Women On Strike
On the occasion of International Women’s Day, and in an environment where women everywhere are fighting to achieve equality in a clearly unequal world, why am I writing about ‘Women and OHS’? Shouldn’t the law treat everyone equally? Well...

From the European Agency for Safety and Health at Work:

“Women and men are not the same, and the jobs they do, their working conditions and circumstances and how society treats them are not the same. All these factors can affect the risks they face at work and the approach that needs to be taken to prevent these risks. More widespread recognition of the importance of taking account of gender differences in occupational health and safety (OHS) is relatively recent, although the number of initiatives seen in this area is increasing. However, especially because it is not always a very well understood area, practice needs to be exchanged and experiences shared.”

In fact, women will sometimes need extra OHS protection at work - for example exposures to hazardous substances can harm a developing foetus. The way menopause can affect women workers is another huge OHS issue.

Much work has been done recently around gender-based violence and harassment - a form of discrimination that causes significantly more harm to women, whether it takes place in the workplace, in public places, on public transport, in schools and colleges, or in the family. Of course other vulnerable workers, such as those identifying as LGBTQI, are also harmed by gendered-based violence and harassment. However, the majority of those subjected to this behaviour are women - no doubt due to the fact that women make up more than 50 per cent of the workforce.

From a recent Human Rights Commission survey:

- Almost two in five women (39 per cent) experienced sexual harassment at work in the past 5 years - compared to one in four men (26 per cent)
- 52 per cent of workers who identify as LGBTQI compared to 31 per cent of those who identify as heterosexual have experienced sexual harassment as work in the past 5 years
- 53 per cent of Aboriginal and Torres Strait Islander workers have experienced sexual harassment at work compared with 32 per cent of non-indigenous workers
- 44 per cent people with a disability have been sexually harassed at work compared to 32 per cent of people without a disability

The HRC survey reported no significant difference in the prevalence of workplace sexual harassment for CALD workers – however the survey was in English only, and did not take into account visa or migration status. Consequently, we believe this conclusion is not reliable.

Unions are now taking up the issue of gendered violence as an OHS issue (‘finally’, some might say). The VTHC, working with affiliates, is doing lots in this area to end gender-based violence:

- union awareness-raising
- campaigning
- training for both union organisers and HSRs/delegates
- developing and implementing clauses for inclusion in EBAs
- working with women’s organisations

International developments

In June 2019, on the final day of the Centenary ILO Conference in Geneva, the International Labour Organization (ILO) adopted both the Violence and Harassment Convention, 2019, and Violence and Harassment Recommendation, 2019 [pdf]. This is the first international standard specifically aimed at addressing these issues in the workplace – and it’s all because of the tireless organizing by unions and worker centres around the world.

There were three critical elements that the labour side fought to include in the Convention and Recommendation - and all three are covered in the new standard:

- The Convention establishes protection for ALL types of workers regardless of contractual status, including workers in the informal economy.
- The “world of work” includes protection for workers on the commute to and from work.
- Both the Convention and Recommendation defend the right to collective bargaining as a crucial tool to stop gender-based violence.