



A TOOLKIT TO PREVENT GENDER BASED VIOLENCE for factory management



**BANGLADESH CENTER FOR
WORKERS SOLIDARITY**

Why to prevent Gender Based Violence (GBV) in factories?



Business profits

Business profits can be secured



Increasing production

The production capacity of the factory will increase and position in the competitive market will be stronger.



Improvement of business relationship & buyers' confidence

If workers are in good condition, then there will be minimal absence, low chances of quitting and an effective policy in place to resolve issues in the workplace will encourage confidence among buyers and helps businesses to flourish.



Lower risk of being black-listed

Affiliations with different brands/buyers will continue to flourish and businesses won't score poorly on their score card. This will lead to more profits.



Better rapport and reputation

Rapport and reputation with different brands will be enhanced.



Long-term planning & relationship with buyers

Long-term relationship between factories and buyers will help factories to plan better for future.



This toolkit will ultimately contribute to create a safe and secured workplace



What's in the toolkit?

- What is gender-based violence;
- Different types of GBV; causes of GBV and what can be done to prevent it;
- The High Court directives on preventions and remedies of sexual harassment and GBV and its importance;



What do we understand by gender-based violence?

According to International Labour Organization (ILO), gender-based violence means treating a person differently because of their gender identity assigned naturally or by society, and this includes instances of sexual harassment as well ¹.

Which means, GBV or harassment includes any act of violence directed towards someone because of the gender they were assigned at birth, either female or male. This can be any act of violence that causes economic, mental, physical or social abuse and can happen in the family, at the workplace or in society.

According to the High Court guideline², any act that degrades or negatively affects a woman's dignity or stature in the workplace is sexual harassment. This in turn creates a fearsome work environment.

According to High Court guideline, sexual harassment means-

Undesirable physical touch or sexually suggestive behavior such as:



Physical touch and advances.



Attempt or effort to establish a sexual relationship by abusing authority.



Bullying or making sexually implicit comments or advances.



Showing pornography; annoying or angering someone with indecent or unmannerly stance/language.



Teasing someone in an abusive or sexually suggestive language; making sexual advances or insulting someone through calls; scaring, coercing, luring or tricking someone into a relationship of sexual nature.



Forcing or threatening someone after their advances are rejected.

According to the High Court Guideline:

- Every organization **must** have a **Complaint Committee** to deal with GBV and sexual harassment incidents.
- Complaint Committee means a committee where a sexual harassment or GBV victim can file their complaint and be assured that s/he have access to impartial justice. This is also known as Anti-sexual harassment committee(AHC).

The guideline also includes:



**The need for
Creating awareness**



**Complaint Committee
and working procedure**



**Complaint lodging
mechanism**



**Management of
complaint committee**



Prevention



**Disciplinary action/
Punishment**

¹ Article 1(B) of International Labour Organization's (ILO) Eliminating Violence in the world of work: convention 190)

² <https://www.atlaswomen.org/s/Bangladesh-Supreme-Court-decision-re-sexual-harassment-guidelines.pdf>

According to Clause 3
of Eliminating Violence
in the World of Work:

C 190 of ILO

**An employer needs to
perform the followings:**

- Adopting an effective instrument to prevent sexual harassment and GBV;
- If needed the employer and the person in charge will take steps to file a case against any incident of sexual harassment in the factory in accordance with the state law.

ILO Convention 190



ON THE VIOLENCE AND HARASSMENT IN THE WORLD OF WORK



In Bangladesh Sexual Harassment & GBV at Workplace is a
punishable offence

- Section 294, 354 and 509 of Bangladesh Penal Code 1860,
- DMP Ordinance 1976,
- Section 9 (ka) and 10 of Women and Children Repression Prevention Act 2000 (Amendment 2003) specified the punishment for sexual harassment and GBV.
- Section 332 of the Labour Act confirms there is scope for punishment in cases of ill-disposed behavior towards women.

