

The United Nations and Women's Rights

The United Nations Commission on the Status of Women

The United Nations Commission on the Status of Women (CSW) was created in 1947, two years after the United Nations (UN) was established at the end of the Second World War. The CSW was influential in ensuring that women were explicitly included in the Universal Declaration on Human Rights, that was adopted in 1949:

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The CSW engaged in an ambitious research agenda on the legal rights of women around the world. It developed and pushed for the adoption of international conventions on the rights of women:

- working with the international Labour Organization, to develop the Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (1951)
- working with the UN to adopt the Convention on the Political Rights of Women, the first international law instrument to recognize and protect the political rights of women (1953).
- Ensuring that women's rights were enshrined in the International Covenant on economic, social and cultural rights, and the International Covenant on Civil and Political Rights, adopted in 1966.
- And most importantly, working for the adoption of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). Canada signed onto -"ratified"- this convention in 1981.

The Convention on the Elimination of all Forms of Discrimination against Women

As summarized by UN Women:

“CEDAW is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

CEDAW provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life -- including the right to vote and to stand for election - - as well as education, health and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. It affirms women's rights to acquire, change or retain their nationality and the nationality of their children. States parties also agree to take appropriate measures against all forms of traffic in women and exploitation of women.

Countries that have ratified or acceded to the Convention are legally bound to put its provisions into practice. They are also committed to submit national reports, at least every four years, on measures they have taken to comply with their treaty obligations.”

Women's rights are human rights

1975 was the International Women's Year, that was marked by holding the First World Conference on Women, in Mexico City. This date also marked the beginning of the UN Decade for Women.

For the next 20 years, the women's movement around the world fought to promote women's equality and human rights at home and abroad. This was first officially recognized in Vienna in 1993, at the World Conference on Human Rights. This is when the notion that "women's rights are human rights" was officially recognized by the United Nations.

In 1994, the UN General Assembly adopted the Declaration on Violence against Women, that defined domestic violence, rape, sexual harassment, and other forms of violence against women as a discriminatory practice, and a manifestation of the subordination of women by men. It not only condemns individual acts of violence, but state inaction in the face of these abuses.

In 1995, the CSW helped organize the 4th World Conference of Women, in Beijing. PSAC sister Nycole Turmel and other PSAC delegates actively participated with other labour sisters, and women's groups from across Canada and around the world. At this Conference, the Beijing Platform for Action was adopted.

The Beijing Platform for Action

The Beijing Platform for Action (PfA) is the most extensive program for women's rights ever adopted by the United Nations. It covers 12 sectors of concern:

- women and poverty
- education and training of women
- women and health
- violence against women
- women and armed conflict
- women and the economy
- women in power and decision-making
- institutional mechanisms for the advancement of women
- human rights of women
- women and the media
- women and the environment
- the girl child

In 1995, the federal government officially promised that it would implement the Beijing PfA commitments, and it adopted its own Federal Action Plan on Gender Equality

In 2015 the United Nations Commission on the Status of Women reviewed the progress that was made in the 20 years since the adoption of the Beijing PfA (Beijing+20). In a political statement it:

- Expressed concern that progress has been slow and uneven, and that major gaps remain.
- Reaffirmed its commitment to tackle the challenges and remaining implementation gaps in all 12 critical areas of concern
- Pledged to take further concrete action to ensure the full, effective and accelerated implementation of the Beijing Declaration and Platform for Action

CSW61: The Economic Empowerment of Women in the Changing World of Work

In March 2017, the CSW will be holding its 61st session. The theme will be of particular importance for working women, since the Commission will be looking at Women's economic empowerment and the changing world of work.

The CSW is open to civil society participation. Representatives from the Canadian Labour Congress and four international global union organizations - the International Trade Union Confederation (ITUC), Public Services International (PSI), Education International (EI) and UNI Global Union – work together as a trade union delegation during the CSW meetings.

Each session of the CSW culminates with the adoption of “Agreed Conclusions” that identify the issues and areas where ongoing problems need to be addressed, reaffirm the different international commitments and call on governments to take a series of proactive measures to promote women's rights.

The Canadian and international labour delegation play an important role in ensuring that the Agreed Conclusions reflect the priorities of working women. Over the years, our strategies and working methods have significantly improved, and we have been able to ensure that they include references to:

- The fundamental principles and rights at work of the International Labour Organisation (ILO)
- The need to promote women's full participation in the formal economy, in particular their access to full employment and decent work
- Social and legal inclusion and protection of women migrants, including fair labour conditions and decent work

- Workplaces free from discrimination, exploitation, violence, sexual harassment and bullying
- Macro economic policies and gender responsive programs that promote decent work for all
- Recognition of the role of trade unions

However, every year, we have to push hard on some issues:

- It is difficult to get extensive recognition of the importance of social and economic rights and support for quality public services such as public housing, childcare, public transportation. There is a strong neoliberal influence at the UN in favour of the private sector and PPP'S.
- the Vatican works in alliance with fundamentalist Islamic states and other rights wing governments like Russia to lobby against women's sexual and reproductive rights: so far we have been successful in ensuring that these rights are protected, but it is a hard battle every year

the labour delegation works in solidarity with NGO's around the world to push for a recognition of sexual orientation and gender identity, but with no success so far. Right-wing governments oppose any reference to "gender" equality, because they fear that it might open the door for GLBT rights.

FAFIA Press Release

United Nations Calls on Canada to Implement a Comprehensive National Gender Equality Plan

(Ottawa, November 18, 2016) In extensive Concluding Observations issued today, the United Nations Committee on the Elimination of Discrimination against Women calls on federal, provincial and territorial governments to establish a comprehensive National Gender Equality Plan that will address the structural factors that perpetuate women’s inequality in Canada. The Committee expresses serious concern that the rights of women set out in the Convention on the Elimination of Discrimination against Women are not being fully implemented, and urges Canada to take immediate steps to address the gender wage gap, high rates of poverty, sex discrimination in the Indian Act, lack of sufficient affordable childcare, inadequate civil legal aid, and violence against women.

