



BREAKING THE SILENCE

In the UK, a Trades Union Congress survey found that 54% of women workers interviewed either had experienced domestic violence themselves or knew a colleague who had.¹ This figure is not unique to the UK.

Domestic violence is a widespread phenomenon and it has repercussions on the world of work. This is because workers suffering from domestic violence do not leave their pain and worries caused by it at home. Abused workers can be threatened with dismissal because of 'poor performance'. Their health and safety and even their lives are also at risk.

Domestic violence can exacerbate gender inequalities and undermine solidarity among union members too. The unions' role is to protect their members' health and safety at work, defend them before their employers, and fight against discrimination and gender inequalities. Unions also have a role to play in raising awareness about preventing domestic violence and ending a culture of gender inequalities, including at the societal level.

Domestic violence is therefore a workplace and a union organizing issue.

Domestic violence: a workplace and union issue

Briefing for IUF affiliates

Contents

Definition and some facts	2
Where does domestic violence come from?	3
Domestic violence is not a private issue	4
Why is domestic violence a union issue?	4
Why is domestic violence a workplace issue?	5
What can be done at the workplace?	6
The rage of union actions.....	7
References	9
Covid-19 Pandemic.....	10

¹ <https://unitetheunion.org/media/1475/domestic-violence-abuse.pdf>

Definition and some facts

Domestic violence is the most pervasive form of gender-based violence. In some countries, domestic violence is referred to as ‘domestic abuse’, ‘family violence’ or ‘intimate partner violence’, but in this document we will focus on any form of violence between intimate partners.

It can include physical, sexual, emotional, or psychological abuse – including stalking, harassment and coercive control.² Economic violence is also a facet of domestic violence, an attempt to create the victim’s economic dependence on the perpetrator.³



8 out of 10 people
experiencing domestic violence
are women

Domestic violence occurs between mixed or same-sex intimate partners, who may or may not be married under common law or living together. It can also continue to happen after a relationship has ended.

It can be a single act of violence or a number of acts of violence that form a pattern of abuse.

It happens in all social classes, whatever cultural or educational backgrounds the victim/survivor⁴ and the perpetrator have.

Women are disproportionately affected, accounting for nearly 8 out of 10 those who experience domestic violence.

Domestic violence is more likely to be severe when women are the targets. When death is the outcome, almost all victims are women and almost all perpetrators are men.⁵

In France, it is estimated that one woman is killed by her partner or former partner every 2 days.⁶

Moreover, some women, such as those facing multiple and intersecting forms of discrimination, may be even more at risk of domestic violence, and may also experience difficulties in getting access to social service or legal support they need.

² Coercive control is a systematic pattern of behaviour with the purpose of undermining a survivor and creating fear through threats, humiliation and intimidation, and depriving an individual of support.

³ “Specific examples include: destroying work tools or clothes; physically restraining victims from leaving their homes, beating or depriving them of sleep to the extent that they cannot go to work; and forcing victims to unexpectedly leave their place of work.” https://www.ilo.org/wcmsp5/groups/public/-dgreports/-gender/documents/briefingnote/wcms_738117.pdf

⁴ The use of the terms “victim” or “survivor” depends on the context and on how the person who experiences this violence wants to be identified. The term “survivor” is increasingly used because it has a more positive connotation. We often see victims as helpless, disempowered, and included in the so called “vulnerable groups” category. By contrast, “survivor” indicates implicitly the idea that the abused person can move forward, whether through seeking help, telling her story, or just living her life.

⁵ <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/>

⁶ https://www.lexpress.fr/actualite/societe/une-femme-meurt-tous-les-2-jours-battue-par-son-conjoint_2061932.html

Where does domestic violence come from?

Domestic violence disproportionately affects women, and needs to be understood in the framework of the unequal balance of power between men and women, particularly in **patriarchal** society. Domestic violence is an abuse of power.

Patriarchy literally means the “rule of the father” and it stands for an invisible societal structure of male dominance, of which violence is part. Patriarchy is present all over the world, and many people have internalised it. Some women even come to consider domestic violence as “normal” or “justified”, and rationalize being beaten such as when they burn the food, argue with their husband, go out without telling him, or refuse sexual relations. There is a strong correlation between attitudes that justify domestic violence and its long prevalence.⁷ By contrast, when societal norms do not justify domestic violence, there are fewer cases of it.

There is absolutely no justification – whether societal, cultural, or religious – for domestic violence. Article 3 of the Universal Declaration of Human Rights states:

“Everyone has the right to life, liberty and security of person”.

