



FAQs
on

Convention 199 &
Recommendation 206

What is the International Labour Organization (ILO)?

It is an agency of the United Nations responsible for setting labour standards, developing policies and devising programmes promoting decent work. It is the only tripartite agency of the United Nations, meaning that workers, employers and governments come together on an equal footing.

What is an ILO Convention and what is an ILO Recommendation?

A Convention is a legally binding international treaty. When ILO member states ratify a Convention, they commit themselves to applying the Convention in national law and practice and reporting its application at regular intervals. In addition, complaints can be made against countries for violations of a Convention they have ratified, through the ILO's supervisory procedures.

A Recommendation is a non-binding guideline which either:

- supplements a Convention by providing more detailed guidelines on how it could be applied;
- or**
- stands on its own (i.e., not linked to any Convention).

A Convention accompanied by a Recommendation forms a strong set of international instruments.

Conventions and Recommendations are negotiated by representatives of governments, employers and workers and are adopted at the ILO's annual International Labour Conference.

What is ILO Convention 190 (C190) and why is it important?

C190 is the ground-breaking "["Violence and Harassment" Convention](#) on the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment. It was adopted on the 21st of June 2019 at the centennial [International Labour Conference](#). It is supplemented by Recommendation 206.

1

What constitutes violence and harassment in the world of work?

“Violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment. This covers, for example, physical abuse and verbal abuse, bullying and mobbing, sexual harassment, threats and stalking, as well as abusive work practices giving rise to psychosocial risks and hazards.

What if I am bullied or harassed because I am pregnant?

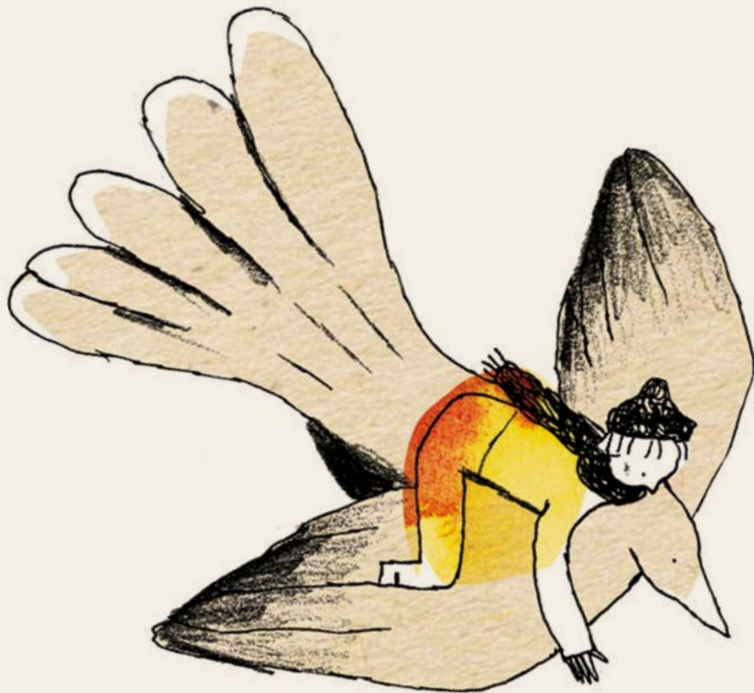
Pregnant women often face discrimination and harassment at work, including isolation, verbal and physical abuse and dismissal. Although pregnancy is not specifically mentioned in the Convention, governments are required to “adopt laws, regulations and policies ensuring the right to equality and non-discrimination in employment and occupation, including for women workers, as well as for workers and other persons belonging to one or more vulnerable groups or groups in situations of vulnerability that are disproportionately affected by violence and harassment in the world of work”. Pregnant women are also recognised as a “vulnerable group” in several international human rights treaties and so should be interpreted as such under paragraph 13 of Recommendation 206.

This is also a form of gender-based violence and harassment.

2

What is gender-based violence and harassment?

The Convention defines this as violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment.



Does the Convention require measures to address gender-based violence and harassment?

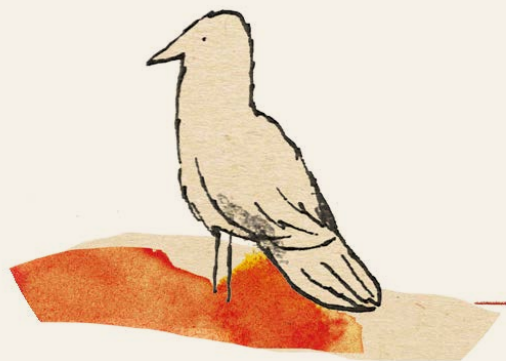
Yes: the Convention acknowledges that gender-based violence and harassment disproportionately affects women and girls, and recognises that an inclusive, integrated and gender-responsive approach, which tackles underlying causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender-based power relations, is essential to ending violence and harassment in the world of work. It requires governments to adopt laws and regulations to define, prohibit and prevent violence and harassment in the world of work, including gender-based violence and harassment.