Shelagh Day, Chair of the Human Rights Committee of the Canadian Feminist Alliance for International Action (FAFIA), said, “With a new federal government in place, the CEDAW Committee is telling Canada to make a fresh start and take women’s human rights seriously. It is time to make a national plan that can tackle entrenched issues of inequality and make a difference in women’s lives.”

Noting its continuing and urgent concerns about the poverty, poor health, inadequate housing, lack of access to safe water, low school completion rates, and high rates of violence and incarceration of Indigenous women and girls, the Committee calls on Canada to develop a specific strategy to address these poor socio-economic conditions.

Dr. Pam Palmater, Chair of Indigenous Governance at Ryerson University said, “The CEDAW Committee recognizes that Indigenous women and girls in Canada face some of the world’s worst social and economic conditions. We welcome the Committee’s recommendations and need to see Canada act now.”

On murders and disappearances of Indigenous women and girls, the Committee calls on Canada to fully implement, without delay, all recommendations issued by the Committee in its 2015 inquiry report (CEDAW/C/OP.8/CAN/1). In addition, the Committee urges Canada to set up a mechanism for an independent review of cases where there are allegations of inadequate police investigation, and to ensure that the National Inquiry will include investigation of the role of police forces in all jurisdictions.

Francyne Joe, President of the Native Women's Association of Canada (NWAC) said, "We are actively tracking the progress of the National Inquiry and looking for results. The CEDAW Committee recognizes that stopping the violations of Indigenous women's human rights must be a top priority for Canada."

The Committee calls on Canada to abolish the use of solitary confinement in women's prisons, and restrict any segregation. "The CEDAW Committee has added its voice to all those who are deeply critical of Canada's treatment of criminalized women," stated Diana Majury, President of the Canadian Association of Elizabeth Fry Societies (CAEFS). "The time has come to end the use of segregation for women, so now we look for change."

The Committee requires Canada to provide a progress report within two years on the status of its full implementation of the CEDAW Inquiry recommendations and the development of a National Gender Equality Plan.

Read the CEDAW Committee's Concluding Observations here
Read the CEDAW Inquiry Report (CEDAW/C/OP.8/CAN/1) to Canada here

Access our submissions to the CEDAW Committee

- FAFIA submission
- CAEFS, Chair in Indigenous Governance and FAFIA joint submission
- CASAC and FAFIA joint submission
- NWAC and FAFIA joint submission

For Media Inquiries: please see in brackets expert issue areas
Amy Ede, Director of Communications, Native Women's Association of Canada (Indigenous women, Missing and Murdered Indigenous Women and Girls)

Tel: +1 613 722 3033 ext 100; email: aede@nwac.ca

Shelagh Day, Chair, Human Rights Committee, Canadian Feminist Alliance for International Action (Indian Act sex discrimination; women's equality; violence against women)

Tel: +1 604 872 0750; email: shelagh.day@gmail.com

Dr. Pam Palmater, Chair in Indigenous Governance, Ryerson University (violence against Indigenous women; Indigenous rights, title, sovereignty, socio-economic conditions, police violence and placements in care)

Email: ppalmater@politics.ryerson.ca

Diana Majury, President, Canadian Association of Elizabeth Fry Societies (women in detention)

Tel: +1 613 238 2422; email: diana_majury@carleton.ca

Child Care

The care of children in Canada as elsewhere is performed primarily by women. While women's participation in the paid labour market has increased over time, men's participation in caregiving has not increased proportionally. Consequently, women are the ones most often left to balance paid work with parental care of their children.

Governments have responded to women's need for help with child care slowly and inadequately. Generally, parents are expected to assume responsibility for child care. Governments treat child care as a private commodity sold and bought on the child care market. Most territorial and provincial governments provide some financial help to some parents to help them cover the costs. However, there is little direct funding of the "supply" side of the child care market. Even in Quebec, we are seeing a move away from subsidies to child care centres and an increase in funding of private, for-profit child care through individual tax breaks. As a result, almost everywhere in Canada supply is unreliable, expensive, and the quality of services can be very poor. Getting child care is almost always a matter of luck, or personal wealth.

There are enough regulated child care spaces for only 25 per cent of children between the ages of 0 and 12. The shortage of child care spaces is especially acute for children with disabilities, indigenous children, and children whose parents work and live in remote, rural or small communities. Parental fees for regulated child care are extremely high¹, and they are rising at a much faster rate than inflation.

The quality of child care in Canada suffers from low public funding. Inadequate government support for licensed child care puts downward pressure on wages and benefits of staff. Poor compensation and difficult working conditions make it difficult to recruit and retain qualified staff. Also,

¹ In Toronto, for instance, it costs \$1,649 a month to place infant in childcare amounting to just under \$20,000 a year. Parental childcare fees across the country rose by an average of 8% between 2014 and 2016, which is triple the rate of inflation of 2.5%.

since most child care employees are female, the poor compensation contributes to the overall gender wage gap in the workforce.

For women, the problem of child care is compounded by inadequate maternity and parental leave, and the fact that very few fathers, outside of Quebec, take parental leave.

Possible solutions to the Canadian child care crisis

Only a publicly-funded comprehensive system of child care will give women the support they need to participate fully in the labour force. Only such a system will make it possible to give the quality early childhood education that children need to thrive. Families in Canada desperately need access to early childhood education and child care services that only a publicly-funded comprehensive system can provide. As the child care movement's *Child Care in Canada by 2020* vision paper states:

“The key to building this system is the same today as it has been for many years: The federal government must step up to the the plate. Provincial/Territorial programs on their own will continue to evolve in painful, slow steps leaving many parents unable to find or afford quality programs for their children.”²

Negotiations between the federal, provincial and territorial governments for a new framework agreement on early childhood education and child care are under way. A separate framework agreement on Indigenous child care is being negotiated with the involvement of indigenous leaders. Together, these agreements could set the parameters for a child care system designed and funded to provide every family with the child care it needs—but governments must get it right from the start. They must agree to make child care a universally accessible high quality service within the next

² “Child Care in Canada by 2020: A Vision and a Way Forward,” November 2014, a discussion paper adopted by Canada’s 4th national child care policy conference, ChildCare2020, available on line, <https://ccaacacpsge.files.wordpress.com/2014/11/visionchildcare2020nov3eng.pdf>

decade, and develop concrete implementation plans, including a timetable, to make it happen.

