

Guidance Note 1: Workplace Policy on GBVH

This guidance note is intended to support workplaces in designing a policy to address gender-based violence and harassment (GBVH) in the workplace. It covers:

- **Principles**
- **Content**
- **Harmonisation with other workplace policies**



1. Principles

An effective policy to prevent and respond to GBVH should to the following principles:



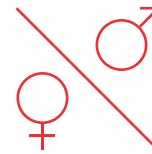
Victim and survivor-centred: The needs and wishes of the victim/survivor are centred in all decisions and processes regarding complaints and their resolution.



Confidentiality: The details of complaints, resolutions and disciplines are kept confidential.



Equality: All individuals are treated equally in the complaints process regardless of their identities including but not limited to age, disability, ethnicity, gender identity, marital status, migrant status, religion, marital status, sexual orientation, or race.



Gender sensitive and inclusive: The policy recognizes the unique risks of different groups based on their identities and other social factors.



Safety: The safety of anyone making a complaint or witness to a complaint is preserved without threats to individuals for making complaints, the safety of victims is prioritised in immediate response to incidents and complaints



Non-Retaliation: Retaliation against employees involved in an investigation or complaint related to GBVH (namely, victims, survivors, and witnesses) is prohibited.



Accessibility & flexibility: The complaints process is accessible and flexible to the needs of complainants, victims and survivors, and witnesses, including in cultural contexts, language and literacy, place, and time.



Timely resolution: The complaint processes are resolved in a reasonable timeframe and abide by legal requirements for resolution providing outcomes and resolution for all parties.

2. Content

A workplace policy should promote a gender equal, inclusive, respectful, and safe working environment, deter undesirable behaviour, provide clear process for complaint management including access to remedy, and communicate consequences for GBVH. According to Convention C190, employers should provide support for individuals who may be experiencing domestic or intimate partner violence.

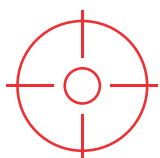
A policy should clearly state the purpose, definitions, scope (who is covered/not), rights and responsibilities, prevention and remediation, the rights of alleged victims, witnesses, and perpetrators, how to determine if cases occurred, the right to appeal, how to handle false allegations, monitoring and reporting of cases, and continuous improvement and learning. Better Work and CARE have developed a [model policy] that can be adapted to your workplace based on local legislation and requirements. The policy must include the following elements:



1. Intent and purpose: A statement indicating that GBVH is not condoned and outline the organization's commitment to a working environment that is gender equal, inclusive, respectful, safe, and free from GBVH. The policy should also begin by including a statement of intent to enforce the policy seriously and promptly, with specifications of remedies and penalties.



2. Definition: A clear definition of GBVH with examples that are relevant to a particular working environment, for instance, sexual harassment. This should also include examples of what does not constitute GBVH.



3. Scope: A statement on who is covered by the policy including but not limited to staff, contractors, agents, and prospective employees regardless of their contractual status as a minimum. The scope should explain the circumstances in which GBVH may occur which includes the definition of the workplace (i.e. what occurs in the course of, is linked with or arises out of work).



4. Rights and responsibilities: A clear outline of the rights and responsibilities of all employees, from workers to management, in relation to GBVH prevention and remediation, including specific training requirements with staff with responsibility for receiving, responding to and/or investigation complaints;



5. Prevention measures: A description of a workplace's commitment and measures to prevent and address GBVH. This includes preventive measures such as risk assessments, and training and awareness raising.

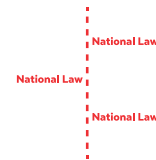


6. Referrals for victims, survivors, and witnesses: The policy provide links to service providers, including government agencies, health care providers, trade unions, non-profit organizations, grassroots organizations, women's organisations, who are able to support victims, survivors, and witnesses.



7. Remediation measures: Information on where and how affected individuals can seek help, advice, and make a complaint through multiple channels such as internal or external, and informal or formal grievance mechanisms, as well as designated personnel in providing support or handling complaints (i.e. supervisors, specific managers, designated complaints committee or officer) should be provided. The policy should emphasize the workplace’s commitment to ensure that grievance mechanisms are accessible, confidential, gender sensitive, fair, and safe, and that retaliation is prohibited. The policy should explain the support made available to complainants and victims and survivors (such as changing work arrangements or leave). The policy should also state the step-by-step process on what to expect in filing a report, the decision and potential remedies and sanctions, and follow-up and reporting. Lastly, the description of the remediation measures should outline the rights of alleged victims, witnesses, and perpetrators.

8. Learning and continuous improvement: A commitment to use the data collected on GBVH to improve upon prevention and remediation processes in the workplace.



9. Alignment with national laws where applicable: The policy should also be adapted to reflect any specific national requirements.

3. Harmonisation with other policies

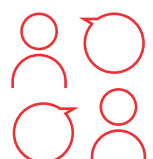
GBVH prevention and remediation policies must be linked to other relevant policies so that content is harmonised, for instance:



Human resources policies: GBVH principles are integrated into all aspects of human resources functions including but not limited to recruitment, compensation, training, and promotion.



Occupational health and safety policies: GBVH is taken into account as part of occupational health and safety risk management.



Social dialogue and/or worker-management committee policies: Social dialogue policy includes specific mention of engagement on issues of GBVH in the world of work



Non-discrimination and equality policies: Broader policies on non-discrimination and equality is aligned with GBVH policies and recognises gender-based and other forms of discrimination as contributing to violence and harassment in the world of work.