It is the perpetrator of domestic violence who has to be condemned, not the survivor who is to be blamed – which is also common in cases of sexual harassment.

Domestic violence is an abuse of power.



chloe s - Unsplash

Domestic violence must therefore be understood **as a way for men to control women** by harassing them, frightening them, and even killing them. No woman can be free if she is controlled by a man.

As well as being held accountable for their behaviour, men should also think about their own attitudes and ask themselves where they come from. Domestic violence has devastating effects on physical and psychological health as well as economic consequences for women.

Not only that, it affects children in the family too. Children exposed to it may suffer health and psychological problems, as well as relationship problems in their adult lives. Instead, mothers and fathers have a big responsibility in educating their children not to commit violence and not to accept violence.

Unions have a role to play in demystifying the prejudices underpinning domestic violence, which will also help protect their members. Men in trade unions can and should be agents for change: they/you can be crucial allies in the fight against domestic violence.

It is important to work now to change the culture of impunity and prevent domestic violence, as well as end the sexism that perpetuates men’s abuse of women.

⁷ https://read.oecd-ilibrary.org/view/?ref=127_127000-awfnqj80me&title=Women-at-the-core-of-the-fight-against-COVID-19-crisis

Domestic violence

is **NOT** a ‘private’ issue

For a long time, domestic violence has been considered in the world of work as a private issue where employers, trade unions and colleagues could do little. But, in 2019, governments, employers’ and workers’ organizations agreed to include provisions regarding domestic violence in the new ILO **Convention 190** (C190) and **Recommendation 206** (R206) on violence and harassment in the world of work. This reflects a **fundamental change**.

The Preamble to C190 states:

“*Noting 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 recognize, respond to and address the impacts of domestic violence*”.⁸

C190 lays out measures governments, employers’ and workers’ organizations can and should take to support victims/survivors of domestic violence, and to

“*recognize the effects of domestic violence and, so far as practicable, mitigate its impact in the world of work*”. (Article 10 (f))⁹

The fact that the international community now recognizes the impacts of domestic violence on the world of work, and agrees to mitigate them, can potentially **save lives**.

ILO Convention 190



IT CAN CHANGE LIVES

Organize. Educate. Implement.

Why is domestic violence a **union** issue?

- **A health and safety concern.** Domestic violence is widespread and many IUF members are affected. Their health and safety, security, and even their lives are threatened. Unions protect their members’ health and safety and rights at work. It is important that this includes all forms of violence and harassment in the world of work, including domestic violence.
- **Defending workers.** The violence experienced by survivors and its effects do not stay at home when workers go to work. The impact goes with them, and abused workers bring their concerns and pain to their workplace. This can involve difficulties in getting to work; it can affect their ability to perform tasks and therefore productivity; it can lead to frequent sick leave, and more. It can cause absenteeism and low morale. Some workers have been dismissed as a consequence of performance issues stemming from domestic violence. Job loss and unemployment may then increase the victim’s economic dependency on her abuser, and her risk of serious injury or death. It is therefore a workplace issue and it is important that a survivor has her union on her side to defend her in front of the employer.

⁸ https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:3999810:NO

⁹ https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---actrav/documents/briefingnote/wcms_749786.pdf



- **Fighting against discrimination and gender inequalities.** Domestic violence is a brutal form of discrimination, both a cause and a consequence of the unequal balance of power between men and women, and linked to an abuse of power and economic control. It exacerbates gender inequalities. For instance, women experiencing domestic violence are more likely to work part-time and will be less likely to progress in their careers. A survivor of domestic violence may suffer from economic dependence that will affect her ability to enter, remain or progress in the labour market, thereby widening the gender pay gap. Unions are committed to fight against all forms of discrimination and many unions have made an **equality policy** a priority on their agenda: gender-based violence, including domestic violence, must be part of it.
- **Solidarity and comradeship.** When members are unable to perform their work roles, miss work or are threatened with dismissal because of the effects of domestic violence at work, it is the union's role and duty to support them. This can be through, for instance, facilitating access to legal or domestic violence support services. Unions should also play an important part in raising awareness about preventing domestic violence and ending a culture of gender inequalities and sexism at a societal level. This also gives concrete meaning to the values of **solidarity** and **comradeship** which are the basis of the union movement. The impact of domestic violence on workers and the union can undermine solidarity, and is therefore an organizing issue.

Thomas de Luze – Unsplash



Why is domestic violence a workplace issue?

The workplace can actually be a place of safety for survivors, where they have time away from their abusers. Plus it can be a source of financial independence. These are necessary elements for survivors to be able to leave violent relationships. But the workplace can also be a dangerous place where perpetrators can easily find and harm them.

