



**EQUALITY**  
**IN THE WORKPLACE**



STRONGER TOGETHER  
**CONGRESS**  
Irish Congress of Trade Unions



**Submission to Committee on Justice, Defence and Equality on the issue of Domestic Violence**

Sent by electronic means on 28 June 2013 to the Clerk to the Committee at: [justiceanddefence@oir.ie](mailto:justiceanddefence@oir.ie)

**Introduction:**

Congress is the largest civil society organisation on the island of Ireland, representing and campaigning on behalf of some 797, 399 working people. Women make up 51% of the membership. There are 55 trade unions affiliated to Congress

Trade Unions around the world welcomed the recent adoption of the Draft Agreed Conclusions at this year's Commission on the Status of Women (UNCSW). However, trade unions and others civil society partners stay vigilant as the adoption of the Conclusions was a hard fought battle due to conservative countries who tried to damage women's basic rights. Earlier Congress had written to the Irish Government to seek their support in refusing any weakening of the draft agreed conclusions and we appreciate the work of Minister Kathleen Lynch and her officials in that regard.

SAFE Ireland collects comprehensive data on domestic abuse every year. In 2011, SAFE Ireland members recorded the following horrific statistics:

**7,797** Number of women who received support from domestic violence services – up **56.6%** since 2007, **14.5%** since 2010.

**3,066** Number of children who received support – up **5.3%** since 2007, **3.5%** since 2010.

**5,959** Number of women who received wide range of face-to-face supports – up **67.8%** since 2007, **17.5%** since 2010.

**1,686** Number of individual women admitted to refuge - up **24.9%** since 2007

**2,142** Number of individual children admitted to refuge.

All violence against women whether it happens at work, at home or in the community is a legitimate concern for trade unionists. The effects of domestic abuse can be far reaching as Women who suffer domestic abuse often feel isolated and unable to tell anybody of their plight for fear that they will not be treated sympathetically. It is the role of trade unions to work with employers to create a safe and supportive working environment which gives women the confidence to come forward. One of the most useful ways to provide this is to develop with the employer a policy on domestic abuse, an issue covered in more detail below and in our guidelines for trade unions on domestic violence, available [here](#):

### **Themes:**

This submission will concentrate on a number of key themes touched upon by the Commission in the draft agreed conclusions.

**28.** “The Commission recognizes the important role of the community, in particular men and boys, as well as civil society, in particular women’s and youth organizations, in the efforts to eliminate all forms of violence against women and girls”.

Congress recognises the important role of civil society in efforts to eliminate all forms of violence against women and is fulfilling its role in this regard through our gender equality work referenced above. Indeed this submission itself will be used as an educational tool within the trade union movement to educate unions and their members on their responsibilities in tackling violence against women. It also serves to remind others involved in the work to eliminate violence against women of the important role of trade unions in this regard.

**“Strengthening implementation of legal and policy frameworks and accountability**

(v) Encourage private sector investment in programmes, campaigns and strategies to respond to, prevent and eliminate all forms of discrimination and violence against women and girls, including sexual harassment at the workplace, and to empower victims and survivors of violence”;

Violence against women at work is a serious problem, just as it is in society generally. Trade unions campaign on both fronts, to get rid of it in the workplace and in the community. Inequality and pervasive discrimination against women and girls are at the core of the problem, providing an environment where violence is tolerated or even encouraged. Unions are well placed to encouraging private sector investment in programmes, campaigns and strategies to respond to, prevent and eliminate violence against women, including sexual harassment in the workplace. On the occasion of the UN International Day on the Elimination of Violence against Women (25th November 2009), Congress launched a revised set of guidelines for trade unions in order to assist women at work who are experiencing domestic violence. The workplace can play a key role on raising awareness about domestic abuse. We know for many women work is a place of safety where they may confide in others about

their experiences and where they can access help. Congress and its affiliates have been campaigning over many years to ensure that domestic abuse is seen as an issue that unions can - and - should be doing something about for women who are affected by violence at home. Work too is likely to suffer unless women get the support they need. Congress urges employers to cooperate with unions in developing a common approach to domestic abuse in the workplace. This Guide can be used in a practical way to give information, ideas and contacts to union representatives in the workplace and to enable them to give consistent and effective assistance to those suffering domestic abuse.

“What should a Workplace Policy cover?”

- a policy statement that has clear aims and states the organisation’s commitment to treat domestic abuse seriously;
- a clear definition of domestic abuse
- an acknowledgement that the majority of victims are women but that men are also affected as are women and men in same-sex relationships;
- a clear statement that the organisation is committed to the principle that domestic abuse and violence is unacceptable behaviour and that everyone has a right to live free from fear;
- a statement that, where domestic abuse occurs or has the potential to occur in the workplace, the paramount consideration of the employer is to ensure the health and well-being of employees and to ensure that, where appropriate, perpetrators of abuse are challenged and held to account to reduce the potential for re-offending;
- details of the first point of contact for employees who need to discuss issues around domestic abuse;
- a commitment to early intervention by identifying ways of creating a supportive environment and to creating confidential

mechanisms for employees experiencing domestic abuse to seek help and information in order to empower them to make their own decisions;

- a commitment to offering ongoing support to employees experiencing domestic abuse including time off, for example, for counselling, visits to a solicitor or support agencies, for re-housing or re-organising childcare;
- the possibility of relocation or redeployment where this would be appropriate and supportive of the employee;
- a commitment to training and educating on domestic abuse issues. This might involve some basic awareness training for all staff and more detailed training for certain staff e.g. personnel or welfare staff;
- provision of resources within the workplace, such as posters, leaflets etc to raise awareness about the domestic abuse helpline and other support services; and
- mechanisms for monitoring and reviewing the policy's effectiveness and for regularly updating information on help available and how to contact support services".