The federal government must respect international law

The federal government is a signatory to several international conventions and agreements that oblige it to act on child care.

In 1981, Canada ratified the United Nations' Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), which prohibits discrimination against women on the grounds of maternity. The Convention says that State governments must (among other things):

“...encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities”(article 11(2)c))

Further, the Convention provides for periodic reviews of the situation of women by independent human rights experts of the UN Committee on the Elimination of Discrimination Against Women (CEDAW). The report of the most recent review of Canada was released in late 2016. The concluding observations called on the federal government to:

“create more opportunities to gain access to full-time employment, including by adopting a rights-based national childcare framework in order to provide sufficient and adequate childcare facilities and strengthen incentives for men to exercise their right to parental leave.”³

The Committee also recommends that Canada start “using conditional and targeted federal funding in order to make sure that transfer of payments to provinces and territories take into due account compliance with the

³ Committee on the Elimination of Discrimination Against Women, *Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Canada*, UNOHCHR, CEDAW/C/CAN/CO/8-9 at p.13.

provisions of the Convention, as already is the case for some of Canada's development assistant programmes.”⁴ Applied to child care, this recommendation suggests the federal government should use its spending power to obligate lower levels of government to put in place a proper system of care—one that gives equal access and quality across the country.

Relevant to indigenous child care, the Committee expressed concern “about the fact that indigenous women continue to suffer from multiple forms of discrimination, particularly as regards their access to employment...”⁵ Further the Committee noted with concern “the low participation of indigenous women in the labour market, in particular in senior or decision-making positions, their disproportionately high unemployment rates and their lower pay compared with men and non-indigenous women.”⁶ The Committee recommended that the federal government, in consultation with indigenous peoples:

Develop a specific and integrated plan for addressing the particular socioeconomic conditions affecting aboriginal women, both on and off reserves, including poverty, poor health, inadequate housing, low school-completion rates, low employment rates, low income and high rates of violence, and take effective and proactive measures, including awareness-raising campaigns, to sensitize aboriginal

⁴ Committee on the Elimination of Discrimination Against Women, *Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Canada*, UNOHCHR, CEDAW/C/CAN/CO/8-9 at p.3.

⁵ Committee on the Elimination of Discrimination Against Women, *Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Canada*, UNOHCHR, CEDAW/C/CAN/CO/8-9 at p.8.

⁶ Committee on the Elimination of Discrimination Against Women, *Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Canada*, UNOHCHR, CEDAW/C/CAN/CO/8-9 at p.8.

communities about women's human rights and to combat patriarchal attitudes and gender stereotypes.⁷

In 1991, Canada ratified the United National Convention on the Rights of the Child, which also contains important provisions relevant to child care. Specifically, Article 18(2) and Article 18(3) of the convention says:

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children;

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 27, (1) says:

States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development;

Article 27 (3) continues:

States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

⁷ Committee on the Elimination of Discrimination Against Women, *Concluding Observations on the Combined Eighth and Ninth Periodic Reports of Canada*, UNOHCHR, CEDAW/C/CAN/CO/8-9 at p.9.

Gender Wage Gap

More than 30 years after the adoption of the *Canadian Human Rights Act*, an internal Status of Women Canada memo reported that when it comes to the pay gap, “women have hit a brick wall.”¹ .

In 2011, women working full-time and full-year earned on average 72 cents for every dollar made by a man². Instead of progress, the gender wage gap has actually increased since 2009, when women earned on average 74,4% of what men earned³.

In Ontario, for example, women receive on average \$7,200 less pay per year than their male counterparts, amounting to \$18 billion in foregone income per year for all working women or 2.5% of the province’s gross domestic product for 2015.⁴

The gender pay gap is further aggravated when intersectionality is taken into account: women with disabilities, Indigenous, racialized, immigrant and trans women have much lower salaries and more difficult access to decent work⁵. They are be more likely to enter the precarious and non-unionized labour market, where opportunities for further training or career advancement are low⁶.

The reason for the gender wage gap is not a lack of education: women with university degrees actually earn between 10 to 30% less than their male peers⁷. Women’s work has traditionally been undervalued, because it was evaluated against the unpaid care-giving that women do in the home.

Women must often accept part time or term work because of family obligations and the lack of affordable child care. For example, in Ontario about 1.8 million women were unpaid caregivers in 2012, devoting their time to transportation, domestic tasks, and scheduling appointments.⁸. Many immigrant women have to accept low paying jobs because their educational and professional credentials are not recognized in Canada.

The gender wage gap has attracted criticism from the United Nations, on several occasions. Most recently, the CEDAW Committee recommended, in November 2016, that the federal government take several steps to narrow the wage gap.

The Solutions

Several measures are required to reduce the gender wage gap: the most obvious is unionization! According to the Canadian Labour Congress, unionized women earn on average \$6.89 more each hour than non-unionized women. This is reflected on the size of the wage gap: unionized women earn on average 84% of what men earn, while non-unionized women earn only 70,6%. Defending freedom of association and trade union rights is one of the best ways of reducing the gender wage gap.

(<http://canadianlabour.ca/why-unions/women/canadas-union-advantage>)

Adopting proactive pay equity legislation is another solution to the gender wage gap. PSAC sisters know that the current complaints-based system is not working: It took us 15 years to win our big case against Treasury Board in 1999. And our member at Canada Post had to fight the employer in court for 30 years before receiving their pay equity adjustments!

Currently, pay equity legislation is unevenly implemented across the country lacking from the public and private sectors of most Canadian provinces and territories.⁹ Pro-active pay equity legislation compels employers to review their compensation practices and to ensure that women are paid equal wages for work of equal value..

