

Government plans to ratify convention on ending violence and harassment in the workplace

Ratifying C190 would mean additional obligations for employers to prevent & address harassment & violence in the world of work.

25 November 2021

On 15 November, the Government proposed that the UK should ratify a Convention of the International Labour Organisation, the Violence and Harassment Convention No. 190 ("or C190 for short").

Whilst C190 came into force in June 2019, it requires the UK Government to ratify it before implementing the necessary laws and policy measures. C190 is a first in that it recognises the right for every individual to be free from violence and harassment in the world of work, including gender-based violence.

C190 sets out a framework on how violence and harassment can be addressed and prevented in the workplace and stresses the importance to promote a general environment of zero tolerance to violence and harassment.

If the Government ratify C190, it would require the UK to ensure its laws, regulations and policies implement all of its Articles, some of which are summarised as follows:

- C190 will protect all persons irrespective of their contractual status meaning it will encompass interns, volunteers and job applicants and will apply to all sectors;
- C190 applies to violence and harassment that occurs at work as well as linked with or arising out of work; this includes during work-related trips, social activities and even when commuting to and from work;
- C190 requires policies that enforce equality and non-discrimination for women and other vulnerable groups disproportionately affected by violence and harassment in the world of work;
- C190 requires employers to take appropriate steps in proportion with their degree of control e.g. identifying hazards and risks of violence and harassment and taking measures to prevent and control them.

The Government has indicated that ratification of C190 would not require any changes in legislation and that existing legislation in place satisfies the requirements. However, it does follow on from the Government's confirmation that it will be introducing a new duty on employers to prevent sexual harassment in the workplace, including third-party harassment i.e. clients and suppliers and so some changes would appear to be ahead.

Ratifying C190 would mean additional obligations for employers to prevent and address harassment and violence in the world of work.

This would include adopting more wide-ranging policies and procedures on harassment in the sense that they:

- **Cover all forms of harassment**, not just sexual harassment; this includes gender-based and domestic violence;
- **Apply to all areas of work**, not just the physical workplace; this means preventing and addressing harassment and violence in remote workplaces, in work-related communications, at work social activities and even when commuting;
- **Cover all types of workers**, whether formal or informal which would also include volunteers; this is crucial as the Government has recently rejected providing protection within the Equality Act 2010 to all types of volunteers in its response to the sexual harassment at work consultation.

As C190 emphasises the importance of training and awareness-raising, if ratified, employers should consider updating their guidance, resources, training and tools so they adequately cover violence and harassment in the world of work.

The C190 would require employers to have more responsibility towards their workers in not only identifying harassment and violence, but also in providing the necessary support and measures to prevent and address it.

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