



**Women's Aid Submission
to the Department of Enterprise,
Trade and Employment on the
ratification of the International Labour
Organisation (ILO) Violence and
Harassment Convention, 2019 (No.
190).**

September 2022



Women's  Aid

About Women's Aid

Women's Aid is a national, feminist organisation working to prevent and address the impact of domestic violence and abuse (henceforth DVA) including coercive control, in Ireland since 1974. We do this by advocating, influencing, training, and campaigning for effective responses to reduce the scale and impacts of domestic abuse on women and children in Ireland and providing high quality, specialised, integrated, support services.

More information on Women's Aid is available on our website www.womensaid.ie.

Introduction

Women's Aid welcomes the government intention to ratify the ILO Violence and Harassment Convention, 2019 (No. 190) and Recommendation 206. In particular, Women's Aid appreciates the focus of the Convention on gender-based violence and harassment in the world of work and the inclusion of the need to address its root causes and provide a gender responsive approach. While gender based violence can take many forms and we are supportive of the whole Convention, given our remit we will focus on women experiencing domestic violence and the role that the workplace can and should play in supporting them.

Estimated Prevalence of DVA against women within the workplace

According to the Fundamental Rights Agency of the EU in Ireland¹

- 13% of **employed women** have experienced sexual and/or physical violence and 31% have experienced psychological violence by a partner since age 15
- 24% of **employed women** know a victim of domestic violence where they work.

¹ FRA data explorer, accessed 13^h September 2022. <https://fra.europa.eu/en/publications-and-resources/data-and-maps/survey-data-explorer-violence-against-women-survey>, selecting Employed as Employment status. Note that employment status is the status at time of the survey, which may or may not be the same as the status at the time of victimisation.

Further research conducted by Vodafone in 2021, in nine countries including Ireland, revealed that:

- In the year leading up to the 2021 study, 32% of workers, primarily women, had been subjected to domestic abuse.²

This shows that many women at work, as well as a smaller number of men and others, are victims/survivors of DVA and many more are affected by knowing a colleague who has experienced such abuse.

Impact of DVA on work

DVA affects workers' physical and mental health, with negative consequences on their performance and productivity at work. They may feel stressed or distracted. The perpetrator may disrupt their work by calls, messages, and emails or by harassing and assaulting them in person on the premises or nearby.

Moreover, workers may be unable to attend work due to injuries, having to attend legal or other appointments, or the perpetrator actively preventing them to go to work on time or at all.

For example, a 2014 survey carried out by the Trade Union Congress in the UK and the Republic of Ireland found that domestic violence affects performance and attendance at work. Of those who experienced domestic violence over 40% said the abuse affected their ability to get to work and 56.7% said they had to take time off work as consequence of the abuse³.

Research also shows that domestic abuse not only has significant impacts on the victim/survivors, but it also impacts on their colleagues, affects productivity and has a hidden cost on the employer.

² Vodafone - Domestic Violence and the Workplace, 2021. Available from <https://www.vodafone.com/sites/default/files/2021-11/vodafone-domestic-violence-2021-global-report.pdf>

³ Trade Union Congress, 2014, Domestic Violence And The Workplace A Tuc Survey Report, Available Here: https://www.tuc.org.uk/sites/default/files/Domestic_Violence_And_The_Workplace_0.pdf

This includes increased absenteeism, reduced productivity (of the victim/survivor but also of colleagues who may be aware of /affected by the abuse), victim leaving and consequent recruiting and training costs⁴.

DVA in the ILO Convention 190 and Recommendation 206

Women's Aid welcomes the Convention recognition that domestic violence is an issue that impacts on the world of work and of the need to mitigate this impact and support victims/survivors with a range of appropriate measures.

Financial independence from the perpetrator is essential for women experiencing domestic abuse regaining their autonomy from the perpetrator and employment is a **key** element of financial independence.

Women's Aid believes that supporting victims/survivors of DVA in retaining employment and therefore independent income is vital to expanding their agency and options. There should be workplace measures to support victims and mitigate the impact of DVA on the world of work. The workplace can also play an important role in raising awareness of domestic violence and other forms of gender-based violence and referring victims to specialist support services.

