

GWI 2020

Sexual Harassment in the Workplace



- ✓ GWI Policy Position 2019
- ✓ Policy Resolution 2019

GWI Strategic Advocacy Toolkit 2020



POLICY POSITION RESOLUTION 7 2019

SEXUAL HARASSMENT OF WOMEN IN THE WORKPLACE

GWI Resolutions Committee

The Issue

Although many countries have legislation in place to prevent sexual harassment the number of prosecutions is often low.

Where specific laws are passed they should be tailored to the needs of the country however they are often taken from other legislative systems meaning that they are difficult to enforce or that the people they are meant to protect are unaware of how to access the protection.

Special provisions have been made in the Indian constitution to ensure the protection of women's status in the society. Before 1997, for the women experiencing sexual harassment at workplace, their only option was to lodge a complaint under the Indian Penal Code (IPC) sec. 354 and sec. 509. On 13th Aug. 1997 the Supreme Court in Vishakha v. State of Rajasthan passed a judgment laying down guidelines to be followed by the establishments while dealing with complaints about sexual harassments. The guidelines in the judgment were applicable till an appropriate Act was enacted by the Government of India. Despite considerable legislation now being in place nationwide awareness campaigns are required in order for this to have an impact.

Barriers

Though there may be legislation or provisions to deal with the offence of sexual harassment, there is a

- lack of awareness of National or local legislation, and lack of promotion of this by employers.
- lack of trust in the judicial system or lack of support through prosecution; the time taken leading to financial hardship.
- lack of female support within the workplace.

GWI's Position

GWI works to end all forms of discrimination and to promote a fair and safe working environment and will use their influence to work towards ending sexual harassment in the workplace and creating a safe environment for women by urging governments to implement national laws effectively and spreading



GWI Strategic Advocacy Campaign 2020

Sexual Harassment in the Workplace

(Policy Resolution 2019,7)

awareness; GWI will encourage the dialogue process and make efforts to reach out to women and men starting from the grassroots level through educative seminars, workshops and other forms of mass communication, including social media.

GWI recommends

- Working with corporate and public sector units to impress upon them that under the law, they have to set up an Internal Complaints Committee and encourage women to bring to the establishment's notice instances of sexual harassment, if any. Adequate publicity should be given to the establishment's policy of zero tolerance of such harassment.
- Sensitising employers to be sympathetic to women who make such complaints. Care should be taken to prevent shaming of the victim.
- Conducting awareness programmes in offices and among women to educate them on their rights under the law and to make them understand what constitutes sexual harassment.
- Reaching out to women in the unorganised sector by conducting awareness programmes through formal and informal means of communication.



POLICY RESOLUTION 7 – SEXUAL HARASSMENT IN THE WORKPLACE

Proposed by: The Indian Federation of University Women

Seconded by: Graduate Women International Netherlands (GWI-NL)

The 33d GWI Assembly resolves:

1. to work to end sexual harassment in the workplace and create a safe environment for women by urging governments to implement national laws effectively and spreading awareness;
2. to widen the dialogue process and make efforts to reach out to women and men starting from the grassroots level through educative seminars, workshops and other forms of mass communication, including social media.

Suggested Plan of action:

Although laws are in place to prevent sexual harassment of women in the workplace, studies have shown that in government and private organisations, employers do not have the requisite redress mechanisms in place, as stipulated by such laws.

NFAs should:

- 1. Lobby with corporate and public sector units to impress upon them that under the law, they have to set up an Internal Complaints Committee and encourage women to bring to the establishment's notice instances of sexual harassment, if any. Adequate publicity should be given to the establishment's policy of zero tolerance of such harassment.*
- 2. Sensitise employers to be sympathetic to women who make such complaints. Care should be taken to prevent shaming of the victim.*
- 3. Conduct awareness programmes in offices and among women to educate them on their rights under the law and to make them understand what constitutes sexual harassment.*
- 4. Reach out to women in the unorganised sector by conducting awareness programmes through formal and informal means of communication like street theatres and puppetry.*

Supporting document:

The *Vishakha Guidelines* were a set of procedural guidelines laid down by the Indian Supreme Court in 1997. These became the basis for the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*.

The Government of India passed the *Sexual Harassment at the Workplace (Prevention, Prohibition and Redressal) Act* in 2013. This law makes it illegal for any kind of sexual harassment defined in the Act as 'the violation of the fundamental rights of a woman to equality under articles 14 and 15 of the Constitution of India and her right to life and to live with dignity under article 21 of the Constitution and



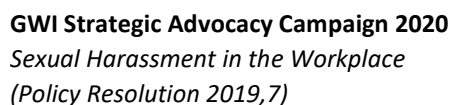
GWI Strategic Advocacy Campaign 2020

Sexual Harassment in the Workplace

(Policy Resolution 2019,7)

the right to practise any profession or to carry on any occupation, trade or business which includes a right to a safe environment free from sexual harassment' to occur against a woman at her place of work.

Despite the existence of the law, not many cases are reported, and it is often found that it is difficult to prove harassment.