3

Who is protected under the Convention?

C190 protects all individuals in the world of work, including:

- employees as defined by national law and practice;
- persons working irrespective of their contractual status;
- persons in training, including interns and apprentices;
- workers whose employment has been terminated;
- volunteers;
- jobseekers and job applicants; and
- individuals exercising the authority, duties or responsibilities of an employer.



Am I protected when working as a temporary agency worker or freelance worker?

Yes: C190 covers all persons working irrespective of their contractual status.

Am I protected if I am sexually harassed during a job interview?

Yes: C190 covers all individuals in the world of work, including job applicants and jobseekers.

I work as a street vendor. Does the Convention protect me?

Yes: the Convention applies to all sectors, whether private or public, both in the formal and informal economy, and whether in urban or rural areas. It requires governments to recognise the important role of public authorities in the case of informal economy workers when adopting measures to prevent violence and harassment in the world of work. Further, governments should provide resources and assistance for informal economy workers and employers, and their associations, to prevent and address violence and harassment in the informal economy.

4

What is covered by the term “world of work”?

The world of work encompasses:

- the workplace, including public and private spaces where they are a place of work;
- places where the worker is paid, takes a rest break or a meal, or uses sanitary, washing and changing facilities;
- work-related trips, travel, training, events or social activities;
- work-related communications, including those enabled by information and communication technologies;
- employer-provided accommodation; and
- commuting to and from work.

Am I protected if I am verbally abused by a colleague during a work-related dinner?

Yes: C190 applies to violence and harassment occurring in the course of, linked with or arising out of work, including during work-related trips, travel, training, events or social activities.

I am receiving threatening and humiliating emails at work. Does the Convention address this?

Yes: the Convention covers violence and harassment that occurs through work-related communications, including those enabled by information and communication technologies. This type of cyberbullying is therefore covered.

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Is third-party violence covered by the Convention?

The Convention requires governments to adopt laws that take an inclusive, integrated and gender-responsive approach for the prevention and elimination of violence and harassment. Such an approach should take into account violence and harassment involving third parties (i.e., committed by or against third parties).

Am I protected if I am abused by a customer?

Yes: under the Convention and its accompanying Recommendation, employers are required to carry out a workplace risk assessment paying particular attention to hazards and risks that involve third parties such as:

- clients;
- customers;
- service providers;
- users;
- patients; and
- members of the public.

6

Do employers have specific responsibilities under the Convention?

Employers are required to take appropriate steps commensurate with their degree of control to prevent violence and harassment in the world of work, including gender-based violence and harassment, and in particular, so far as is reasonably practicable, to:

- (a) adopt and implement, in consultation with workers and their representatives, a workplace policy on violence and harassment;
- (b) take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health;
- (c) identify hazards and assess the risks of violence and harassment, with the participation of workers and their representatives, and take measures to prevent and control them; and
- (d) provide to workers and other persons concerned information and training, in accessible formats as appropriate, on the identified hazards and risks of violence and harassment and the associated prevention and protection measures, including on the rights and responsibilities of workers and other persons concerned in relation to the workplace policy.

Is my employer required to assess the risk of violence and harassment arising from a stressful working environment or working arrangements?

Yes: C190 requires governments to enact laws requiring employers to take into account violence and harassment and associated psychosocial risks in the management of occupational safety and health and to take appropriate steps to prevent this. This applies wherever the workplace is, including when it's the home.

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How does the Convention acknowledge links between domestic violence and the world of work?

The Convention notes that domestic violence can affect employment, productivity and health and safety, and that governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognise, respond to and address the impacts of domestic violence.

It requires governments to take appropriate measures to recognise the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work.

Further, governments should promote the effective recognition of the right to collective bargaining at all levels as a means of preventing and addressing violence and harassment and, to the extent possible, of mitigating the impact of domestic violence in the world of work.

Can my employer help if I am experiencing domestic violence?

Yes: your employer can provide:

- (paid) leave for victims of domestic violence;
- flexible work arrangements and protection;
- temporary protection against dismissal for victims of domestic violence;
- a referral system to public mitigation measures for domestic violence; and
- awareness-raising about domestic violence.

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