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# **STOP GENDERED VIOLENCE AT WORK**

## **CAMPAIGN KIT**

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# Welcome to the Gendered Violence Safety Crew!

*Congratulations for standing up to stop gendered violence at work!*

You're part of a growing movement of workers who want to change workplaces to make them more inclusive and safer for all workers.

## **This kit will help you to:**

1. Understand gendered violence as a serious occupational health and safety hazard
2. Start a conversation with the people you work with and raise awareness about gendered violence as a serious OHS issue
3. Identify the risks and take action to stop gendered violence in your workplace.

## **This kit contains:**

- A guide to gendered violence at work.
- Gendered violence posters that you can put up in your workplace.
- Gendered violence fact sheet to help you talk about gendered violence in your workplace.
- Gendered violence services and referral information.
- Victorian Trades Hall Council Stop Gendered Violence at Work model enterprise bargaining clause.

When we talk about occupational health and safety (OHS), we usually think of hard hats and manual handling, but there are other kinds of workplace hazards too. Gendered violence (GV) is a serious OHS hazard that injures Victorian workers every day.

GV is any action or behaviour that causes physical, sexual, psychological or economic harm to a worker because of their gender, gender identity, sexual orientation or because they do not adhere to dominant gender stereotypes or socially prescribed gender roles. GV is any action or behaviour that makes a person feel uncomfortable, unsafe, threatened, ashamed, inferior, excluded, embarrassed or humiliated.

The impact of gendered violence is huge. Over 60% of women have experienced some form of GV at work, and almost one in five women have resigned from a workplace to escape GV. Gendered violence is like a disease in our workplaces. Employers have a legal duty to provide all workers with a healthy and safe working environment free from GV. No one should be injured or become unwell because of GV at work.

**Together we can stop GV at work.**

You can take action to stop gendered violence at work by:

1. Using the resources in this kit to help you understand Gendered violence and how it injures people at work.
2. Putting the posters in this kit up on your union noticeboard, in the lunch room or somewhere that is visible in your workplace.
3. Talking about GV to the people you work with, your union delegate, your Health and Safety Representative and your union Organiser.
4. Talking to your colleagues and union about how together you can negotiate a Stop Gendered Violence at Work clause into your next workplace enterprise agreement.

To make real change at work, we need everyone to work together. By talking to others about GV at work we are building a movement of workers who are ready to stand up and stop GV at work.

***By campaigning together we will:***

- Make employers and WorkSafe take action to stop GV from injuring workers.
- Build a movement of workers who are taking action to stop GV at work, and
- Eliminate GV from all Victorian workplaces.

To find out more about our Stop Gendered Violence at Work Campaign, follow all the GV Safety Crew action and keep up to date with activities that you can get involved in, connect with us online:

**[www.unionwomen.org.au/genderedviolenceatwork](http://www.unionwomen.org.au/genderedviolenceatwork)**  
**[facebook.com/unionwomen](https://facebook.com/unionwomen)**

Or contact We Are Union Women  
(03) 9659 3511  
Email: [women@vthc.org.au](mailto:women@vthc.org.au)

## SERVICES AND REFERRALS

It is really important to refer people experiencing gendered violence at work to the suitable expert services rather than try and address the issues with them when unqualified to do so.

If you, a colleague or a member is experiencing gendered violence at work, this list of services can provide appropriate support.

### SERVICES

#### For those being subjected to gendered violence at work:

##### **1800 RESPECT**

1800 737 732  
[www.1800respect.org.au](http://www.1800respect.org.au)  
Nationwide 24/7

##### **Sexual Assault Crisis Line**

1800 806 292  
[www.sacl.com.au](http://www.sacl.com.au)

#### For those seeking assistance in changing their violent behaviour:

##### **Mensline**

1300 789 978  
[www.mensline.org.au](http://www.mensline.org.au)

##### **Men's Helpline, Cenrecare**

1800 000 599  
[www.centrecare.com.au](http://www.centrecare.com.au)

### RESOURCES

#### **Victorian Trades Hall Council**

For information, support and training around gendered violence at work. We can also assist with organising the appropriate referral. We are Union Women Organiser: (03) 9659 3511

#### **Your Union of Australian Unions**

Contact the relevant union for your occupation or industry. If unsure, contact Australian Unions: 1300 486 466

