



## LEGISLATIVE RESEARCH SERVICE

### QUICK NOTES

*Second Regular Session, 19<sup>th</sup> Congress*

#### **Public Hearing of the Committee on Foreign Relations**

**Chairperson: Sen. Imee R. Marcos**

**28 November 2023, Tuesday, 1:00 p.m., Sotto Room, Senate**

**Re: International Labour Convention No. 190 (C190) on the Elimination of Violence and Harassment in the World of Work, 2019**

#### **Background**

- The global community has made it clear that violence and harassment in the workplace are unacceptable and should be eliminated. In June 2019, the General Conference of the International Labour Organization (ILO) reaffirmed the importance of its fundamental conventions and other international instruments, such as the Universal Declaration of Human Rights and the International Convention on the Elimination of All forms of Racial Discrimination.
- The General Conference recognized the right of everyone to work in an environment free from violence and harassment, including gender-based violence and harassment. It also acknowledged that violence and harassment at work violate human rights and undermine equal opportunities, which are essential for decent work. A culture of mutual respect and dignity is seen as crucial to preventing workplace violence and harassment, as these issues negatively impact work organization and workplace relationships.
- The Conference acknowledged that gender-based violence and harassment disproportionately affect women and emphasized the need for an inclusive, integrated, and gender-responsive approach to addressing these issues in the workplace. Additionally, it recognized that domestic violence can harm the health and productivity of workers, and called on governments, employers' and workers' organizations, and labor market institutions to assist in addressing the impacts of domestic violence.
- As a result of these considerations, the General Conference decided to adopt proposals related to violence and harassment in the world of work in the form of an international convention. The Violence and Harassment Convention of 2019 was adopted on June 21, 2019, and it became effective on June 25, 2021.<sup>1</sup>

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<sup>1</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)

## **Highlights of the International Labour Convention No. 190 on the Elimination of Violence and Harassment in the World of Work, 2019**

- The convention protects workers, employees, persons working irrespective of their contractual status, persons in training, workers whose employment has been terminated, volunteers, job applicants, and individuals who exercise authority of an employer, among others.
- It primarily applies to violence and harassment in the workplace, in the places where the workers are paid, take a rest break, or use of sanitary facilities. It applies also during work-related trips or social activities and when commuting to and from work.
- Each member that ratifies the convention shall respect and promote the right of everyone to a world of work free from violence and harassment. They shall adopt an inclusive and gender-responsive approach for the prevention and elimination of violence and harassment in the world of work.
- Likewise, each member shall take appropriate measures to prevent violence and harassment in the world of work, and adopt laws and regulations requiring employers to take appropriate steps to prevent violence and harassment in the world of work.
- The provisions of this convention shall be applied by means of national laws and regulations, through collective agreements or measures consistent with national practice.<sup>2</sup>

### **Possible Points for Consideration**

- Study of the current work-related laws of the Philippines to see whether the enactment of an implementing law pertaining to C190 is still necessary. This should include the review of the provisions of RA 11313, otherwise known as An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions, Providing Protective Measures and Prescribing Penalties Therefor, that already comply with the subject convention, among other related laws;
- Organizational structures that must be set to ensure easy access to appropriate and effective remedies, including safe reporting and dispute resolution mechanisms in cases of violence and harassment in the world of work;
- National policies to guarantee that violence and harassment in the world of work is addressed such as those concerning occupational safety and health, equality and non-discrimination, and migration;
- Schemes to provide employers and workers and their organizations with guidance, resources, trainings, or other tools to curtail violence and harassment in the world of work, including awareness campaigns; and
- Measures to be undertaken to monitor and enforce national laws and regulations regarding violence and harassment in the world of work.

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<sup>2</sup> [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C190](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190)