Domestic violence can also have an impact on co-workers. If a worker suffering pain or anguish is under-achieving, it can mean increased workloads for others, leading to a negative atmosphere. If there is a visit from a co-worker's abuser, there are potential safety risks to all, including clients and customers.

Domestic violence is therefore a workplace health and safety issue.

There can also be serious impacts on the enterprise as a whole. Widespread stress among co-workers, or when a survivor is on medical leave and/or when a perpetrator is imprisoned, can all lead to even greater loss of productivity.

But there is also a wider economic argument. In France, for example, it is estimated that domestic violence costs €3.6 billion per year to French society (including not only from the loss of economic productivity but also, for example, from health care and justice-related costs).¹⁰

These impacts provide sufficient reason for unions to address domestic violence at work.

¹⁰ <https://www.lefigaro.fr/economie/le-scan-eco/2017/11/24/29001-20171124ARTFIG00108-les-violences-conjugales-couteraient-36-milliards-d-euros-par-an.php>

What can be done at the workplace?

The workplace can play an important role in union action to prevent and tackle the impacts of domestic violence. It can provide a range of possibilities to enable survivors to **break the silence** and access information and support. It is therefore necessary to build awareness, among workers, employers, governments, and the wider public.

Domestic violence is complex, surrounded by victim blaming, taboos, prejudices and myths – the simplistic question “Why doesn’t she just leave him?”, for instance – and there is no single solution. Often the survivors have lost self-esteem and do not dare to speak for many reasons. They may even deny what is happening in their life, repress or minimize the violence, or perceive the perpetrator’s violence as “normal”.¹¹ Moreover, “Signs of physical and especially other forms of abuse may be concealed for months, even years. Nearly a third of women experiencing domestic violence seek help only after 10 years of living with it, and over a third seek help after 2-10 years. (...) Black women may face additional problems, both from within and outside their community including racism from organizations. Shame and dishonour are powerful cultural notions, and Asian and other minority ethnic women may face social ostracism

Governments also have a duty to take action.

- **C190** specifically says: “States shall take appropriate measures to recognize the effects of domestic violence and mitigate its impacts in the world of work.” (Art. 10 f). **R206** gives a list of minimum measures that can be taken (Para. 18) :

“Appropriate measures to mitigate the impacts of domestic violence in the world of work referred to in Article 10(f) of the Convention could include:

- leave for victims of domestic violence;
- flexible work arrangements and protection for victims of domestic violence;
- temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences;
- the inclusion of domestic violence in workplace risk assessments;

and rejection if they seek help.”¹² The same applies to LGBTI individuals, who may experience prejudice from the police and support services when reporting cases of domestic violence.

Hence there is a need for building an **empathic world of work, where trust and confidentiality are key**, and for specific action around domestic violence.

As the ILO states:

“The world of work may provide an entry point to mitigate the effects of domestic violence. This is especially important because persons experiencing domestic violence may want to seek support at work. Employers and co-workers can save lives by providing a place of safety and solidarity, serving as a nexus to community services, and also identifying cases of violence.”¹³

Research shows that domestic violence increases during times of economic crisis, natural disasters, and pandemics. Knowing what we have learned from the COVID-19 pandemic, now is the time for unions to press for negotiations with employers about the impact of domestic violence on the world of work. [See more on page 10]

- a referral system to public mitigation measures for domestic violence, where they exist; and
- awareness-raising about the effects of domestic violence.”

- **C190** also requires employers to have a duty of care to provide a workplace free of violence and harassment, including domestic violence.
- **Unions and employers have a role to play in providing information, support, advice and safety at work. Of course, unions and employers do not need to see themselves as experts in domestic violence but you/they should know how and where to refer to any specialist or domestic violence support.**

¹¹ http://fiu-ligestilling.dk/en/tools_materials/if-your-colleague-is-abused-at-home-dealing-with-domestic-violence-in-the-workplace/

¹² <https://unitetheunion.org/media/1475/domestic-violence-abuse.pdf>

¹³ https://www.ilo.org/wcmsp5/groups/public/-dgreports/-gender/documents/briefingnote/wcms_738117.pdf