#### **No To Violence**

[www.ntv.org.au](http://www.ntv.org.au)

#### **Centre Against Sexual Assault (CASA)**

[www.casahouse.com.au](http://www.casahouse.com.au)

#### **Victorian Equal Opportunity and Human Rights Commission**

1300 292 153  
[www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)

**In an emergency,  
the police should be  
called on 000.**

## WHAT IS GENDERED VIOLENCE AT WORK?

Gendered violence (GV) is any action or behaviour that causes physical, sexual, psychological or economic harm to a worker because of their gender, gender identity, sexual orientation or because they do not adhere to dominant gender stereotypes or socially prescribed gender roles.

Gendered violence includes:

- Violence directed at women because they are women;
- Violence directed at a person because they identify as lesbian, gay, bisexual, transgender, intersex or queer, and;
- Violence directed at a person because they don't conform to socially prescribed gender roles or dominant understandings of masculinity or femininity.

GV can be anything from a "blonde" or "gay" joke in the lunch room; not being valued or respected because you are a woman or identify as gay, lesbian, transgender or queer; right through to sexual harassment and assault.

Any worker can experience GV at work, however, there are groups of vulnerable workers who are at greater risk. For example, refugee and migrant workers culturally and linguistically diverse workers and Aboriginal and Torres Strait Islander workers.

Workers engaged in precarious and insecure work such as casual, part time and labour hire arrangements are also particularly vulnerable to experiencing GV at work.

### **What does Gendered Violence at work look like?**

GV at work can be both subtle and obvious, here are some examples:

- Stalking and intimidation
- Threats
- Ostracism or exclusion
- Offensive language and imagery
- Sexual suggestions & unwanted advances
- Being undermined in your role
- Intimidation / bullying
- Verbal abuse
- Rude gestures
- Put downs, innuendo/insinuations,
- Physical assault including sexual assault and rape

**GV at work can be perpetrated by anyone regardless of their gender, sex or sexuality.**

**GV at work can be perpetrated by:**

- Those external to the workplace: including managers and other workers.
- Clients: including inmates, patients, students and customers.
- Those external to the workplace: including delivery personnel and site visitors.



**WARNING! GENDERED VIOLENCE**

***"I have had my manager wolf whistle at another woman worker, and when I said that is not okay to do at work the manager asked me if I was jealous. I raised this harassment with my manager's boss and he said the issue was a personality clash."***

## **Gendered Violence Injures Workers**

GV at work causes physical and psychological injuries to many Victorian workers and is a serious occupational health and safety hazard. GV doesn't 'just happen' and is not 'part of the job.' Employers have a legal duty to stop GV at work and to ensure a safe and healthy work environment for **all** workers.

GV injures workers by causing or contributing to:

- Physical and psychological injury and illness
- Feelings of isolation and exclusion
- Withdrawal and loss of confidence
- Economic hardship due to leaving the workplace to escape gendered violence
- Relationship breakdown & family disruption
- PTSD (post-traumatic stress disorder) fear and anxiety
- Suicide



**WARNING! GENDERED VIOLENCE**

***"I have felt uncomfortable on numerous occasions due to sexist comments and practices. For example comments from superiors, assumptions about my role and competence such as regularly being treated as a secretary by senior male members of staff."***

## **Is gendered violence really violence?**

When we think of 'violence' we usually think of physical violence involving abuse, threats and assault which can cause injury. But we know that not all forms or incidents of violence leave clear physical injuries, but instead injures workers by causing psychological harm. GV is violence because just like all forms of violence, GV harms workers by causing physical and psychological injuries. Workers who experience GV suffer the same injuries as those who experience other forms of violence.

## **Identifying the Risks and Stopping Gendered Violence in your Workplace**

Everyone has the rights to feel safe and respected at work and employers have a legal duty under the *Occupational Health and Safety Act 2004* to provide all workers with a healthy and safe working environment free from GV.

Sexism, gender inequality, homophobia and transphobia are the root causes of gendered violence and the physical and psychological harm that women and other workers who identify as lesbian, gay, bisexual, transgender, intersex or queer experience at work.

Like other workplace OHS hazards employers must assess and control the hazard and risks to prevent GV from injuring workers.