In 2004, the Pay Equity Task Force recognized that pay equity is a fundamental human right, and it tabled extensive recommendations that would require employers to examine their compensation practices and remedy any existing gender wage gap. But the Harper government refused to implement this report. Worse, it adopted the *Public Sector Equitable Compensation Act*. This law would have forced us to deal with pay equity at the bargaining table exclusively, forcing unions to trade off women's human rights in exchange for other issues.

In 2016, the Liberal government created a special House of Commons Committee on Pay Equity. PSAC National President Robyn Benson appeared before the Committee, and she made the case for the adoption of a proactive pay equity law. PSAC asked for the implementation of the 2004 recommendations of the Pay Equity Task Force. The Special Committee supported our recommendations. The federal government has promised to table a pay equity law by 2018.

Employment equity legislation is also necessary to ensure that women have access to all areas of employment, not just the traditional female jobs. It is also essential for ensuring that ALL women will access better paying jobs. The *Federal Employment Equity Act* that was adopted in 1988 has effectively resulted in a better representation of racialized, Indigenous and women living with a disability in the federal public service. But few provinces have a proactive employment equity legislation. In 1991, the Ontario government adopted a pro-active employment equity law. But it was abolished by the Mike Harris government, in 1995.

Improving maternity benefits so that women can actually afford to take their maternity and parental leave is also an important way of ensuring that women maintain their attachment to the labour market. Currently, 36% of women workers are not entitled to claim Employment Insurance benefits. The federal government held consultations on this issue in the Fall of 2016. PSAC submitted a brief, recommending that the number of hours required to qualify for Employment Insurance benefits be reduced from 600 to 300 hours. We also recommended an increase in the income replacement rate, that is currently set at 55% of a person's salary. We recommended that it be increased at least to 70 or 75% as is the case in Québec, for maternity or parental benefits. Finally, we recommended that a benefit be introduced for the non-birth parent – usually the father. This is a use it or lose it benefit, that has been shown to dramatically increase the amount of time that fathers will spend with their children. This results in a better sharing of parental responsibilities in the long term.

Incorporating gender-based analyses into all economic and social policies is another measure that can have impressive results. This has been the case in the Philippines, where it is legally mandated for all government operations. This has resulted in the Philippines holding 7th

position on the World Economic Forum's Global Gender Gap Index, well above Canada's 35th¹⁰ in 2016.¹¹

International Human Rights Instruments

Pay Equity has been defined as a fundamental human right within the *International Covenant on Economic, Social and Cultural Rights (1966)* and the *Convention on the Elimination of All Forms of Discrimination Against Women*, both of which have been ratified by Canada.

International Covenant on Economic, Social and Cultural Rights (ICESCR)

- Article 7: *The States Parties...recognize the right of everyone to the enjoyment of just and favourable conditions of work which ensure, in particular:*
- (a) *Remuneration which provides all workers, as a minimum, with:*
 - (i) *Fair wages and equal remuneration for work of equal value without distinction of any kind, in particular women being guaranteed conditions of work not inferior to those enjoyed by men, with equal pay for equal work;*

United Nations' Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)

- *"States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:*
 - (d) *The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
- (CEDAW, Article 11(1))**

ILO Convention 100, Convention Concerning Equal Remuneration for Men and Women for Work of Equal Value, 1951

- This Convention introduces the concept of “equal pay for work of equal value” and recognizes the systemic differences between men’s and women’s work. The convention requires governments and workplace parties to carry out an objective appraisal and evaluation of work and implement comparable pay schemes for different work of comparable value. The Convention provides for reporting and complaints mechanisms, and external monitoring.

“Each Member shall, by means appropriate to the methods in operation for determining rates of remuneration, promote and, in so far as is consistent with such methods, ensure the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.”
Article 2(1).

Beijing Declaration and Platform for Action

Actions to be taken

165. By Governments:

- (a) Enact and enforce legislation to guarantee the rights of women and men to equal pay for equal work or work of equal value;

Actions to be taken

178. By Governments, employers, employees, trade unions and women’s organizations:

- (f) Implement and monitor positive public- and private-sector employment, equity and positive action programmes to address systemic discrimination against women in the labour force, in particular women with disabilities and women belonging to other disadvantaged groups, with respect to hiring, retention and promotion, and vocational training of women in all sectors;

- (g) Eliminate occupational segregation, especially by promoting the equal participation of women in highly skilled jobs and senior management positions, and through other measures, such as counselling and placement, that stimulate their on-the-job career development and upward mobility in the labour market, and by stimulating the diversification of occupational choices by both women and men;

encourage women to take up non-traditional jobs, especially in science and technology, and encourage men to seek employment in the social sector;

(h) Recognize collective bargaining as a right and as an important mechanism for eliminating wage inequality for women and to improve working conditions;

(i) Promote the election of women trade union officials and ensure that trade union officials elected to represent women are given job protection and physical security in connection with the discharge of their functions;

(j) Ensure access to and develop special programmes to enable women with disabilities to obtain and retain employment, and ensure access to education and training at all proper levels, in accordance with the Standard Rules on the Equalization of Opportunities for Persons with Disabilities; 30/ adjust working conditions, to the extent possible, in order to suit the needs of women with disabilities, who should be assured legal protection against unfounded job loss on account of their disabilities;

(k) Increase efforts to close the gap between women's and men's pay, take steps to implement the principle of equal remuneration for equal work of equal value by strengthening legislation, including compliance with international labour laws and standards, and encourage job evaluation schemes with gender-neutral criteria;

(l) Establish and/or strengthen mechanisms to adjudicate matters relating to wage discrimination;

Program for Sustainable Development Goals

- « *D'ici à 2030, parvenir au plein emploi productif et garantir à toutes les femmes et à tous les hommes, y compris les jeunes et les personnes handicapées, un travail décent et un salaire égal pour un travail de valeur égale.* » - Le Programme de développement durable à l'horizon 2030, Objectif 8.5, p 21¹²