The range of union actions

A. At the trade union level

- Organise **training, awareness-raising sessions** and **informal discussions** on domestic violence with workers (especially on the pattern of escalating abuse and control that occurs in a relationship, and the breaking of myths and prejudices around domestic violence). All of these can raise awareness about how trade unions can help create a working environment of trust and support, that generates sympathy, empathy and care and enables survivors to seek information and confidential support, and in which survivors will not be judged – whether or not they are ready to take a decision to leave;
- Actively engage in **addressing sexism** and engaging men in trade unions to advocate equality and an end to domestic violence;
- Discuss the handling of domestic violence on a regular basis at **staff meetings** and do not tolerate jokes about domestic violence in the workplace;
- Set up **guidelines and procedures** on how to recognise domestic violence and respond effectively, and refer to specialist agencies if necessary;
- Include domestic violence in the **workplace risk assessment** (as required by Article 9 (c) of C190). If a case of domestic violence is disclosed, the employer should ensure that the potential risk to the employee and her colleagues is minimised through safety planning involving the survivor;
- Spread information about how to get assistance such as a list of appropriate **support services** or NGOs, domestic violence support services such as legal advice and counselling, women's shelters, public grievance mechanisms, and make the information available to all workers;
- **Identify and train contacts/focal points in the workplace** (including union – and health and safety – representatives) for survivors but also abusers (and refer the latter to perpetrator treatment and other resources). The focal point can also help the survivor with administrative tasks (opening a new bank account, etc.) and should be trained to give non-judgmental and confidential advice, information and support to survivors;
- Provide **financial support** for the survivor, if possible, to cover legal costs or costs of moving home or accessing emergency accommodation.

B. At the company level

- Negotiate specific clauses on addressing the impacts of domestic violence on work in **collective bargaining agreements**; and recognize the impacts of domestic violence on work in the anti-violence workplace policy or in a standalone policy on domestic violence;
- Negotiate to **protect employees** from adverse action, retaliation or discrimination on the basis of their disclosure, experience, or perceived experience of domestic violence, and protect their strict confidentiality;
- Negotiate to provide **flexible work arrangements** (including an advance in pay) for the survivor of domestic violence and, if appropriate, a gradual return to full-time after absence of leave; and to partner with associations or training centres to propose internships or block release training for survivors to facilitate their return to employment if necessary;
- Upon the survivor's request, negotiate with the employer so the survivor can **change professional phone numbers and email address** in 24 hours and/or screen calls to avoid harassing contacts; transfer the survivor to another department or location; redesign the job; change duties, working hours or shift pattern; or reduce workload;
- Negotiate to set up a temporary **protection against dismissal** for an employee whose absences or performance are related to domestic violence;
- Negotiate to provide **dedicated leave** for survivors of domestic violence (as recommended in Para. 18 of R206). The number of days will vary according to the industry and workplace



**Nearly a third of women ...
seek help only after 10 years**

environment and they can be taken as a series of days, as single days or part of a day. Trade unions should bargain for a minimum of 10 days paid leave per year in addition to existing leave provisions, extended under exceptional circumstances, as no survivor of domestic violence should have to choose between their safety and that of their family, and their job. Without paid leave, that is a choice that many survivors are forced to make. Paid leave allows engagement in any criminal proceedings as well as access to support, services and remedies, and is essential to stop the cycle of abuse. Paid leave is also a protection against dismissal. Employers and unions should negotiate with government for paid leave to be covered by state-funded social security schemes. If employers do not agree to provisions for paid leave, unpaid leave is the interim default position, provided the survivor's job position is guaranteed. Employers can still include domestic violence among the eligible grounds for taking sick leave but the problem is that workers experiencing domestic violence may need all available leave.

C. On a wider level: building alliances and partnerships

- Contact political representatives and encourage them to put prevention of violence against women as top priority of their **political agenda**, and engage with local and/or **national institutions** to develop a plan of action to combat domestic violence;
- Establish partnerships with **women's rights NGOs** and especially with domestic violence organisations;
- Discuss with the employer the possibility of **partnering with state institutions** to provide temporary housing; and/or contact local **women's shelters** on how to collaborate in providing support. Employers may insist on evidence so as to access domestic violence entitlements. If so, unions should ensure that the proof can be provided by a wide range of protagonists (not only a physician), such as from staff at women's shelters or other crisis services, psychologists, trusted persons, etc., although this may not be possible if the survivor has not contacted any support services.