GWI VP Advocacy and Education

Based on

GWI Policy Resolution 2019,7

GWI Advocacy-G
NFA Advocacy-N

*GWI mission-related
Systemic Change*

SDG 5

Violence Against Women | Gender-based Violence |

Cross-linked to SDG 10 | Global Issue

GOAL

To end all forms of discrimination and to promote a fair and safe working environment for women by urging governments to implement national laws effectively and spreading awareness.

THE ISSUE

Although many countries have legislation in place to prevent sexual harassment the number of prosecutions is often low.

Where specific laws are passed they should be tailored to the needs of the country however they are often taken from other legislative systems meaning that they are difficult to enforce or that the people they are meant to protect are unaware of how to access the protection.



CURRENT STATUS

The ILO Convention on Violence and Harassment, 2019 (No.190)¹

According to the ILO, violence and harassment is a global pandemic that is even higher during times of crisis.

In 2019, the ILO adopted the ILO Convention on Violence and Harassment, 2019 (No. 190) and its accompanying Recommendation (No. 206)². These new instruments recognize the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment.³

For the first time, the right to a world of work free from violence and harassment has been articulated in an international treaty with a common framework to prevent and address violence and harassment with an inclusive, integrated and gender-responsive approach.⁴

The Effects of COVID-19

While millions of women worked from home as a result of COVID-19 lockdowns, sexual predators simply acquired new online tools with which to threaten, intimidate and abuse women.

Pandemic restrictions have exacerbated stress levels leading to violence and harassment directed at the people we need the most, essential personnel, healthcare workers, essential workers and security guards in stores and other frontline workers.⁵ For example, female restaurant workers have been forced to remove their masks so male customers can see how 'pretty they are' before being left a tip.

REVIEW OF LAW

NFAs to research current national / regional laws.

¹ https://www.ilo.org/global/topics/violence-harassment/news/WCMS_793450/lang--en/index.htm

² GWI supported this adoption.

³ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_721160.pdf

⁴ As of May 2021, only 6 countries have ratified ILO c190.

⁵ <https://iloblog.org/2020/07/27/a-better-normal-must-mean-tackling-workplace-violence-and-harassment/>



POLICY REVIEW

NFAs to research national, regional, local, community, institutional policies.

SOCIO-ECONOMIC, POLITICAL IMPACTS ON ISSUE

According to the ILO, violence and harassment in the world of work deprives people of their dignity, is incompatible with decent work and is a continuing threat to equal opportunities and to safe, healthy and productive working environment. It is present in all countries and in all sectors and occupations.

The negative impact on workers' well-being also affects businesses, contributing to absences from work and increased staff turnover, related to fear, illness and injury. These changes imply significant costs for enterprises, and can also damage productivity and performance.⁶

POTENTIAL ALLIES

- VAW Activists / public health agencies
- Private and public sector / employers
- GWI NFAs

RECOMMENDATIONS

Work with corporate and public sector units to impress upon them that under the law, they have to set up an Internal Complaints Committee and encourage women to bring to the establishment's notice instances of sexual harassment, if any. Adequate publicity should be given to the establishment's policy of zero tolerance of such harassment. [N]

Sensitise employers to be sympathetic to women who make such complaints. Care should be taken to prevent shaming of the victim. [N]

Conduct awareness programmes in offices and among women to educate them on their rights under the law and to make them understand what constitutes sexual harassment. [N]

Reach out to women in the unorganised sector by conducting awareness programmes through formal and informal means of communication. [G][N]

⁶ <https://iloblog.org/2020/07/27/a-better-normal-must-mean-tackling-workplace-violence-and-harassment/>



DEVELOP A MESSAGE

GWI Position

GWI works to end all forms of discrimination and to promote a fair and safe working environment and will use their influence to work towards ending sexual harassment in the workplace and creating a safe environment for women by urging governments to implement national laws effectively and spreading awareness.

Barriers

Though there may be legislation or provisions to deal with the offence of sexual harassment, there is a

- lack of awareness of National or local legislation, and lack of promotion of this by employers.
- lack of trust in the judicial system or lack of support through prosecution; the time taken leading to financial hardship.
- lack of female support within the workplace.

SUGGESTED FOCAL POINTS AND INFLUENCERS

- Corporate and public sector units
- UN Agencies – UNESCO
- Governments and legislators (national, regional, local)
- Academic Institutions and teacher training programs / scholarship award funding
- Media, journalists
- Health and humanitarian workers, social workers
- Other non-governmental organizations
- Police and judicial agencies

ADVOCACY TOOLS

- Social media
- Blogs
- Community Action Calls
- Face-to-face meetings
- Phone calls
- Email
- Letter-writing
- Letters to the Editor, news articles
- TV and radio outreach
- White papers, research and data
- Community Action Toolkits



GWI Strategic Advocacy Campaign 2020

Sexual Harassment in the Workplace

(Policy Resolution 2019,7)