CEDAW Committee recommendations to Canada, November 2016

“39. The Committee recommends that the State party:

(a) Take all necessary measures to narrow the wage gap, including by repealing the PSECA and by adopting legislation in the federal as well as in all provincial and territorial jurisdictions on the principle of equal pay for work of equal value, and by increasing the minimum wage which many women disproportionately receive;

(b) Adopt effective measures, including skills training and incentives for women to work in non-traditional professions, and temporary special measures to achieve substantive equality of women and men in the labour market and eliminate occupational segregation, both horizontal and vertical, in the public and private sectors, and adopt quotas to enhance the representation of women in managerial positions in companies;

(c) Create more opportunities for women to gain access to full-time employment, including by adopting a rights-based national childcare framework in order to provide sufficient and adequate childcare facilities, and strengthen incentives for men to exercise their right to parental leave;

(d) Develop a confidential and safe system for filing complaints related to sexual harassment in the workplace, and ensure that victims have access to effective mechanisms and remedies;

(e) Take into account the needs of disadvantaged groups of women, especially indigenous, Afro-Canadian, migrant, refugee and asylum-seeking women, as well as women with disabilities, and consider the use of targeted measures, including temporary special measures, to create further employment opportunities for women belonging to such groups;

(f) Discontinue the use of closed work permits in the Temporary Foreign Workers Program, thereby enabling women migrant domestic workers to freely change employers and improving their working and living conditions and reducing the risk of abuse; ensure that women migrant domestic workers who are victims of rights violations have effective access to justice, including legal aid; and take steps to facilitate access to permanent residency permits for women migrant domestic workers;

(g) Ratify ILO Convention No. 189 (2011) on decent work for domestic workers.

“...take into account the needs of disadvantaged groups of women, and particular indigenous, Afro-Canadian, migrant, refugee and asylum-seeking women, as well as women with disabilities, and consider the use of targeted measures, including temporary special measures, to create further employment opportunities for women belonging to such groups.”¹³

-
- ¹ Deen Beeby, “Secret Status of Women report paints grim picture for Canada”, *CBC News* (7 September 2015) online: <<http://www.cbc.ca>>.
- ² Statistics Canada, *CAN-SIM Table: 282-0102: Average female and male earnings and female-to-male earnings ratio, by work activity, 2011 constant dollars, annual* (Ottawa: Statistics Canada, 2011).
- ³ Brittany Lambert and Kate McInturff, *Making Women Count: The Unequal Economics of Women’s Work* (Ottawa: Oxfam and Canadian Centre for Policy Alternatives, 2016) at 6.
- ⁴ Gender Wage Gap Strategy Steering Committee, *Final Report and Recommendations of the Gender Wage Gap Strategy Steering Committee* (Toronto: Government of Ontario, 2016) at 16.
- ⁵ *Ibid.*
- ⁶ Mary Cornish, Fay Faraday and Jan Borowy, *Securing Human Rights Justice for Women’s Work: The Path to a 0% Gender Pay Gap by 2025 – Preliminary Submissions to the Ontario Gender Wage Gap Review* (Toronto: Equal Pay Coalition, 2016) at 40.
- ⁷ *Ibid* at 6.
- ⁸ Gender Wage Gap Strategy Steering Committee, *supra* note 25 at 26
- ⁹ Kruth, *supra* note 20 at 9.
- ¹⁰ Lambert and McInturff, *supra* note 4 at 11.
- ¹¹ World Economic Forum, *The Global Gender Gap Report 2016* (Geneva: World Economic Forum, 2016) at 10.
- ¹² *Ibid* à la p 21.
- ¹³ Committee on the Elimination of Discrimination Against Women, *supra* note 1 at 13.

Domestic Workers

Because Canadian families do not have a public, universal child care system, many families employ women immigrant workers to look after the children and perform domestic tasks.¹

These workers, who are often racialized, stay in Canada under the Live-in Caregiver Program.² In 2010, there were between 16,000 and 32,000 foreign caregivers in Quebec alone.³

Until 2014, women immigrant workers had to live with their Canadian employers for at least two years to be eligible for permanent residence, a requirement that increased their dependency on their employer.⁴

This live-in requirement was harshly criticized, because it made workers highly vulnerable to exploitation and sexual harassment. It was eventually abolished, in 2014,⁵ but the amendment does not prohibit domestic labour, despite its possible risks, with the result that many workers may still be forced by economic necessity to live in with their employer.⁶

Furthermore, the amendment does not eliminate workers' dependency on their employer because their work permit is still tied to a specific employer⁷: if they change employers they must apply for a new work permit and, in the meantime, they lose their immigration status.⁸ In addition, they must complete 24 months of full-time work in order to apply for permanent residence.

As a result, women immigrant domestic workers are constantly placed in vulnerable situations, at risk of physical or psychological violence and deprivation of liberty.⁹ In addition, they experience isolation and distance and separation from their family members and communities.¹⁰

Because of the precarious legal status of immigrant domestic workers and the lack of provision for them in labour rights legislation, their pay is “usually lower than the minimum wage, they are not entitled to statutory holidays or vacation days, work unpaid overtime and are subject to wrongful dismissal.”¹¹

Possible Solutions

Very often, women domestic workers are not covered by **provincial minimum wage and occupational health and safety legislation**. Amending this legislation to provide them with non-discriminatory protection would be a first step towards improving their rights.¹²

Developing a procedure for **access to permanent residency** for domestic workers that is not tied to a specific employer would also redress the power imbalance between women immigrant workers and their employers.¹³ Workers who are already covered by standard labour laws would be able to exercise their rights without fear of retaliation that could deprive them of access to permanent residency.

First and foremost, the Government of Canada needs to ratify the ***Domestic Workers Convention***, which was adopted some years ago by the International Labour Organization (ILO).