## TO STOP GV AT WORK WE NEED TO TAKE ACTION TO ELIMINATE OR MINIMISE THESE RISKS

### STEP

# 1

Identify and understand that GV is a serious health and safety hazard in every workplace. This includes workplaces that don't currently employ women or people who identify as gay, lesbian, bisexual, transgender, intersex or queer.

*The reality of GV in the workplace:\**

- 64% of women have experienced sexual harassment or violence in their workplace
- 60% women report having felt unsafe at work
- 44% of women have experienced discrimination at work
- 19% of women have resigned from a workplace because they did not feel safe

### STEP

# 2

Assess and remove or minimise the risks that cause GV at work (use GV Risk Assessment tool on page 8 to help you assess the risks in your workplace).

### STEP

# 3

Act to eliminate GV in your workplace and ensure that **all** workers are safe at work. This could include working with your union to negotiate a Stop Gendered Violence at Work clause into your next workplace enterprise agreement. See the Stop Gendered Violence at Work model clause included in this kit.



WARNING! GENDERED VIOLENCE

*"I was given a Kris Kringle present by one of the PE staff saying, 'Objects beneath this shirt are larger than they appear.' I felt so uncomfortable."*

Source: Results from respondents to VTHC study Women's Rights at Work - WRAW - Chats 2016.

## GENDERED VIOLENCE RISK ASSESSMENT TOOL

RISK	PREVENTION	OUR ACTION
<p><b>Work Environment</b></p> <p>A workplace culture that tolerates or promotes sexist, racist, homophobic, transphobic and other discriminatory attitudes or behaviours.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• Ensure that the workplace is diverse by hiring and promoting a whole range of people including women, women, gay, lesbian, bisexual, transgender people and queer people.</li> </ul>	<ul style="list-style-type: none"> <li>• We call it out! We challenge behaviours and language that are sexist, racist or homophobic;</li> <li>• If we think someone is perpetrating GV in our workplace we report it to workplace leaders and / or union representatives.</li> </ul>
<p>Violent and aggressive behaviour that is supported, accepted and rewarded. For example, workplaces where using tough negotiating techniques and offensive language to get outcomes is rewarded. Celebrating characteristics like competitiveness and dominance over collaboration and communication.</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• Reconsider the way they advertise jobs, promote and value workers;</li> <li>• Establish and encourage practices, behaviours and work relationships based on respect;</li> <li>• Actively identify and reward practices and behaviours that challenge aggressive workplace cultures and model respectful, alternative work styles.</li> </ul>	<ul style="list-style-type: none"> <li>• We model the behaviour that we want to see by ensuring that our workplace and union practices are respectful, value diversity and challenge aggressive and violent behaviour. For example, not using sexist, violent or aggressive language at union rallies and functions.</li> </ul>
<p>Facilities and equipment that don't meet the needs of staff. For example, inadequate uniform or no appropriate toilet facilities for women or gender neutral bathrooms for transgender people</p>	<p>Employers should:</p> <ul style="list-style-type: none"> <li>• Ensure that workplaces have safe, appropriate toilet facilities that accommodate all workers regardless of their gender or identity</li> <li>• Provide uniforms that come in all shapes and sizes and ensure that uniforms and uniform policies don't make workers feel uncomfortable or unsafe</li> </ul>	<ul style="list-style-type: none"> <li>• We respectfully ask others if they feel uncomfortable or unsafe due to lack of facilities or equipment and take them seriously if they do;</li> <li>• We actively identify problems with facilities and equipment and report to workplace leaders to resolve even if we don't currently work with women or people who identify as transgender.</li> </ul>

## RISK

## PREVENTION

## OUR ACTION

### Work Environment

Offensive material in the workplace. For example, pornography and sexist or homophobic items, including: calendars, magazines, posters clothing and novelty items.

Employers should:

- Have clear policies and standards outlining what is appropriate to bring into the work environment;
- Ensure that workplace leaders show strong, visible support of the policy and implementation.

- We call it out! Together with the other people we work with we ask the owner to take it down;
- We report any offensive material to workplace leaders and / or union representatives.

Workplaces which service alcohol. For example, licenced venues such as pubs and restaurants.