We are, therefore, very pleased with the explicit inclusion of domestic violence in the Convention: Article 10 stipulates that member states will take measures to (inter alia)

4 See for example: Rayner-Thomas, M., Fanslow, J., and Dixon, R. (2014). Intimate partner violence and the workplace. Auckland, New Zealand: New Zealand Family Violence Clearinghouse, University of Auckland.

Fitz-Gibbon, K., Pfitzner, N., McNicol, E. and Rupanagudi, H. (2021) Safe, thriving and secure: Family violence leave and workplace supports in Australia. Monash University, Victoria, Australia.

Trade Union Congress, 2014, Domestic Violence And The Workplace A Tuc Survey Report, Available Here: https://www.tuc.org.uk/sites/default/files/Domestic_Violence_And_The_Workplace_0.pdf

Pillinger et al. (2019) Survey held in 6 Companies: "How Does Domestic Violence Impact the Workplace?" Available here: https://www.foundationface.org/wp-content/uploads/2019/11/FACE_-_ProjetOneInThreeWomen.210x297_UK.pdf

(f) recognize the effects of domestic violence and, so far as is reasonably practicable, mitigate its impact in the world of work;

The accompanying Recommendation 206 specifies that⁵:

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:

- (a) leave for victims of domestic violence;*
- (b) flexible work arrangements and protection for victims of domestic violence;*
- (c) temporary protection against dismissal for victims of domestic violence, as appropriate, except on grounds unrelated to domestic violence and its consequences;*
- (d) the inclusion of domestic violence in workplace risk assessments;*
- (e) a referral system to public mitigation measures for domestic violence, where they exist; and*
- (f) awareness-raising about the effects of domestic violence.*

Women's Aid strongly supports all aspects of this recommendation.

In particular, we support the introduction of 10 days paid statutory domestic violence leave in Ireland, as included in the Implementation Plan of the Third National Strategy on Domestic, Sexual and Gender-Based Violence⁶ and we hope this will be legislated for in the very near future.

We have also been working collaboratively with employers to assist them in responding to domestic abuse as a workplace issue. We have developed a model policy and an Employer Response to Domestic Abuse training package. This package focuses on three areas – training, policy, and awareness – with the aim of creating a supportive, understanding, and safe workplace

⁵ R206 - Violence and Harassment Recommendation, 2019 (No. 206); paragraph 18 available at https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206

⁶ Action 2.4.10 of the Third National Strategy on Domestic, Sexual & Gender-Based Violence Implementation Plan

environment for victims/survivors of domestic violence and abuse. The package addresses all the aspect listed in the Recommendation above and has been very well received by employers, and their employees.

Women's Aid also welcomes Article 3, which includes violence and harassment occurring not only in the workplace, but also on the work commute and crucially "through work related communications".

Abusing women in their workplace or in the vicinity and also through work related communication are common tactics used by abusive partners to disrupt women's work and impact on their performance and it is therefore important that these are included.

Finally, we note and appreciate the wide scope of the Convention, applying to all workers irrespective of their contractual status and in all sectors including both the formal and informal economy (Article 2).

The majority of victims of domestic abuse are women who are more likely than men to be in non-permanent, part-time and casual work or to be employed in the informal sector. Women experiencing domestic abuse are more likely to have disrupted work history and to be in casual or part-time employment than women who do not experience such violence⁷. Therefore, this wide scope is very important to ensure all victims/survivors are covered.

Conclusions

Women's Aid is delighted that the ratification of Convention ILO 190 is a priority for Ireland and hopes this will be achieved in the short term. This should go hand in hand with the introduction of

⁷ McFerran, L (2011) 'Safe at Home, Safe at Work', National Domestic Violence and the Workplace Survey, Australian Domestic and Family Violence Clearinghouse, A Project of the Centre for Gender- Related Violence Studies and Micromex Research, University of New South Wales (National Domestic Violence Workplace Survey 2011), page 2.

paid Domestic Violence leave as mentioned in the Third National Strategy and with the development/roll out of support packages for employers to assist them with guidelines, policies and training in playing a positive role against domestic violence and other forms of violence and harassment.

Ends.