In relation to sexual harassment at the workplace, it is useful to refer to the Code of Practice on Sexual Harassment and Harassment at Work (available [here](#)) prepared by the Equality Authority with the approval of the Minister for Justice and Equality and after consultation with IBEC, ICTU and other relevant organisations representing equality interests.

This code aims to give practical guidance to employers, employers' organisations, trade unions and employees on:

- what is meant by sexual harassment and harassment in the workplace
- how it may be prevented

- what steps to take if it does occur to ensure that adequate procedures are readily available to deal with the problem and to prevent its recurrence.

The code thus seeks to promote the development and implementation of policies and procedures which establish working environments free of sexual harassment and harassment and in which the dignity of everyone is respected. Such policies should address the contribution to be made by trade unions. Trade unions can play a role in the prevention of sexual harassment and harassment in the workplace through their participation in the development and implementation of policies and procedures, through their information and training services, and through the collective bargaining process. Trade unions may also play a role in providing information, advice and representation to employees who have been sexually harassed or harassed, and to employees against whom allegations of sexual harassment and harassment have been made.

**“B. Addressing structural and underlying causes and risk factors so as to prevent violence against women and girls**

(dd) Promote women’s full participation in the formal economy, in particular in economic decision-making, and their equal access to full employment and decent work; empower women in the informal sector; and ensure that women and men enjoy equal treatment in the workplace, as well as equal pay for equal work or work of equal value, and equal access to power and decision-making, and promote sharing of paid and unpaid work”;

Promotion of women’s full participation in the economy and ensuring equal treatment in the workplace is a key component of our work. Congress played an active role in the national women’s strategy sub group on women in decision making and eagerly awaits publication of their report. We play an active role at ETUC level and broadly welcome

the 14 November European Commission proposal for a directive on *improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures*. The proposal sets an objective of having at least 40% of members of the “under-represented sex” on companies’ non-executive boards by 2020 (or 2018 for listed companies that are public undertakings). The proposal was also accompanied by a very useful communication on *Gender balance in business leadership: a contribution to smart, sustainable and inclusive growth*. While welcoming the main provisions of the draft Directive, we note they fall short of the ETUC’s position namely in the following respects:

- Executive board positions are not covered
- There is no binding quota but instead a 40% objective
- Non-listed companies are excluded
- Member States are given discretion as to what sanctions to apply and the types of penalties suggested are much weaker

Congress has also produced [guidelines](#) for negotiation on the gender pay gap and was an active participant in the EU Social Dialogue process that led to the recently transposed Parental Directive. A key element of this is the increase from 3 to 4 months, the extra month being non-transferable between parents. (It is hoped that this non-transferable period will encourage men to take parental leave and encourage a more equal sharing of family responsibilities between men and women).

“(pp) Engage, educate, encourage and support men and boys to take responsibility for their behaviour, to ensure that men and adolescent boys take responsibility for their sexual and reproductive behaviour, and to refrain from all forms of discrimination and violence against women and girls; develop, invest in, and implement policies, strategies and programmes, including

comprehensive education programmes to increase their understanding of the harmful effects of violence and how it undermines gender equality and human dignity, promote respectful relationships, provide positive role models for gender equality and to encourage men and boys to take an active part and become strategic partners and allies in the prevention and elimination of all forms of discrimination and violence against women and girls;”

Engaging men and boys to take responsibility for their behaviour and to refrain from all forms of discrimination and violence against women and girls is an issue on which Congress is currently consulting with a number of organisations. The Men’s Development Network has been speaking with us about involvement in the White Ribbon Campaign and we have also been in contact with Safe Ireland regarding their “Man Up” campaign. We hope to develop a specific trade union campaign on this issue in time for November 2013.

In summary therefore, we believe that trade unions can and do play a crucial role in efforts to prevent and eliminate violence against women. This submission has concentrated on workplace related issues:

- Development of workplace policies;
- Tackling harassment at work;
- Promoting equal treatment at work.

We would also like to associate ourselves with the demands of Safe Ireland and their work in seeking to make Ireland the safest place for women and children. Specifically this includes:

- Call for the Government review of domestic violence laws to be used as an opportunity to move towards a total judicial system overhaul that centre-stages victim protection.

- Call for an amendment to our housing legislation so that domestic violence is recognised as a primary cause of homelessness.
- Push for domestic solutions that will allow the Irish Government to
- sign and ratify the Council of Europe Convention on Violence Against Women, as advocated by Minister Kathleen Lynch at the Commission on the Status of Women in New York (March 4, 2013).
- As leaders, talk about domestic violence openly so that it comes out of the shadows. Keep it on the national political agenda.
- Continue to build an evidence-based understanding of domestic violence in Ireland and how we can do things better for women and children.

Finally, it is our view that sustainable, long term, funding continues to be a big barrier in delivering adequate provision and delivery of support services for women experiencing violence and so it is vitally important that the potential impact of spending cuts on victims of violence is a major component of budgeting policy.

**DJ 28 June 2013**