, particularly in mining communities where people both live and work together:

A person who goes through abuse is carrying a lot of weight, they don't need everyone talking about it, it adds to the harm as there is so much shame. (Union representative and member of union women's structure, South Africa)

One woman who had experienced domestic violence nearly lost her job after she had been hospitalised as a result of the physical violence she had endured:

I'm the one who experienced domestic violence, they said they were going to fire me if I couldn't get to work, they said they would fire me as I was arriving to work late. I was harmed and I had to go to hospital, the doctor gave me a letter to have time off to recover. I'm fine now, other women suffer this, they come with these problems, and they often have to deal with it on their own. (Workplace union representative, South Africa).

Another woman spoke about the difficulties she experienced as a survivor of domestic violence:

I went through this domestic violence...it's so hard dealing with it because no one understands what you are going through, it affects you every day and it is so painful... Talking about it, you have to let people know what you are going through...As time goes on I'm healing. You don't know where to go, you don't trust the next person...but you want to know that there is a policy there from the employer. (Workplace union representative, South Africa)

Several women survivors interviewed were paving the way in helping to address the issue, using their experiences to empower survivors and break the silence and shame around domestic violence: "As a leader I took a pledge to use my experience to help women speak out – to win this battle. (Mathapelo Khanye, NUM, National Secretary for Women's Structure, South Africa).

An important role identified by unions is the need to include domestic violence in collective bargaining. As this is a new issue for many unions and there was an overwhelming message that more needs to be done to support survivors.

We want to include domestic violence in bargaining. I know of three cases where women were murdered by their ex-partners. We want the collaboration to say this woman is an employee. There are issues of harassment, GBV and domestic violence all happening in the same company. (Mathapelo Khanye, NUM, National Secretary for Women's Structure, South Africa).

1.6 Good practices in ending GBVH

Women's networks

Unions have created a range of strategies to ensure women are supported, networked and able to draw on union resources for training and awareness raising to end GBVH. Women's regional structures established by the NUM in South Africa are an example of this. Consultations with women workers include "Women have your say" organised in NUM workplaces and joint union-employer consultations with women such as the "Women in Process" initiative organised with the union in some Anglo American plants. One of the meetings invited men to participate in a "Man Talk" to address the patriarchal mindset and engage men in ending GBVH. Awareness raising is an important objective in these meetings: "We do awareness raising with women members...we have different discussion topics such as safety and what are their options if they are not safe" (Union representative, NUM). Another NUM union representative said how important the training had been, and as a result: "I know I have a right to stand my ground, he knows if he continues he will get reported."

Collective bargaining

In NUMSA, South Africa, there is an emphasis on integrating gender equality into collective bargaining, with a focus on human rights violations against women and building knowledge and

training for union reps to negotiate for gender-responsive collective bargaining. Consultations with women workers in several regions and regional training programmes address the interconnections between gender inequalities, the gender pay gap and risks of GBVH.

As NUMSA's Women's Officer said: "We want to create a woman-only space to invest in women, train them, and to enable women to speak more freely in a women-only structure." This was reinforced by NUMSA's Deputy President who said: "Putting this emphasis on gender equality and GBVH is critical in male-dominated unions when issues facing women are put on the back burner" (Ruth Ntolokotse, 2nd Deputy President, NUMSA, South Africa). The union wants to create a national women and mining forum where issues such as the gender pay gap, GBVH and occupational segregation can be addressed in an interlinked way.

GBVH: an occupational safety and health issue

In some parts of the world, violence and harassment are increasingly addressed as a core safety and health concern. In Canada, for instance, women union leaders spoke of the positive impact of OSH laws preventing GBVH at work and sustained union campaigning over many years. There is important learning from Canada, says Deb Tveit, Unifor National Officer: "for unions in other countries that are where we were 20 years ago, we now have more awareness about the harm caused because we take into account the gender perspective."