- Section 294, 354 and 509 of Bangladesh Penal Code 1860 specifies provisions for providing an imprisonment sentence for different terms with and without fine for sexual harassment.
- Section 75 & 76 of DMP ordinance 1976 also specifies a person can be sentenced to imprisonment of varying durations with and without fine for sexually harassing or bullying a woman.
- Section 9(4) (kha) of Women and Children Repression Prevention Act 2000 specifies punishment with rigorous imprisonment extending up to ten years and is no less than five years, with a provision for fine.
- Section 9 (1) of Women and Children Repression Prevention Act 2000 says punishment for rape is either capital punishment or rigorous life imprisonment with a provision of fine.
- Section 9(2) if a child or woman dies as a consequence of rape or any act after rape the accused shall be punished with death or with life imprisonment, with a provision of minimum Tk 1 lakh fine.

Types of GBV at workplace



Emotional Violence

- Making someone stand in front of the superior's room;
- Scolding/shouting using abusive language;
- Spreading rumours;
- Taking photos;
- Showing vulgar/untoward photos;
- Sending obscene/sexually explicit photos/SMS;
- Writing obscene/vulgar texts on bathroom walls;
- Threatening to fire someone from their job;
- Leering;
- Increasing workload due to sexual advance rejection;
- Eve-teasing, mugging or scaring someone of police harassment while they are returning home at night;
- Harassment during security checking;
- Not approving required leave;
- Increasing workload on pregnant women.



Economic violence

- Forcing someone to resign after they refuse against sexual proposal;
- Not paying full salary;
- Not paying all their dues;
- Not providing maternity benefit in full;
- Illegally deducting from salary for days of absence.



Physical Violence

- Finding excuses to touch different body parts;
- Poking head, pushing by grabbing shoulders/neck;
- Winking;
- Beating/physically assaulting;
- Calling into the chamber and molesting;
- Throwing things (such as thread ball) etc;
- Rubbing the back and pulling undergarments;
- Pinching cheeks.



Sexual Violence

- Leering and making unwarranted comments by male colleagues, senior officers;
- Sharing unwanted personal sexually explicit stories;
- Singing vulgar songs;
- Making sexually implicit comments;
- Giving proposal to establish sexual relationship;
- Giving proposal to accompany and stay-over at night;
- Calling or referring to someone 'Sexy Stuff'.

The effect of gender-based violence and sexual harassment in the workplace has not only been seen in our research but has also been observed in work by other organizations such as Action Aid Bangladesh³, an International NGO.

According to their data (25th July 2019), 80% female workers in Bangladesh at RMGs experience sexual harassment and exploitation and it has affected their health negatively. Witnessing a colleague being sexually assaulted on the factory floor, watching female workers being abused for not meeting targets and seeing a colleague being fired for being pregnant – are just some of the shocking experiences of violence and harassment of garment workers in Bangladesh that appeared in the research by Action Aid Bangladesh.

Some of the information on sexual exploitation and

harassment collected from workers during the survey are as follows:

- 72% of the respondents said they were subjected to extreme verbal abuse at work.
- 12% female workers said they were sexually harassed at the workplace;
- 10% of the respondents said they were recently subjected (during the duration of the study period) to sexual harassment in the workplace.
- Female workers feel embarrassed, worry about the stigma and are afraid of sharing incidents of being sexually harassed;
- 84.2% workers said that they have no idea about Anti-Sexual Harassment Committee or its functions and said there is no committee like this.

Helplines in case of GBVs and sexual harassment:



National helpline center to redress violence against women and children: **109**

Emergency service (Police, ambulance, fire service): **999**

Service for citizens (eve teasing, child marriage, dowry, COVID-19): **333**

Shasthyo Batayon: **16263**

Helpline for Children: **1098**

Human rights: **16108**

³ <https://actionaid.org/sites/default/files/publications/ActionAid%20briefing%20paper%20on%20Bangladesh%20garment%20workers%20FINAL.pdf>

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