



## March 4 Justice

**On March 15, IEU will join with other Australian unions and allies to call for an end to gendered based violence.**

In 40 events nation wide, IEU will hold Federal Government and all politicians to account and call for the end of dangerous workplace cultures which promote gendered violence in the workplace. They will demand an equality of access to safety, justice, wellbeing and economic prosperity.

### **What is Workplace Gendered Violence?**

**Workplace gendered violence** is any behaviour, action, system or structure in a workplace that causes physical, sexual, psychological or economic harm to a worker because of their sex, gender, sexual orientation or because they do not adhere to dominant gender stereotypes or socially prescribed gender roles.

Gendered violence includes:

- Violence experienced by women because they are women;
- Violence experienced by a person who identifies as LGBTIQ;
- Violence experienced by a person because they don't conform to socially prescribed gender roles or dominant definitions of masculinity or femininity;
- The witnessing (without taking appropriate action) of gendered violence directed at someone else, such as a co-worker.

Gendered violence involves many of the following aggressive behaviours and actions that systems and structures and workplace cultures enable:

- |                                    |                                             |
|------------------------------------|---------------------------------------------|
| - Offensive language and imagery   | - Put downs                                 |
| - Gaslighting                      | - Being undermined in your work or position |
| - Ostracism and exclusion          | - Rude gestures                             |
| - Sexual innuendos or insinuations | - Sexual suggestions or unwanted advances   |
| - Intimidation                     | - Verbal abuse                              |
| - Threats                          | - Stalking                                  |
| - Physical assault, Sexual assault | - Rape                                      |

### **The Rates Of Gender Violence In Australian Workplaces Are Alarming.**

Everyone deserves to be safe at work, yet the current rates of gendered violence in Australian workplaces are alarming. The Australian Human Rights Commission review found that

- Almost two in five women (39%) and just over one in four men (26%) have experienced sexual harassment in the workplace.
- People aged 18 to 29 were more likely than those in other age groups to have experienced workplace gendered violence. (45%).

- People who identify as LGBTIQ were more likely than people who identify heterosexual to have experienced workplace gendered violence (52% and 31% respectively).
- People with disability were also more likely than those without disability to have experienced gendered violence in the workplace (44% and 32% respectively).

## **Hesitation to Report or Seek Support**

The national AHRC review also identified that the majority of people who experienced gendered violence at work did not formally report their experience nor seek support or advice.

Fewer than one in five people (17%) made a formal report or complaint and of those who did report, almost one in five people were labelled as a troublemaker, (19%) were ostracised, victimised or ignored by colleagues (18%) or resigned (17%).

The most common reason for not reporting gendered violence were that people would think it was an over reaction (49%) and it was easier to keep quiet (45%)

## **A World Without Gendered Violence Is Possible**

Gendered Violence is a global phenomenon and as such requires global safety measures.

In June 2019, a ground-breaking Convention and Recommendation to eliminate violence and harassment at work was successfully negotiated and adopted overwhelmingly at the International Labour Organisation in Geneva. This two-year negotiation included ACTU and other world trade unions, ILO member governments and employer organisations.

The historic **ILO Convention 190 and Recommendation 260** establishes for the first time, an international standard to prevent and eliminate violence and harassment at work and places obligations on governments to develop national laws prohibiting workplace violence, and on employers to take proactive steps to prevent violence and harassment.

**While the Australian Government voted in favour of the ILO Convention 190 and the associated Recommendation 260 to eliminate gendered violence at work, it is yet to ratify the ILO Convention or even speak to Australian Unions about the matter.**

## **Respect@Work**

In March 2020, the long-awaited report on gendered violence in the workplace **Respect@Work** was released by the Australian Human Rights Commission. This report was the result of the 18month inquiry into Australian workplaces and outlined the plan for the elimination of gendered violence from the workplace.

Among the 18 key recommendations from the report are:

- A new capacity for the Fair Work Commission to deal with workplace sexual harassment and discrimination
- A Model WHS Regulation which addresses psychosocial hazards at work, including risks of violence and harassment
- A commitment to ratify the ILO Convention on Violence and Harassment 2019 (C.190).

*IEU – representing 75000 teachers, principals and ancillary staff in faith based, community and independent schools, pre-schools and early childhood centres and post secondary centres across Australia. March 2021*

- Strengthening the Sex Discrimination Act 1984 (SDA) by empowering and resourcing the Sex Discrimination Commissioner to conduct own motion inquiries into particular sectors, industries or workplaces.

**Both the ILO Convention 190 and the Respect@Work report outlines sensible plans for the elimination of gendered violence in the workforce.**

**Yet, the Federal Government continues to show disrespect and lack of care for workers who are struggling with incidences of gendered violence by failing to take action on these two essential pieces of work.**

This is even more outrageous in light of recent gendered violence atrocities occurring to Parliamentary staff

## **It Is Time For Action!**

**IEU members have waited long enough for a sensible response from this Federal Government!  
And that is why we will rally on March 15.**

It is time to campaign for fair, effective and efficient laws which prevent and protect against gendered violence at work.

It is time to advocate for the Federal Government's ratification of ILO C190.

It is time to call upon the Federal Government to act on the recommendations contained within Respect@Work report.

It is time for the Federal Government to:

1. Implement a clear right of action within the Fair Work Commission for workers who are experiencing gendered violence
2. Implement an effective capacity for unions to bring representative complaints on behalf of the collective of workers.
3. Strengthen the powers of the Fair Work Commission in relation to gender equality and the establishment of an expert Gender Equality panel within Fair Work.
4. Develop, in consultation with social partners and experts a new Work Health and Safety Regulation and Code of Practice that recognises psychosocial hazards, including gendered violence.
5. Strengthen the Sex Discrimination Act and empower the Sex Discrimination Commission to, not only conduct well resourced inquiries into high risk sectors or industries, but also be able to authorise the courts to penalise for breaches of the Act.

Collectively, we can make change happen. Collectively we can each help to create safer workplaces.

**IEU members are encouraged to**

- **Where possible attend the rally in their local area. As well:**
- **Hold discussions in schools to educate colleagues on** importance of ILO Convention 190 and Recommendation 206 and the AHRC Respect@Work Report More information can be found at [https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS\\_737414/lang--en/index.htm](https://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_737414/lang-en/index.htm)  
  
<https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>
- **Sign the ACTU petition** calling upon Attorney-General and Minister for Women to urgently commit to ratify ILO Convention 190 to make workplaces healthy, safe and respectful for all. <https://www.megaphone.org.au/petitions/call-on-the-australian-government-to-ratify-ilo-c190-now>
- **Email the Prime Minister** (<https://www.pm.gov.au/contact-your-pm>) and call for immediate consultation with unions with the view to ratify ILO Convention 190 and Recommendation 206 and implement the recommendations to the Respect@Work report
- **Contact your local Member of Parliament** to ask what is the Morrison's Government's timeline and process for the ratification of ILO Convention 190 and Recommendation 206 ([http://www.aph.gov.au/Senators\\_and\\_Members/Members](http://www.aph.gov.au/Senators_and_Members/Members)) and what is the response to the Respect@Work report