Legal change has ensured recognition of GBVH as an occupational safety and health risk and for employers to be responsible for a safe working environment. Employers' obligations and legal duties to prevent and address violence and harassment, including domestic violence, are an integral part of safety and health legislation in Canada. A good example is the Ontario Health and Safety Act, which is supported by comprehensive workplace guidance. Employers' obligations were also strengthened under the 2018 Canada Labour Code. As Sari Sairanen, Unifor's Director of Health and Safety says: "Thanks to the law, violence and harassment is recognised as a hazard in the workplace and it is well established in joint health and safety programmes with the employer in the mining sector". Despite some initial resistance from union reps to this wider framework, Unifor put a lot of effort into training and guidance for health and safety reps. Women's Advocates helped build the bridge between GBVH and safety and health, to enable them to use tools on GBVH risk assessment drawn up by the union and by the Canadian Centre for Occupational Health and Safety.

The USW Action Guide "Raising the bar on women's health and safety" has a similar objective to ensure the integration of gender equality and GBVH in health and safety. It aims to educate and give practical guidance for safety and health reps about the need for a gender-responsive approach. It was produced as a result of a union Conference resolution that called for a "new look for health and safety". The Action Guide covers guidance on addressing risks faced by women, including sexual and other forms of harassment, domestic violence and sexual violence.

Domestic violence in CBAs and union awareness campaigns: the experience from Canada

The two main unions organising workers in mining in Canada, Unifor and USW, have taken important steps to ensure CBAs include clauses on prevention of sexual harassment and domestic violence, and innovative ways to prevent GBVH have been implemented in male-dominated industries, including mining. Workplace support and guidance materials produced by Unifor and USW could be useful for unions in other countries, particularly as women union leaders have highlighted a need for union negotiators to have access to model language for CBAs and workplace policies. The materials include Unifor resources and a guidance document on workplace supports and domestic violence, including model language for CBAs and how to establish a Women's Advocates programme. USW's (2021)

bargaining guide on domestic violence provides model language for collective agreements covering workplace supports such as paid leave, confidentiality, protection from dismissal, workplace accommodations such as changing work schedules, and safety planning. Extracts of clauses on domestic violence are given from eight CBAs negotiated with USW.

Unifor's ground-breaking women's advocate programme, run by the Women's Department, has played a transformational role in raising awareness of domestic violence and sexual harassment, and in bringing confidential support for survivors to the heart of the union. It has been adopted as a model by the ITF as a tool to organise and empower women transport workers. Lisa Kelly, Director of Unifor's Women's Department, stressed the importance of the women's advocates programme in giving support to survivors of domestic violence, particularly with the increase in domestic violence in many countries during the Covid-19 pandemic. In addition, during Covid, Kelly says:

Often our Advocates are high profile in the workplace and women and men reach out to them as a safe source of information. Many of our Advocates have been active in passing on the information from the national union's hub on topics such as wage replacements and rights to personal protective equipment.

The union has been active in campaigning for domestic violence recognised in the law and has resulted in occupational health and safety laws in at least three provinces recognizing domestic violence specifically as a workplace hazard. In particular, the union argues that when domestic violence is recognised as a workplace issue, it can decrease stigma and increase the availability of risk assessment and safety planning.

The Women's Advocate programme could be replicated in other countries across the mining sector and by IndustriALL's affiliates worldwide. It would serve to address some of the issues raised by women in South Africa and Colombia about the need for better awareness of domestic violence as a trade union issue and the need for practical workplace supports and safety measures for survivors.