Employers should:

- Have a no tolerance policy which includes the removal and potential exclusion of people from the venue if they perpetrate GV against staff or other patrons;
- Have a strong and clear GV policy and make sure that it is communicated effectively in the workplace to staff, managers, clients / customers and external site visitors;
- Provide complaints and grievance handling processes that efficiently deal with instances of GV and don't blame or further harm the victim.

- We report incidents of GV and take immediate action to ensure the health and safety of each other;
- We support each other and if someone we work with experiences GV we ensure that they have access to support services and counseling.

Work functions where alcohol is served such as work Christmas parties.

Employers should:

- Make sure that alcohol is served responsibly;
- Set strong expectations about appropriate behaviour to make sure that all workers feel comfortable and safe;
- Appoint a trained GV contact person (this could be the Health & Safety Representative) who workers can go to if they are feeling uncomfortable or unsafe.

- We report incidents of GV and take immediate action to ensure the health and safety of each other;
- We support each other and if someone we work with experiences GV we ensure that they have access to support services and counselling.

## RISK

### The way work is designed and managed

Roles and positions are strongly gender segregated. For example, workplaces where all or most administration staff are women and all or most technical and operational staff are men.

## PREVENTION

Employers should:

- Ensure that the workplace is diverse by hiring and promoting women, gay, lesbian, bisexual, transgender people and queer people across administrative and technical roles;
- Ensure that the way technical / operational roles are structured doesn't discriminate against women, people who identify as gay, lesbian or transgender. For example, not allowing technical / operational staff to work part-time.

## OUR ACTION

We make sure that everyone gets a fair go! We talk to the people we work with about the makeup of our workplace and raise issues with workplace leaders / union representatives.

Management styles or workplace culture and behaviours that exclude and disrespect some workers. For example, when decisions are made or workplace 'bonding' happens at the expense of others and outside of formal work structures like at the pub or over lunch (the 'boy's club').

Employers should:

- Ensure that women, people who identify as gay, lesbian or transgender are in positions of leadership and represented in decision making structures and bodies;
- Ensure that leadership positions and decision making structures and bodies don't discriminate against women, people who identify as gay, lesbian, bisexual transgender or queer.

We make sure that everyone gets a fair go! We promote workplace democracy and ensure that women, people who identify as gay, lesbian etc. are represented. For example, elected union representatives and consultative committees



**WARNING! GENDERED VIOLENCE**

***"As a lesbian I sometimes feel uncomfortable when men talk about "queers" in a derogatory way or seem surprised when I tell them I'm gay."***

## RISK

### Workplace policies & Procedures

Workplace leaders are unable to adequately recognise and respond to incidents of GV.

## PREVENTION

Employers Should:

- Train workplace leaders so that they understand their responsibilities to proactively identify and respond to incidents of GV.

## OUR ACTION

We ask our union for GV training especially for our union representatives such as delegates and HSRs.

Lack of appropriate reporting mechanisms for workers experiencing GV.

Employers should:

- Establish complaints and grievance handling processes that efficiently deal with instances of GV and don't blame or further harm the victim;
- Appoint a trained GV contact person (this could be the HSR) who is properly trained to be the point person for GV complaints, questions and concerns;
- Provide workers with information about external agencies, like the Victorian Equal Opportunity and Human Rights Commission, WorkSafe and 1800RESPECT, that can provide advice, counselling, information and referral about GV.

- We bargain to have rights contained in our EBA (Enterprise Bargaining Agreement) to protect us from GV;
- We work together to ensure that our employer establishes and implements effective GV policies and procedures.

Workplace leaders who don't consult with workers and show little commitment to the health and safety of all staff.

Employers should:

- Fulfil their legal duty to consult with workers and HSRs about health and safety matters that could directly affect them including GV;
- Advise all workers of their OHS rights, the risk to health and safety from GV, and workplace procedures and policies for reducing that risk.

We ensure that we have a HSR and that they are union trained.

## STOP GENDERED VIOLENCE AT WORK – VTHC MODEL CLAUSE

### Statement of employer recognition and commitment on GV

1. The employer recognises that:
  - 1.1. gendered violence is a serious health and safety hazard; and
  - 1.2. No worker should experience gendered violence at work.
2. The employer has an obligation, to provide a working environment that is safe and without risk to health. This obligation includes a requirement to take all reasonably practicable steps to remove gendered violence from this workplace.