The protections for workers that are enshrined in the Convention include:

- protection against all forms of abuse, harassment and violence¹⁴
- the right to fair terms of employment as well as decent working conditions and, if they reside in the household, decent living conditions that respect their privacy¹⁵
- the right to be informed of their terms and conditions of employment¹⁶
- the right to keep their travel and identity documents in their possession and the right to a safe and healthy working environment.¹⁷

The Convention, however, has not yet been ratified by Canada.

Respect for International Law

Canada has made promises internationally and within the UN to promote women's equality. It must now honour these promises, and take concrete action to improve protection for the rights of women domestic workers.

This action includes:

- “Ensur[ing] the full realization of the human rights of all women migrants, including women migrant workers, and their protection against violence and exploitation; introduc[ing] measures for the empowerment of documented women migrants, including women migrant workers [...]” (**Beijing Platform for Action, par. 58(k)**¹⁸)
- “Recogniz[ing] the vulnerability to violence and other forms of abuse of women migrants, including women migrant workers, whose legal status in the host country depends on employers who may exploit their situation.” (**Beijing Platform for Action, par. 125(c)**¹⁹)
- “Strengthen[ing] efforts to protect the rights [of] and ensure decent work conditions for all domestic workers, including women migrant domestic workers, in, inter alia, their working hours and wages, and to improve their access to health-care services and other social and economic benefits.” (**Agreed conclusions from the 53rd Session of the Commission on the Status of Women, page 4**²⁰)
- “Protect[ing] labour rights and promot[ing] safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.” (**2030 Agenda for Sustainable Development, Goal 8.8**²¹)
- “Further adopt[ing] and implement[ing] measures to ensure the social and legal inclusion and protection of women migrants, including women migrant workers in origin, transit and destination countries; [...] provid[ing] fair labour conditions, and as appropriate facilitat[ing] their productive employment and decent work as well as integration into the labour force.” (**Agreed conclusions from the 57th Session of the Commission on the Status of Women, page 12**²²)

¹ Canadian Labour Congress, “International Domestic Workers Day,” June 16, 2015, online
< <http://congresdutravail.ca/news/news-archive/journ%C3%A9e-internationale-des-workers-et-travailleurs-domestiques> > [CTA 2010]. See also: Elsa Galerand et al., “Domestic Labour and Exploitation: The Case of the Live-in Caregiver Program in Canada (LCP)” (2015), SAC-PINAY

Research Report, page vii, online: <<http://www.mcgill.ca/ldrl/labourlaw-and-development-researchlaboratory>> [Galerand et al.].

² Canada, Government of Canada, “Live-in caregivers,” online: <<http://www.cic.gc.ca/english/work/caregiver/index.asp>>.

³ David Moffette, “Mondialisation et violence sexiste : Le cas des travailleuses domestiques migrantes au Canada” (2010), *Potentia*, p. 72, online: <<http://www.cips-cepi.ca/wp-content/uploads/2011/10/Moffette.pdf>> [Moffette 2010].

⁴ Galerand et al, *supra*, Note 4, p. vii.

⁵ *Immigration and Refugee Protection Regulations*, SOR/2002-227, s. 113.

⁶ Galerand et al, *supra*, Note 4, p. ix.

⁷ *Ibid.*

⁸ Centre international de solidarité ouvrière, *Les aides familiales résidentes au Québec et au Canada*, Information kit on international law and union activity (2012), Section B: Sheet B4, p. 3, online: <<http://www.ciso.qc.ca/wordpress/wp-content/uploads/CISO-Fiche-B4.pdf>> [CISO 2012]

⁹ Moffette 2010, *supra*, Note 6, p. 70.

¹⁰ Galerand et al., *supra*, Note 4, p. vii.

¹¹ CISO 2012, *supra*, Note 14, p. 3. See also Moffette 2010, *supra*, Note 6, p. 74.

¹² CISO 2012, *supra*, Note 14, p. 9.

¹³ Moffette 2010, *supra*, Note 6, p. 77. See also CTA 2010, *supra*, Note 4.

¹⁴ Domestic Workers Convention, *supra*, Note 1, Art. 5.

¹⁵ *Ibid.*, Art. 6.

¹⁶ *Ibid.*, Art. 7.

¹⁷ *Ibid.*, Art. 9 and 13.

¹⁸ Off. Doc., World Conference on Women, 4th Conf., (A/CONF.177/20) (1995) par. 58, section 15(k) [Beijing Platform for Action].

¹⁹ *Ibid.*, par. 125 c).

²⁰ Off. Doc., Commission on the Status of Women, 53rd Sess., E/2009/27 (2009) p. 4, item x [2009 Agreed Conclusions].

²¹ *Transforming Our World: The 2030 Agenda for Sustainable Development*, GA Res of September 25, 2015 A/70/L.1, 70th Sess., A/RES/70/1, Goal 8, p. 15.

²² Off. Doc., Commission on the Status of Women, 57th Sess., (E/2013/27) (2013) p. 12, section 34.B(bbb) [2013 Agreed Conclusions].

Precarious Work

Precarious work takes the form of often dangerous, poorly paid work with no benefits and no job security. This includes casual work, temporary contracts, agency work, forced self-employment or involuntary part-time work. Precarious work means the worker is at serious risk in an employment relationship with minimal or no protections. Over the past 40 years, the number of precarious and undeclared jobs has increased dramatically in Canada.

According to a January 2016 report by the Library of Parliament, women are more likely than men to be employed on part-time involuntary or temporary contracts. Racialized, immigrant, Aboriginal, or women living with a disability are even more so. Women are also more likely to work at minimum wage than men, accounting for just over 60% of minimum wage workers and 70% of part-time workers. They also represent a growing proportion of employees with more than one job.

Women are overrepresented in precarious work because they are often forced to choose precarious flexible or part-time jobs in order to balance their family work with paid employment. Social barriers continue to exist based on gender and women remain overrepresented in jobs that have traditionally been undervalued, because it is “women’s work”. Immigrant women are often forced into precarious work because their professional credentials and their work experience are not recognized in Canada. Racialized women are often forced into precarious work because of systemic racism in hiring.