References

THIS DOCUMENT IS BASED ON:

- **UFCW Canada, “Domestic Violence and the Workplace: A Bargaining Guide”**
http://www.ufcw.ca/templates/ufcwcanada/images/women/publicatios/Domestic-Violence-and-the-Workplace-A-Bargaining-Guide-EN_V4.pdf
- **FIU, Denmark, “If your colleague is abused at home”**
http://fiu-ligestilling.dk/en/tools_materials/if-your-colleague-is-abused-at-home-dealing-with-domestic-violence-in-the-workplace/
- **NUPGE, Canada, “Domestic Violence, Workers, and Workplace”**
<https://nupge.ca/sites/default/files/documents/Domestic%20Violence%20at%20Work%20Backgrounder%20-%20Revised%20%28002%29.pdf>
- **UNISON, UK, “Domestic violence and abuse: a trade union issue”**
<https://www.unison.org.uk/content/uploads/2017/02/24192.pdf>
- **DV@work**
<http://dvatworknet.org/content/union-resources>
- **Unite the Union, UK**
<https://unitetheunion.org/media/1475/domestic-violence-abuse.pdf>

MODEL CLAUSES CAN BE FOUND IN:

- **UFCW Canada, “Domestic Violence and the Workplace: A Bargaining Guide”**
http://www.ufcw.ca/templates/ufcwcanada/images/women/publicatios/Domestic-Violence-and-the-Workplace-A-Bargaining-Guide-EN_V4.pdf
- **Canadian Labour Congress**
<https://canadianlabour.ca/issues-research/domestic-violence-work/model-language/>



COVID-19 pandemic lockdown causes even more domestic violence

The COVID-19 pandemic is having far-reaching social and economic impacts on women, including significant increases in domestic violence.

Trade unions across the world are responding, particularly with online resources to help union members to take action. It is an important moment and opportunity to take the issue up with employers and governments.



These are extraordinary times. The isolation measures in response to COVID-19 mean many more people are working from home. We're asking employers and reps to take practical action to help protect and support people they know or fear are experiencing domestic abuse. You can't replace specialist services, but this guide will help you develop the awareness and skills to give the best support and advice you can to someone who may be in danger."

Trades Union Congress, UK:

<https://learning.elucidat.com/course/5e875ae4d0715-5e8c6417dfc28>

The online portal DV@work has links to many resources on this subject from the global trade union movement, employers and the United Nations:

<http://dvatworknet.org/content/dvwork-covid-19-briefings>

Plus, on the next page, DV@work sets out ways in which unions can support and help protect workers, particularly the most vulnerable, from domestic violence at this time of a global pandemic.

Recommendations from the network DV@work

http://dvatworknet.org/sites/dvatworknet.org/files/dvatwork-covid19-brief4_0.pdf

A) Workplace representatives supporting workers and members working remotely from home

- Workplace representatives need to be aware that data and experience show that during the pandemic there will be domestic violence occurring within their membership.
- Workplace representatives need to take immediate and practical steps to protect members affected by domestic violence, including where dismissal or discriminatory action is threatened or taken if a worker discloses domestic violence, is under-performing and/or unable to carry out work tasks.
- It is important that workplace representatives act on the signs of domestic violence and provide information about where a survivor can seek support and keep a number safely (under a pseudonym) on their phone.
- Help the worker who is a survivor to develop their own safety plan and stay in regular contact with them. Be non-judgmental and ask questions that require yes and no answers in case an abuser is listening to calls, and agree to a code word that can indicate an alarm for help.
- Stay in touch with members through union communication channels, web sites, text messaging asking if they feel safe in their homes, and provide regular information about domestic violence safety measures and legal advice, what employers' obligations are, and how to seek help from a trade union representative, employer/manager, and/or domestic violence organisation. Work with women union members and through women's union networks and committees to ensure that these messages reach vulnerable women.

B) Discussions and negotiations with employers

- Carry out urgent discussions and negotiations with employers to protect workers' safety and health while they work remotely from home. Ensure there is employment security, safety measures and confidentiality for survivors.
- If relevant, work with the employer to adapt existing workplace policies to the new situation of remote working.
- Negotiate for language prohibiting discrimination against victims of gender-based violence and harassment in rehiring and maintaining employment if they are essential workers.
- Provide financial assistance to workers for safety measures to stay safely in their homes (e.g. improved locks, security and alarms) or who are evicted from their homes because of domestic violence during the pandemic so that they may continue to work safely.

C) Union strategies and awareness raising to protect the most vulnerable workers

- Put in place union strategies and awareness raising to protect the most vulnerable workers, such as homeworkers and domestic workers.
- Put in place union strategies and awareness raising to protect the safety and health of those working in essential services, if they experience domestic violence when they get home, and where their partners use COVID-19, amongst other tactics, as a tool for that abuse, for example, refusing to let them into their homes because they are saying they will infect them.



Domestic violence: a workplace and union issue

Briefing for IUF affiliates

IUF, Geneva, September 2020

www.iuf.org

With thanks to Jane Pillinger and Celia Mather
for their inputs and assistance with editing.
Layout: m+m Studios

For further information, please contact
the IUF Secretariat at

iuf@iuf.org