### Definition of GV

3. Gendered violence is physical, sexual, psychological or economic harm directed at a person because of their gender, gender identity, sexual orientation or because they do not adhere to dominant gender stereotypes or socially prescribed gender roles.

4. Gendered violence includes:
  - 4.1. violence directed at women because they are women;
  - 4.2. violence directed at a person because they identify as LGBTI;
  - 4.3. violence directed at a person because they don't conform to socially prescribed gender roles or dominant definitions of masculinity or femininity.

5. Examples of gendered violence include (but are not limited to) behaviours and actions such as:

- Stalking
- Intimidation
- Threats
- verbal abuse
- ostracism
- rude gestures
- offensive language and imagery
- put downs
- mobbing

- sexual innuendo/insinuations
- sexual suggestions or unwanted sexual advances,
- sexual assault and rape.

### Measures to address GV at the workplace

6. Gender inequalities, sexism, homophobia and transphobia at work drive gendered violence at work. Gendered violence can be perpetrated by those who are strangers/external to the workplace, and those that are internal to the workplace - clients (including inmates, patients, students, and customers), work peers and managers.

7. The employer will therefore take positive steps to:
  - 7.1. eliminate gender inequalities that exist in the workplace;
  - 7.2. overcome gender segregation where it exists;
  - 7.3. eradicate cultures of sexism;
  - 7.4. eradicate homophobia and transphobia; and
  - 7.5. promote the benefits of gender equality and workplaces that are inclusive of workers from a range of backgrounds, experiences and identities.

### Development of an action plan

8. Addressing the factors that underpin gendered violence will assist in preventing and eliminating that violence.

9. The employer therefore agrees to put an action plan in place ,in consultation with its employees and the relevant union/s, within X months of the coming in to effect of this agreement which is designed to:
  - 9.1. eliminate gender inequalities that exist in the workplace;
  - 9.2. overcomes gender segregation where it exists;
  - 9.3. eradicate cultures of sexism;
  - 9.4. eradicate homophobia and transphobia; and

## STOP GENDERED VIOLENCE AT WORK – VTHC MODEL CLAUSE

- 9.5. promote the benefits of gender equality and workplaces that are inclusive of workers from a range of backgrounds, experiences and identities.

10. The action plan will give specific attention to vulnerable workers including those that are: engaged in service delivery and care based roles; are casual, contract, visa workers or who are otherwise insecurely engaged; identify as LGBTQTI; are Aboriginal or Torres Strait Islander; are culturally and linguistically diverse or have a disability.

11. The action plan will assess and address the risk of exposure to gendered violence:

- 11.1. in the work environment;
- 11.2. the way work is designed and managed; and
- 11.3. in workplace policies and procedures and practices.

### Assessment of action plan implementation

12. Progress on the implementation of this action plan will be a standing item for discussion at the Consultative Committee and the Health and Safety Committee.

### Allocation of resources to deal with GV

13. The employer will :

#### Risk assessment

- 13.1. assess the gendered violence risks in the workplace and will develop a strategy to remove these risks in conjunction with workers and the relevant union/s;

#### Development of guidelines

- 13.2. develop and publish workplace guidelines on solutions to overcome gendered violence in the workplace, to address gendered violence risks and the incidence of gendered violence in this workplace within X months of the coming in to effect of this agreement. These guidelines will be consistent with this clause and will be produced in consultation with the workers and relevant union/s;

#### Data collection and reporting

- 13.3. ensure that data, including incident reports, pertaining to gendered violence, are maintained and recorded in order to assist in and identify instances of gendered violence and to review progress towards achieving a gendered violence free workplace. This data will be made available to the consultative committee and health and safety committee. The relevant union/s will also have access to this data on request;

#### GV contact persons

- 13.4. identify gendered violence contact persons throughout the organisation, in consultation with workers and the relevant union/s. These persons may include managers, team leaders, union contacts and HSRs. All gendered violence contact persons will receive training on: the operation of this clause; understanding gendered violence as a serious workplace health and safety issue and; how to respond to incidences of gendered violence;