A further good example, that could be adapted and implemented by any union, comes from the USW training programme "Be More Than a Bystander - Break the Silence on Violence Against Women", targeted at men's roles in ending GBVH. It was first established with the Ending Violence Association of British Columbia and the British Columbia Lions Football Team, and most recently USW has run intensive train-the-trainer courses, enabling men in locals and workplaces to understand the bystander intervention model and the power of men stepping in and speaking up as a men's leadership issue. In 2021 USW partnered with the Canadian Football Players Association (CFLPA) with the aim to "break the silence" on GBVH through a spokesperson training programme for male union members in Ontario, to enable them to give a 90-minute presentation to union members on how to work as male allies to end GBVH. According to Dayna Skyes who runs the USW programme, "it has strength because it is run by and is grounded in women's experiences of GBVH." One participant in the programme, Iain Thistlethwaite, a union shop steward, spoke about his experiences:

The thing that makes me proudest is that I am a spokesperson for the "Be More Than a Bystander" program...I've had a few conversations later, where I've heard that relationships have improved because of the knowledge we shared in the class...We always tell the men that we are not asking them to stand up for women, just stand up with them. Be more! It's a very small number of men who are abusive and we're trying to get the majority of men who are decent to speak up and help change the culture that exists in some areas of our worksite.

1.7 The role of ILO Violence and Harassment Convention No 190

Many unions in the mining sector recognise the importance of C190. In South Africa, mineworkers unions were involved with other unions in a visible and effective campaign which led to the ratification of C190 in South Africa in December 2021. Ratification, unions argue, will provide a strong legal basis that will put responsibilities on employers to carry out gender-responsive risk assessments and to draw up and implement workplace policies in consultation with workers, including on domestic violence. Prior to ratification unions drew on the government's updated Code of Good Practice (Department of Employment and Labour 2020), stressing that it should not be seen as a replacement for ratifying C190 and the implementation of strong laws. The Colombian union, Sintracarbon, recognises that C190 will help to strengthen collective bargaining and enable the union to negotiate regulations that effectively address issues of sexual harassment. The union intends to refer to the framework of C190 and R206 in the next round of negotiations.

1.8 Recommendations made by unions in the mining sector

On the basis of the interviews, the following recommendations were made by trade unions in the mining sector:

- Training to raise awareness about GBVH, including how complaints systems and the handling of complaints can be made more effective, the provision of support for domestic violence survivors, and a more strategic approach to bargaining to end GBVH.
- The need for men to stand up and take greater responsibility in ending GBVH, so that they become champions for change in creating workplaces based on respect and equality. Specific recommendations were made for training programmes for male union members and for the leadership of unions about GBVH, including understanding appropriate behaviour and boundaries, in modelling respectful behaviour, and taking active bystander interventions to stop GBVH in its tracks.
- Guidance on how to ensure a more systematic approach to bargaining for GBVH, including domestic violence supports and risk assessments, guidance about consulting with women workers about what to include in bargaining claims, working with women workers to draw up model language to support bargaining, as well as learning from what has worked in other sectors and countries.
- Every worksite should aim to have a policy on domestic violence, with paid leave and other supports for survivors. Guidance from unions in Canada could be circulated to ensure a better understanding of how domestic violence can be prevented as a workplace hazard, along with learning from implementing workplace policies and union support and advocacy programmes.
- Guidance and training on recognising GBVH as a workplace hazard, the effective integration of GBVH in occupational health and safety and implementation of tools for risk assessment and safety mapping to prevent GBVH.
- Finally, many women made strong recommendations for the greater involvement of women in the unions at all levels and the importance of strategies to end GBVH that include building women's leadership roles in the workplace and in the union.

ⁱ <https://www.industrial-union.org/women-miners-confronting-gender-inequality-together>

ii A target was set in 2020 under the Broad-Based Socio-Economic Empowerment Charter for the South African Mining Industry to achieve 10% participation of women in mining. An updated charter was introduced in 2020 and includes higher thresholds for management positions.

iii Sintracarbon is the recognised trade union at El Cerrejón, the country's largest open-cast coal mine, which is jointly owned by Anglo American and Glencore. In 2020 the company employed 4,753 direct workers as well as 2,992 contract workers. Women make up 9% of the direct workforce and 10% of the subcontracted workforce. Sintracarbon members include women who operate and maintain coal trucks and trains. The union actively engages with the company on equality issues.