Recent research by the Changing Public Services Project on women and public sector precarity concludes that precarious work has several negative impacts:

“precarious public sector work means decreased income, benefits, and job security. The consequences of job precarity include generally poor working conditions; increases in health and safety issues (including discrimination, violence and harassment); impacts on homes, families, and communities; and reductions in workers’ rights.”¹

Precarious Work – Possible Solutions

Raising the minimum wage to a minimum of \$15 is a demand of women in many regions of Canada, and North America. A majority of minimum wage workers are women. The current minimum wage varies from province to province, but everywhere it is too low to provide for a living wage. As pointed out by the Fight for 15 campaign during the federal elections, while the price of food and housing has increased exponentially, the minimum wage has stagnated over the last 30 years. Increasing the minimum wage would be good for women, and good for the economy, because when workers have more money in their pockets, they tend to spend it in their communities.

Precarious workers and migrant workers must be afforded **equal benefits and protections** for part-time, term, and casual employment. Governments should adopt uniform labor standards that do not depend on immigration status.

Recognizing foreign credentials, offering bridging courses to help integrate the Canadian labour market, offering official language training are key policies that will help ensure that women are not forced to accept precarious work. **The ratification of the Convention on the rights of Domestic Workers**, and the effective respect of the social and economic rights all migrant workers would also help many women work in dignity.

Of course, the adoption of a **pan-Canadian child care framework** that will ensure that quality services are available to all parents is also an essential condition for women's full participation in the labour market. Indeed, ensuring access to affordable childcare would allow women to continue remain in the workforce full-time while balancing their competing caregiving obligations.² Where women have access to affordable child care, they are more likely to work, stay employed and hold better jobs.³

Finally, we should look at innovative practices in other jurisdictions: for example, in Australia about 2 million workers benefit from an increase in the hourly wage of 15% to 20%, a "**casual loading**" to compensate for the uncertainties related to their job

Governments must live up to their promises to women

After signing on to the fundamental UN treaties that guaranty economic rights to women workers, Canada played a leading role in the development of international human rights instruments that promote women's equality and economic empowerment. It must now live up to it's commitments to women.

United Nations' Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)

- "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:
 - (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
 - (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;

- 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:
 - (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.(CEDAW, Article 11(1) and (2).)

Beijing Platform of Action

Actions to be taken

178. By Governments, employers, employees, trade unions and women's organizations:

(e) Develop and promote employment programmes and services for women entering and/or re-entering the labour market, especially poor urban, rural and young women, the self-employed and those negatively affected by structural adjustment;...

(p) Facilitate the productive employment of documented migrant women (including women who have been determined refugees according to the 1951 Convention relating to the Status of Refugees) through greater recognition of foreign education and credentials and by adopting an integrated approach to labour market training that incorporates language training.

Actions to be taken

179. By Governments:

(a) Adopt policies to ensure the appropriate protection of labour laws and social security benefits for part-time, temporary, seasonal and homebased workers; promote career development based on work conditions that harmonize work and family responsibilities;

(b) Ensure that full and part-time work can be freely chosen by women and men on an equal basis, and consider appropriate protection for atypical workers in terms of access to employment, working conditions and social security;

(c) Ensure, through legislation, incentives and/or encouragement, opportunities for women and men to take job-protected parental leave and to have parental benefits; promote the equal sharing of responsibilities for the family by men and women, including through appropriate legislation, incentives and/or encouragement, and also promote the facilitation of breast-feeding for working mothers;

(d) Develop policies, inter alia, in education to change attitudes that reinforce the division of labour based on gender in order to promote the concept of shared family responsibility for work in the home, particularly in relation to children and elder care;

180. By Governments, the private sector and non-governmental organizations, trade unions and the United Nations, as appropriate:
(a) Adopt appropriate measures involving relevant governmental bodies and employers' and employees' associations so that women and men are able to take temporary leave from employment, have transferable employment and retirement benefits and make arrangements to modify work hours without sacrificing their prospects for development and advancement at work and in their careers;

UN CSW Agreed Conclusions (2014), Par. (II):

Implement macroeconomic policies that, together with labour and social policies, promote full and productive employment and decent work for all and gender equality and the empowerment of women, to enhance economic efficiency and optimize the contribution of women to economic growth and poverty reduction, and increase awareness among decision makers, the private sector and employers of the necessity of women's economic empowerment and their important contribution;⁴

In 2016, the Agreed Conclusions committed governments to:

the importance of undertaking legislative and other reforms to realize the equal rights of women and men to ... equal opportunities for women for full and productive employment and decent work, and equal pay for equal work or work of equal value. - **UN CSW60, Agreed Conclusions, par 10.**⁵

Sustainable Development Goals (2016) :

Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment, Goal 8.8.⁶

We will work to build dynamic, sustainable, innovative and people-centred economies, promoting youth employment and women's economic empowerment, in particular, and decent work for all, para. 27.⁷

¹ Leah Levac, Yuriko Cowper-Smith, Women and public sector precarity : causes, conditions and consequences, Changing Public Services , 2016, www/cps-esp.ca

² Cornish, Faraday and Borowy, *supra* note 9 at 45.

³ Sandra Hofferth and Nancy Collins, “Child Care and Employment Turnover” (2000), 19:4 Population Research and Policy Review, 357.

⁴ UN CSW Agreed Conclusions (2014), Par. (II).

⁵ UN CSW60, Agreed Conclusions, par 10.

⁶ Transforming our world: the 2030 Agenda for Sustainable Development.

⁷ Transforming our world: the 2030 Agenda for Sustainable Development.

Domestic Violence and the Workplace

In December 2014, the Canadian Labour Congress (CLC) released the results of a survey that was developed in collaboration with the Centre for Research and Education on Violence against Women and Children of Western University in Ontario, on the impact of domestic violence on the lives of workers.

Based on more than 8,400 responses, this survey finds that one third of all workers have experienced DV at some time in their lives (33.6%). The rate is higher for working women, since 37.6% have experienced domestic violence. Today, 7% of all women workers are currently victims of domestic violence.