#### Delegate and HSR training leave

- 13.5. give paid leave away from work at least annually, for union delegates and HSRs, to attend training, delivered by VTHC or the relevant union/s, on gendered violence at work, how to overcome it, and the operation of this clause;

#### Senior leadership training

- 13.6 facilitate training by the senior leadership team about the operation of this clause, understanding gendered violence as a serious workplace health and safety issue, and how to promote gender equality and workplaces that are inclusive of workers from a range of backgrounds, experiences and identities;

## STOP GENDERED VIOLENCE AT WORK – VTHC MODEL CLAUSE

### Worker training and inductions

13.7 provide training and information to all workers on the organisation's commitment to eradicating gendered violence from the workplace and the operation of this clause; and

13.8 ensure all new workers receive training and information at their induction regarding the organisation's commitment to achieving a gendered violence free workplace, the expectations of all workers to refrain from behaviours and actions that constitute gendered violence and the operation of this clause.

### Employer commitments on the response to gendered violence

#### No adverse action

14. No adverse action will be taken against a worker who reports experiencing or witnessing gendered violence or whose attendance or performance suffers as a result of them experiencing or witnessing gendered violence at work.

#### Treatment of GV risks or report

15. Any employer action to address gendered violence risks or to respond to reports or incidences of gendered violence will:

- Effectively and efficiently deal with instances of gendered violence without blaming or persecuting the victim; address the behaviours and actions that constitute gendered violence as well as the stereotypes/assumptions, cultures and system of work that foster gendered violence
- Reinforce that any perpetrator is responsible for their behaviour and the choices they make
- Ensure that any investigative processes apply the principles of natural justice and procedural fairness
- Allow any worker involved in any instances of gendered violence (including victim, witness or perpetrator) to have access to a representative of their choosing in any process associated with these instances

- Not excuse the perpetrators violent behavior or down play the significance and seriousness of the perpetrators inappropriate actions
- A worker, or group of workers, who experience or witness gendered violence may, if they choose, raise this issue as a dispute in accordance with clause X of this agreement

### Support for workers who experience Gendered Violence

16. The employer will:

#### Access to support and counseling

- 16.1. ensure those who experience or witness gendered violence at work receive appropriate support and access to appropriately qualified counselling and other support services. Support includes access to a representative to assist in this process and paid time to deal with the impact of gendered violence;
- 16.2. provide access to support services to those who perpetrate gendered violence in order to assist them to change their behavior.; and
- 16.3. make information regarding counseling and support services readily available throughout the workplace.

### Operation of this clause

17. Policies and procedures within the workplace shall be reviewed to ensure they are consistent with the provisions of this clause.

18. Nothing in this clause overrides any obligation the employer may have with respect to other clauses within this agreement or under any Act or Regulation.

19. Nothing in this clause overrides any rights a worker may have with respect to other clauses within this agreement or under any Act or Regulation.

## **GENDERED VIOLENCE: THE BIGGER PICTURE**

If we want to stop workers being injured and eliminate GV at work we need employers and WorkSafe to recognise GV as a serious OHS hazard and take action.

Employers have a duty to identify occupational health and safety hazards and WorkSafe has a responsibility to make sure that employers are fulfilling their duty.

That's why we are asking WorkSafe to:

- Recognise GV as a serious OHS hazard by publishing guidance material and to educate employers about GV;
- Establish a mechanism by which incidents of GV can be reported through WorkSafe's Advisory line;
- Investigate reports and incidents of gendered violence;
- Include GV in training for all WorkSafe inspectors and workplace Health and Safety Representatives (HSRs).

And we are asking employers to:

- Recognise GV as a serious OHS hazard and act to prevent GV from injuring workers
- Include a Stop Gendered Violence at Work clause in workplace enterprise agreements

Your actions as a member of the GV Safety Crew will be important in getting WorkSafe to act and to stop GV at work.

**To find out more about our Stop Gendered Violence at Work Campaign, follow all the GV Safety Crew action and keep up to date with activities that you can get involved in visit our web site and follow us on Facebook.**

[www.unionwomen.org.au/genderedviolenceatwork](http://www.unionwomen.org.au/genderedviolenceatwork)  
[facebook.com/unionwomen](https://facebook.com/unionwomen)

**Together we will stop GV at work.**

