

## STOP GENDER-BASED VIOLENCE AT WORK AND IN SOCIETY AS A WHOLE

- End the Pay Gap between men and women NOW!

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### Background

Capitalism is a system of violence and exploitation of workers. Every day, workers lives are put at risk for the sake of profits. As trade unions, we fight to make sure that workers are safe at work. It is important that we fight for workers' rights every day because as COSATU's slogan says: *An injury to one is an injury to all.*

Black women workers experience exploitation and oppression as workers and black people, and they also experience violence, harassment and oppression as women.

With Covid-19 we have seen how workers have had to risk getting sick themselves to take care of the sick, to keep growing food, to work at tills in supermarkets and pharmacies. Many of these workers are women and men who have children and families at home. They worry that they might get sick and that their families might get sick. They are stressed about their health and safety. Trade unions world-wide have been campaigning for women workers to be given PPE that fit women's bodies. This also applies to women workers in sectors like mining, construction and policing where women are expected to wear protective gear that has been designed for European men's bodies, not for African women.

We expect public representatives to do everything in their power to make sure that health workers have proper personal protective equipment so that they are not exposed to health risks. Yet, because of greed and corruption, resources that were meant to be used for workers' PPE and UIF have been abused.

We see horrific reports daily of women that have been brutally murdered by their partners. 1 in 3 women world-wide experience physical or sexual violence, often from their partner or someone they know<sup>[1]</sup>. Gender-based violence affects mostly women and girls, as well as LGBT+ (lesbians, gay men, bisexuals, transgender and others).

Gender-based violence takes many forms, including domestic violence, rape, sexual abuse of children, abduction and forcing young girls into marriage, trafficking in women and girls, sexual harassment at work and at school and elsewhere.

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<sup>[1]</sup> World Health Organisation

All forms of gender-based violence impact on workers and workplaces, and also occur at work. Women workers face the threat of violence when they have to travel late at night because of late working hours. Some unemployed women find themselves being offered jobs in exchange for sex.

Pinky Mosiane died on 6 February 2012 at Anglo American Platinum Khomanani Mine in Rustenburg. Pinky was a young woman mineworker aged 27 years and mother of a seven year old. She had been working at the mine for just under three months and was brutally assaulted, raped and murdered whilst working underground. Her body was found in a pool of blood in a mine shaft with a used condom next to her body. She had been hit on the back of the head with a blunt object. A blood-stained stone and a lunch box were found nearby.<sup>[2]</sup>

The Chamber of Mines spokesperson reportedly said just after Mosiane's murder that safety in the mines "is an issue, but the chamber deals with safety issues such as rock falls, dust and noise, and does not deal with gender-specific safety issues."

Despite a limited pool of suspects, confined to those that were underground at the time of the attack on Mosiane, nothing happened. In response, the STOP Violence against Women, Justice for Pinky Mosiane Campaign was started by Civil Society organisations and trade unions. After a two year campaign, an arrest was made and the perpetrator was eventually sentenced to life in prison.

Mosiane is not the only victim of gender-based violence underground in South Africa's mines who had a fatal end. Cynthia Setuke was attacked and murdered on October 9 2013 at Aquarius platinum mine's Kwezi shaft in Rustenburg.

For four years Cynthia Anikie Setuke worked 220 metres underground in an isolated, dimly lit area in Aquarius platinum mine's Kwezi shaft in Rustenburg. She did a job none of her male colleagues was prepared to do. Shortly before her death, Setuke expressed her unhappiness with her unacceptable working conditions, saying she was working in dimly-lit conditions, isolated from other sections of the mine.<sup>[3]</sup>

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<sup>[2]</sup> <https://www.dailymaverick.co.za/opinionista/2013-08-01-who-killed-pinky-mosiane/>

<sup>[3]</sup> <https://www.enca.com/south-africa/murder-trial-highlights-plight-woman-miners>

Cynthia's body was discovered on the conveyor belt. It appears she was strangled. She also had severe bruises to her head. It looked as if her head had been squeezed down hard – possibly onto the conveyor belt where she sifted through minerals.

Due to the pressure that trade unions put at bargaining tables, organisational campaigns, pickets and marches, some parts of the mining sector have taken steps to improve the safety of women working underground, for example:

- Establishment of anonymous tip-off line for sexual harassment related allegations and reporting by affected employees
- Several cases dealt with which resulted in some employees being dismissed
- Some Coal mining sector started the roll out of provision of appropriate Personal Protective Equipment (PPE) and clothing for women

Khabonina Mkhonza, a 64 year old domestic worker, was beaten up by a 28 year old man in the home where she works. She has worked for the family for 20 years, and she raised the young man that beat her. He appeared in court during Women's month, and he was granted R500 bail. The attack was sudden and without provocation. Mkhonza reported that "He just started beating me, he got on top of me and he started beating me until I was bleeding. Then the parents tried to stop him but he still beat me." He would often vent at her about the government's alleged corruption, directing his anger about ANC and EFF leaders towards her.

Women workers in hotels and restaurants are frequently faced with sexual harassment and assault by drunk and abusive customers, and also by managers and owners.

These are some of the countless horrifying examples of women being violated, abused and murdered at work. They illustrate the urgency of proper procedures to prevent and deal with cases of violence in the workplace. Women have the right to safety and security at work.

