

# Summary of key points on TPVH relevant to the updating of the Guidelines

Source: Complete Report available to [download here](#)

IT'S NOT PART OF THE JOB



By Dr. Jane Pilinger

## **Summary of key points on GBVH relevant to the updating of the Guidelines:**

- Ensure the integration of a gender perspective and participation of women trade union and employer representatives in negotiations for sectoral and workplace CBAs that address violence and harassment.
- Adopt a gender-responsive approach to TPVH, ensuring the integration of gender into policies, prevention programmes and related security measures.
- Build awareness about institutional sexism and ways to address the structural causes of GBVH.
- Take account of the pervasiveness of gendered power inequalities, and build awareness about multiple and intersecting forms of discrimination.
- Develop effective gender-sensitive complaints mechanisms and build trust in these mechanisms to encourage workers to report sexual harassment perpetrated by third-parties.
- Involve women workers and women trade union representatives in the development and design of workplace policies, prevention programmes and safety measures.
- Implement gender-responsive risk assessment and mitigation measures, ensuring a gender-responsive approach to assessing psychosocial risks (see also under OSH below).
- Ensure safe spaces for women to report on and have support following incidents of gender-based TPVH.
- Negotiate and develop safe transport to and from work, taking account of risks faced by women workers travelling at night and/or following after late shifts.

## **Summary of key points on domestic violence as a workplace issue relevant to the updating of the Guidelines:**

- Paid domestic violence leave should be implemented (precedents agreed through CBAs and joint workplace policies include 3-5 days paid leave in France, 10 days in Ireland, 5-20 days and in some cases indefinite leave in Spain, and three months paid leave in Italy).
- Workplace supports such temporarily taking flexible work, the reorganisation of and reduction in work tasks, and support to change work location in order to safely continue to work.
- Financial and housing support for victims of economic and domestic abuse.
- Training of workplace managers and union representatives in providing confidential support and information in the workplace.
- Inclusion of domestic violence in risk assessments, including dedicated risk assessments and safety planning in partnership with the victim/survivor.
- Specific and additional guidance and measures on how to communicate with and support survivors during remote working, teleworking and hybrid working.
- Referrals to specialist domestic violence counselling, legal and accommodation services, including partnerships with domestic violence organisations to support policy development and training.
- Holding perpetrators accountable, including effective ways to communicate with perpetrators, sanctions when workplace resources are used to perpetuate abuse, security measures for victims when the perpetrator works in the same workplace, and the provision of information about external counselling and perpetrator treatment programmes.

## **Summary of key points concerning digitalisation relevant to the updating of the Guidelines:**

- Social dialogue, including collective bargaining to prevent and address cyber harassment.
- The inclusion of protections and revisions in both labour law and criminal law.
- Safety and health protections emanating from work with a digital content, ensure risks of cyber violence and harassment in risk assessments and risk mitigation measures to prevent their occurrence or reoccurrence.
- Gender-responsive responses to address digital sexual harassment from third-parties or digital domestic abuse perpetrated by current and ex-intimate partners.
- Confidential data, including records held of employees and ensure that workers are aware of their rights in relation to data protection.
- Support for victims of cyber-violence and harassment, including assisting victims on removal of offensive online materials, photos and harassing messages.
- Jointly agreed measures to reduce stress and psychosocial risks, including those related to monitoring and surveillance of workers' performance and the 'right to disconnect'.
- Telework and hybrid models of teleworking are voluntary, and that there are measures in place to assess and address psychosocial risks leading to violence and harassment from third-parties when carrying out telework.

## Summary of key points on OSH and risk assessment relevant to the updating of the Guidelines:

- Assessment of psychosocial risk factors that impact on the working environment e.g. staffing levels, procedures in place to identify and mitigate risks, addressing telephone and online harassment and abuse, along with provision of support for victims.
- Effective liaison with the criminal justice system and implementation of effective security.
- A planned approach, with context-specific and evidence-based solutions, social dialogue and worker involvement, continuing staff feedback, and regular liaising with external bodies.
- Indicators on TPVH included in workplace risk assessments, involving worker consultation with all relevant staff, and taking into account all relevant data, such as incident and near-miss reporting, reviews of OSH-related illness, risk registers and injury records and police records/crime data.
- Dedicated risk assessments TPVH in response to a serious incident, an increase in cases or reported concerns from workers, and in case where a victim of domestic violence and co-workers face threats of violence and harassment from a partner or ex-partner in the workplace.
- Online OiRA risk assessment tools in education, with social partner involvement, is a further innovative way to assessing risks across a sector.
- Gender-responsive risk assessment measurements relating to third-parties can be adapted from evidence-based methodologies that address sexual harassment, harassment, physical threats or assaults, unwanted sexual attention and sexual coercion from third-parties.<sup>1</sup>
- New evidence-based methodologies, such as “threat management” have become an increasingly important in promoting integrated method to address serious forms of violence and harassment, as seen in the good practice of this approach is led by Deutsche Telekom, where emphasis is given to prevention, supporting victims and resolving cases in an integrated and tailored way.
- The following are key points of learning for sectoral specific as well as cross-sectoral actions and agreements at the national level, including in the updating of the Guidelines:

---

<sup>1</sup> There are various evidence-based methods that can be applied to TPVH e.g. methods for measuring sexual harassment, see for example Fitzgerald et al. 2010, Astrapi 2022 and ETF 2020).

## **Summary of key points on protection and remedies relevant to the updating of the Guidelines:**

- The importance of effective and multifaceted support for victims, ranging from information, health and wellbeing support, counselling, paid leave etc.
- Ensure effective workplace design and security measures to reduce the risks of TPVH.
- The need to ensure that perpetrators of TPVH are held accountable, including payment of compensation to victims.
- Adequate levels of financial compensation, at different levels according to severity of TPVH, to ensure that aggressors understand that the issue is dealt with seriously.