GWI Advocacy Tools

Toolkits: <https://graduatewomen.org/media-publications/toolkit/>

Press Releases: <https://graduatewomen.org/media-publications/press-releases/>

- 25 November 2018 [GWI supports ILO's efforts towards the establishment of legally-binding international standards to eliminate gender-based violence in the world of work](#)

NFA 2 NFA Webinar: May 2021, Egypt and India; *Confronting and Combating Harassment (in the workplace)*

Strategic Advocacy Tools

- GWI Strategic Advocacy Template
- GWI Strategic Advocacy Checklist
- GWI Strategic Advocacy Toolkit

Reference Documents

India: *Vishakha Guidelines 1997, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013*

ILO Convention on Violence and Harassment, 2019 (No. 190) and its accompanying Recommendation (No. 206)⁷

Advocacy Timing

UN International Days

UN Human Rights Council (quarterly)

UN Commission on the Status of Women (annually in March)

UN High Level Political Forum (annually July)

Other UN events and meetings where GWI can deliver written and oral statements as thematically appropriate

⁷ https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_721160.pdf



Putting it all together

Strategic Advocacy

"Strategic Advocacy is a planned process, not an event"



Advocacy is a process involving a series of inter-related steps that take you from the identification of an issue, to the satisfactory resolution of that issue.



Advocacy's goal is to bring about changes in laws or regulations, public behavior and political perspectives concerning your advocacy issue.



Advocacy benefits all people: the marginalized and the mainstream.



Advocacy is about caring enough about social, economic and political issues that have the potential to either negate or affirm human rights and gender equality.

Planning is important. It helps you to:

- head in the right direction;
- break down your goals into manageable pieces or stepping stones;
- use the right tools;
- use scarce resources wisely by making strategic choices;
- make sure activities reinforce rather than undermine each other;
- get the timing right;
- start preparing early enough and become prepared to counter opposition.

Common Mistakes

- Unclear aims and objectives
- Activity planning without a strategy leading to untargeted actions, wasted effort and ultimately reduced impact
- Action plans that run to an internal timetable, rather than being determined by external events and opportunities
- Asking decision makers to do something which is not in their power
- Getting the timing wrong and trying to influence a process when key decisions have already been made
- Messages that don't get noticed and move people or fail to include a call to action
- Not having a clearly defined 'ask'
- Use the wrong tools
- Scarce resources used unwisely
- Activities that run at cross purposes
- Inability to counter opposition

Strategic Advocacy is about:

- achieving specific outcomes, not just raising awareness of problems;
- developing strategies based on research and analysis rather than guesswork;
- choosing approaches and deploying resources where they will have the most impact

The process is about:

- knowing what is wrong;
- identifying the problem you want to tackle and therefore which issue you want to work on;
- knowing what you would like to see as the solution to the problem;
- knowing what must change;
- knowing what you will ask for and the least that you will be satisfied with;
- recognizing who has the power to achieve change;
- recognizing who will help or hinder this process;
- identifying which resources will be needed;
- understanding how those with the power to make changes will be influenced.

The planning process has the following elements:

- Identify the issue
- Research the current status of the issue
- Review the law regarding the issue
- Identify the change that needs to be made
- Research socio-economic and political conditions that are causing or exacerbating the issue
- Identify allies – other organizations that are working on the same issue and have a similar goal: NGOs, community-based organizations, agencies
- Develop working partnerships with allies identified
- Develop recommendations
- Develop your message
- Identify institutions and people that you will focus your advocacy efforts towards
- Identify advocacy tools: position papers, press releases, social media
- Train members of your organization to deploy advocacy tools
- Monitor the progress of your advocacy and evaluate results to make necessary adjustments and changes





Graduate Women International Strategic Advocacy Plan Checklist

Strategic
Advocacy
Toolkit
Click Here

- ☐ Identify the issue
- ☐ Research current status of issue
- ☐ Review law in your country
- ☐ Identify needed change
- ☐ Research exacerbating issues
- ☐ Identify allies
- ☐ Develop working partnerships
- ☐ Develop recommendations
- ☐ Develop your message
- ☐ Identify targets of focus
- ☐ Identify GWI advocacy tools
- ☐ Train NFA members
- ☐ Monitor progress
- ☐ Summarize work
- ☐ Share success with GWI office





GWI Strategic Advocacy Campaign 2020

Sexual Harassment in the Workplace

(Policy Resolution 2019,7)

The Advocacy Cycle



GWI Toolkits

<https://graduatewomen.org/members-login/tools-resources/toolkit/>

GWI Advocacy and the Media

<https://graduatewomen.org/media-publications/press-releases/>
<https://graduatewomen.org/members-login/advocacy-media/press-release-templates/>

GWI Annual Reports

<https://graduatewomen.org/media-publications/annual-reports/>

GWI Policy Papers

<https://graduatewomen.org/what-we-do/policy-advocacy/policy-papers/>

GWI Resolutions

<https://graduatewomen.org/members-login/constitutional-material/resolutions/>

GWI Manifestos

<https://graduatewomen.org/who-we-are/gwi-manifestos/>



Graduate Women International 2020
www.graduatewomen.org