Domestic violence impacts heavily on women workers, and can spill over into the workplace. Violent abusers often follow women to the workplace because they know this is where they can find them. There have been too many cases where women have taken the brave step of leaving their abusers, only to be murdered at work.

Sexual violence happens too often in the workplace, with cases of rape, sexual harassment and sexual favours in exchange for employment. Sadly, the majority of these cases do not see the light of day. The power relations in the workplace are such that many women either suffer in silence or leave their job to escape the predator, who is often in a more powerful position. It is very difficult for young women, who also predominate in casual and precarious work, to speak out.

Certain occupations are particularly vulnerable to violence in the workplace, this includes occupations dealing with the public and providing social and commercial services, such as health, transport and retail, as well as precarious workers, including farm workers, domestic workers, street traders and sex workers.

Retail and restaurant workers have been mugged and murdered on the way home from work late at night. Unions have been campaigning and negotiating for paid transport for workers.

### What is ILO Convention 190?

Workers, unions, governments and employers made history by adopting a new ILO Convention 190 in June 2019 on eliminating violence and harassment in the world of work.

The adoption of Convention No. 190 and Recommendation No. 206 recognises **the right of everyone to a world of work free from violence and harassment**, including gender-based violence and harassment. This is the first time that this right has been explicitly recognised in an international labour standard.

### Why is it important for Governments to

Governments that ratify C190 must put in to prevent and address violence and work, in line with C190.

### Why is C190 Significant?

***The ILO Convention and strong message that violence is NOT give workers voice to stand up against negotiate collective agreements that workers and employers to agree on policies to prevent and address GBV in the workplace. It can contribute to empowering women workers to take action. (ITUC, 2016)***

### What does C190 cover?



### ratify C190?

place laws and policy measures harassment in the world of

***Recommendation sends a part of the job. It helps to gender-based violence, and address GBV. It assists***

C190 covers all workers. It recognises both formal and informal workers as part of the world of work. It also covers job seekers, interns, volunteers and apprentices.

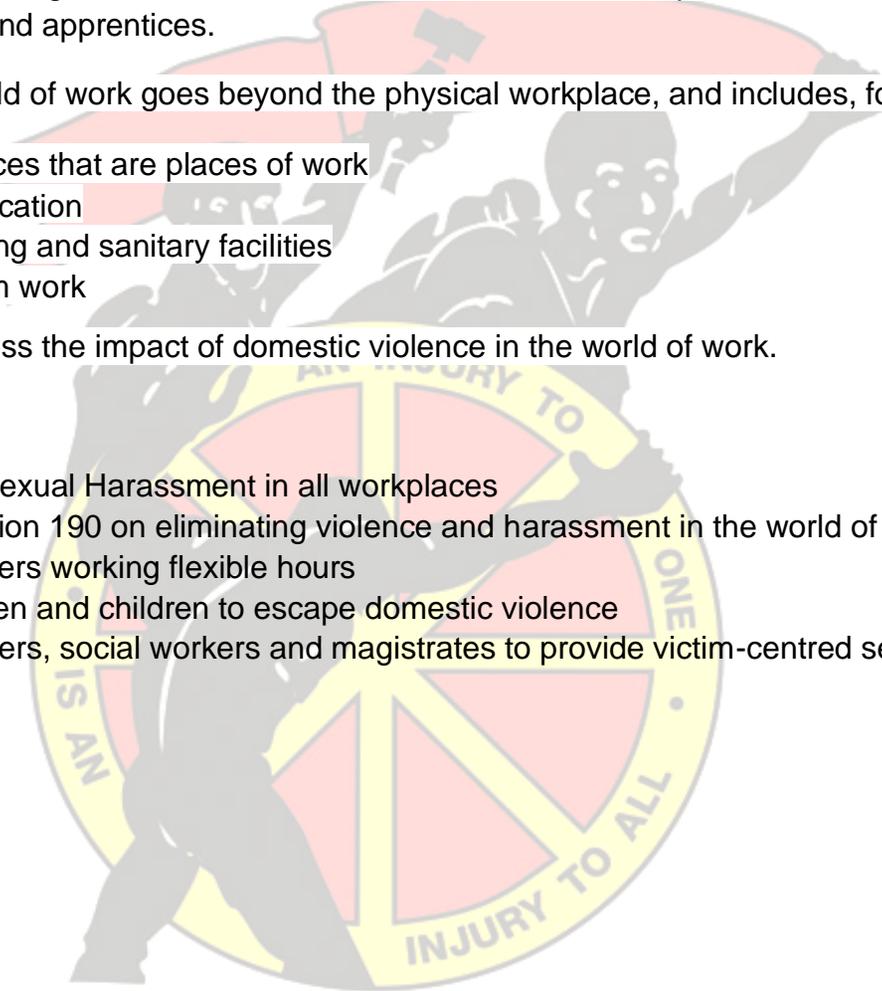
C190 recognises that the world of work goes beyond the physical workplace, and includes, for example:

- Public and private spaces that are places of work
- Work-related communication
- Eating, resting, changing and sanitary facilities
- Commuting to and from work

C190 requires action to address the impact of domestic violence in the world of work.

***COSATU Demands:***

- Policies on GBV and Sexual Harassment in all workplaces
- Ratification of Convention 190 on eliminating violence and harassment in the world of work
- Paid transport for workers working flexible hours
- More shelters for women and children to escape domestic violence
- Training for police officers, social workers and magistrates to provide victim-centred services



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