In more than half of these cases, domestic violence follows its victims at work (53.5%). Most often, it takes the form of abusive phone calls or text messages (40.6%). In 20.5% the victim was stalked or harassed by her spouse near the workplace, and in 18.2% of the cases, the abuser physically came to the workplace.

Domestic violence negatively affects a person's work performance. Overall, 81.9% of the persons who are victims of domestic violence said that it made them distracted, or feeling tired, or unwell. Over a third of the victims say that it affects their ability to get to work. Sadly, 8.5% of victims of domestic violence have lost their jobs because of it. This is a dramatic outcome, since having a job is often the only way a woman can eventually leave her abusive partner.

What this means for PSAC members

If we translate these statistics in concrete terms for our PSAC members, we realize that a huge proportion of our membership is affected by this. PSAC has 180,000 members. Of this number, approximately 100,000 are women. If we apply the percentages that have been found in the survey this means that:

- 37,000 PSAC sisters have or will experience domestic violence at least once in their lifetime.

- 7,000 sisters are going to work every day after leaving an abusive spouse.
- 3,745 experience some form of domestic violence at or near their workplace
- 1,500 receive harassing phone calls or text messages at work
- 750 are followed or harassed by their abuser when they go to work
- 680 women are confronted to their abuser in their workplace
- 3,070 women's work performance was negatively impacted by DV
- Almost 600 women lost their job because of the consequences of DV on their work performance

Canadian employers are acknowledging responsibilities

In 2014, the Conference Board of Canada did a survey to better understand how Canadian employers are addressing domestic violence issues. The results of the survey were released in the November 2015 document entitled "*Domestic Violence and the Role of the Employer*". They found that:

- 71 per cent of employers reported experiencing a situation where it was necessary to protect a victim of domestic abuse.
- Almost 80% of employers in large organizations reported that they had had to take measures to protect an employee.
- But the public service ("government") had the lowest rate, with just over 55%.

Almost one in five employers (18%) have adopted stand-alone domestic violence policies. And 45% say that DV is covered by another policy, such as codes of conduct, sexual harassment policies, workplace bullying and workplace violence policies.

What can be done?

Violence against women has been a longstanding priority for PSAC members. Several resolutions have been adopted throughout the years at the National Women's Conferences. And at National Convention 2015, members adopted a resolution to develop a domestic violence education training program.

In December 2015, PSAC organized a Women’s Forum on Domestic Violence at Work. This Forum explored what the PSAC can do to better support our members who are affected by domestic violence at work. PSAC sisters proposed a series of measures that can be taken to reduce spousal violence in the workplace and lessen its impact on the working lives of victims, including:

- Training First Line Responders to understand the dynamics of domestic violence, recognize the warning signs, know how to discuss the issue with affected members, how to raise it with managers, bring it to the attention of health and safety committees and use any other mechanism available to support our members.
- Developing a DV at Work Protocol, on recognizing warning signs, carrying out risk assessments, doing security planning in the workplace, providing accommodation, workplace flexibility and transfer, when necessary, and bridging with local shelters and community groups
- Developing a “survival kit” for our members, with a list of local resources, and advice on the importance of hiding your passport, keeping an extra copy of important papers, opening a personal bank account, having a second house key, etc
- Integrating domestic violence in Health and Safety policies, naming the “harms” of domestic violence, and recognizing that workplace violence can be a “hazard”. Holding employers accountable for their “duty to care”, and expanding prevention strategies. Amending federal and provincial health and safety legislation, to include domestic violence
- Putting the issue on the bargaining table, and getting paid leave to deal with the ramifications of domestic violence: this has already been done by PSAC in the Yukon. Bargaining for Women’s Advocate positions, as has been done by UNIFOR, or social delegate positions, as done in CUPW agreements.

- Lobbying to amend provincial and federal employment standards to give workers the right to apply for flexible work arrangements and special leave for spousal abuse; this was recently done in Manitoba.

PSAC is working in collaboration with the Canadian Labour Congress and affiliates to pursue this agenda.

The issue was raised last year by the Canadian trade union delegation at the UN Commission on the Status of Women. The CLC has been participating in high level meeting at the International Labour Organization to develop a Convention on violence in the workplace that would establish the basic principles for the prevention of violence in the workplace.

Using International Human Rights instruments

Historically, Canada has played a leading role in the development of international human rights instruments that seek to end violence against women. It was instrumental in the drafting and the adoption of the United Nations Declaration on the Elimination of violence against women in 1993. It was actively engaged with the adoption of the Beijing Platform of Action for women, in 1995, that achieved significant commitments by government around the world to address domestic violence.

Declaration on the Elimination of Violence against Women

Article 4: “States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination. States should pursue by all appropriate means and without delay a policy of eliminating violence against women and, to this end, should...

(d) Develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence; women who are subjected to violence should be provided with access to the mechanisms of justice and, as provided for by national legislation, to just and effective remedies for the harm that they have suffered; States should also inform women of their rights in seeking redress through such mechanisms;”

Beijing Platform of Action

Actions to be taken by governments:

124(c) Enact and/or reinforce penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls who are subjected to any form of violence, whether in the home, the workplace, the community or society;

Actions to be taken by Governments, employers, trade unions, community and youth organizations and non-governmental organizations, as appropriate:

126 (a) Develop programmes and procedures to eliminate sexual harassment and other forms of violence against women in all educational institutions, workplaces and elsewhere;

UN Commission on the Status of Women

Member states commit to:

(yy) Take measures to ensure that all workplaces are free from discrimination and exploitation, violence, and sexual harassment and bullying, and that they address discrimination and violence against women, and girls as appropriate, through measures such as regulatory and oversight frameworks and reforms, collective agreements, codes of conduct, including appropriate disciplinary measures, protocols and procedures, referral of cases of violence to health services for treatment and police for investigation; as well as through awareness-raising and capacity-building, in collaboration with employers, unions and workers, including workplace services and flexibility for victims and survivors;