



A TOOLKIT TO PREVENT GENDER-BASED VIOLENCE for factory workers



BANGLADESH CENTER FOR
WORKERS SOLIDARITY

A toolkit to prevent gender-based violence (GBV)



Why use the toolkit?

- To clarify the perception of factory workers on GBV and sexual harassment;
- To ensure workers can identify incidents of GBV and sexual harassment in the workplace; and
- To make sure workers take effective measures in resisting and remedying GBVs and sexual harassment in the workplace.



Who can use this toolkit?

- Workers employed in factories.



What's in the toolkit?

- What is GBV; types of GBV; causes of GBV and what can be done to prevent it;
- Accounts and experience of female garment workers gathered during 30 discussion sessions of 135 female and 15 male workers organized by BCWS on GBV and sexual harassment;
- The High Court directives on preventions and remedies of sexual harassment and GBV and its importance;
- International Labor Organization (ILO)'s convention on eliminating violence and harassment in the workplace (C190).



What does GBV mean?

According to 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.

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.

To any person sexual harassment is:

- Unwanted
- Unexpected
- Uncomfortable
- Undesirable
- Unsafe

As per High Court Guidelines Sexual Harassment is

Undesirable physical touch or sexually suggestive behavior such as-



Physical touch or any such advances.



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



Bullying or making sexually implicit comments or advances.



Illegal advances for sexual favors, 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.

In 2009, The High Court division of the Supreme Court in a verdict issued a guideline on preventions and remedies GBV and sexual harassment in the workplace. According to the guideline, 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. The High Court guideline will be applicable at all government and private educational institutions and workplaces until any law is passed in this regard.

As per Section 3 of the guideline, the responsibility of an employer includes:

- Adopting an effective measure to prevent all kinds of sexual harassment;
- The employer or the person-in-charge will file a case if needed against sexual harassment in the factory in accordance with the law.

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).

How to lodge complaint against sexual harassment?

- Complaint can be lodged by victim or through relatives, friends or lawyers, or can be sent by mail;
- A complainant can file the complaint to the female member of the Complaint Committee;
- Ensuring the identity of the complainant and the accused will not be disclosed until allegation is proved;
- The respective authority must ensure security of the complainant;



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'.

Effect of GBV and sexual harassment on workers



Female workers become mentally and physically weak.



They fear protesting or sharing personal incidents of sexual harassment.



Female workers fear losing their jobs if they speak up against the violence.



They make mistakes at work, keep incurring losses.



Affected women sacrifice their self-respect and endure this harassment for the sake of their livelihood.

If such a situation continues, female workers will gradually lose their confidence, the workplace will become more insensitive and will result in losses for the factory and thus country.

On 21st June 2019, with hopes of creating a violence-free workplace all over the world and to prevent and eliminate sexual harassment at the workplace, International Labour Organization (ILO) adopted the Eliminating Violence in the World of Work: Convention 190. This convention is an effective instrument for all workers.

Why it is important?

- This is the first international instrument to stop abuse and harassment at the workplace;

- It recognizes that all workers have right to a violence and harassment free workplace;
- Violence and harassment at the workplace won't be tolerated; the convention will examine the gaps in existing laws;
- C 190 gives the opportunity for trade unions to play functional role against abuse and harassment;
- Trade unions can work in increasing capacity and raising awareness on GBV.

Implementation of this convention will refrain women from leaving the workplace and ensure elimination of sexual harassment towards women at the workplace.

Helplines in case of GBVs and sexual harassment



National helpline center to address 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**

Please Contact for Assistance

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**Is there any Anti-sexual
Harassment Committee
(AHC) in your factory?**

Share your story here '**Amader Kotha**' : blog.bcwsbd.com

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