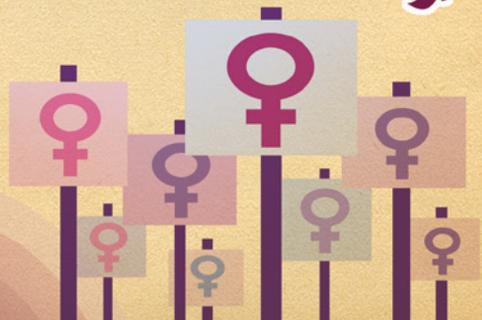




VIOLENCE  
AGAINST WOMEN  
IN THE WORKPLACE:  
REPORT IT, COMBAT IT,  
STOP IT!

INEQUALITY  
PREJUDICE  
MORAL HARASSMENT  
OPPRESSION  
SEXISM  
VIOLENCE  
DENOUNCE  
COMBAT  
THREAT  
ASSAULT

RIGHTS!



VIOLENCE  
AGAINST WOMEN  
IN THE WORKPLACE:  
REPORT IT, COMBAT IT,  
STOP IT!

INEQUALITY  
PREJUDICE  
MORAL HARASSMENT  
OPPRESSION  
SEXISM  
VIOLENCE  
DENOUNCE  
COMBAT  
THREAT  
ASSAULT



Published by Public Services International - PSI Brazil

**SUPPORT:** AFL-CIO Solidarity Center and IMPACT Trade Union

**PREPARED BY:** Léa Marques

**COORDINATION:** Jocelio Drummond and Dane Helen Bauléo

**COPYEDITING:** Igor Ojeda

**GRAPHIC DESIGN:** Renné Ramos

**ILLUSTRATIONS:** Ricardo Cammarota

**TRANSLATION:** Robert Stuart

São Paulo, January 2016

This publication may be reproduced in whole or in part on condition that full acknowledgment is given to PSI Brazil.

## **PUBLIC SERVICES INTERNATIONAL - PSI**

**PRESIDENT:** Dave Prentis

**GENERAL SECRETARY:** Rosa Pavanelli

**ADDRESS:** 45 Avenue Voltaire, BP 9, F-01211

Ferney-Voltaire Cedex, France

**TEL.:** + 33 (0) 4 50 40 64 64

**WEBSITE:** [www.world-psi.org](http://www.world-psi.org)

**EMAIL:** [psi@world-psi.org](mailto:psi@world-psi.org)

**REGIONAL SECRETARY FOR INTERAMERICA:** Jocélio Drummond

**EMAIL:** [psi.interamerica@world-psi.org](mailto:psi.interamerica@world-psi.org)

**PRESIDENT OF THE WORLD WOMEN'S COMMITTEE:** Juneia Batista

## **IN BRAZIL**

**ADDRESS:** Rua Barão de Itapetininga, 163 - 2nd floor – SL 2

**POSTAL CODE:** 01042-001 - São Paulo - SP - Brazil

**TEL.:** +55 (11) 3120-6171

# SUMMARY

Presentation .....	04
Introduction .....	06
Sexist violence .....	10
Forms of violence against women .....	13
Factors that contribute to ongoing sexist violence.....	16
Sexist violence in the workplace .....	18
Identifying moral harassment at work.....	21
Identifying sexual harassment in the workplace .....	24
What should a working woman who is a victim of sexist violence do? .....	26
What should governments do to combat sexist violence? .....	27
What can female and male workers do in their workplace to prevent sexist violence? .....	29
What should trade union organizations do to engage with this struggle .....	30
Where to get help .....	33
Legislation .....	33
Final remarks .....	37
Bibliography.....	38



# PRESENTATION

*The world is going through one of its most difficult moments with regard to the global economy. The advance of conservatism and machismo can be felt even more strongly in times of international crisis of capitalism, as we witness an onslaught by economic and patriarchal forces against the people, especially against women's lives. Sexist violence occurrences in the workplace are yet another of those expressions revealing of the political and structural nature of the society we live in. The adoption of policies rendering public services more precarious, compounded by subcontracting, further exposes female public employees to this kind of violence.*

*PSI's Women's Committee, acknowledging this sad reality, is developing a campaign to fight against sexist violence in the workplace by holding a number of activities, including the publication of the present guide. Its content is the result of debates held in 2015 at state-level meetings with the participation of PSI-affiliated organizations in Brazil, under the auspices of project Strengthening PSI's Gender Policy with Emphasis on the Struggle against Gender Violence in the Workplace in Brazil and in the Southern Cone and funded by IMPACT – Ireland's largest public and services workers' trade union. This publication was also made possible with the support of AFL-CIO Solidarity Center – an organization headquartered in the United States that promotes worker rights in several countries.*

*This guide presents the problem and calls unions to combat and prevent violence. It should be used as an information, capacity-building, and mobilization tool for women and men in the fight against sexist violence in the workplace. It is not our goal to exhaust the theme or deepen theoretical discussions on the various aspects to the issue; rather, we seek to provide elements that may enable identifying, reporting, preventing, and resolving cases of sexist violence in the workplace.*

*At the last meeting of its Governing Body in November 2015, the International Labour Organization (ILO) approved a proposal for an international Convention against sexist violence in the workplace to be placed on the agenda of the 2017 International Labour Conference (ILC/2017). In a globalized world, establishing international norms to combat and prevent sexist violence is necessary to safeguard the interests of women workers, companies, and governments. Violence threatens physical and psychological health and is a threat to human rights and human dignity. We strongly support ILO's initiative for an international standard against sexist violence in the workplace.*

*To PSI, a long-standing advocate of quality public service focused on decent work and gender and pay equity, it is key to demand, through its affiliates, the right to a life without violence for all women. This condition is necessary to make women feel safe to decide, love, produce, conquer new spaces, overcome barriers, prejudice, and taboos. For them to play leading roles in their lives.*

# INTRODUCTION

Sexist violence is a serious problem that affects millions of women worldwide and, quite dramatically, in Brazil. It is one of the most cruel faces of machismo. Oppression can befall any woman anywhere: at home, in the street, commuting, in the workplace, during leisure. The situation is so serious that in 2015 the World Health Organization (WHO) started to consider it a world epidemic and one of the most frequent Human Rights violations.

In Brazil, the situation is alarming: every 5 minutes a woman is battered; every two hours a woman is murdered due to domestic violence; from 2009 to 2012 reporting of rapes grew by 158%; accounts of sexual and/or moral harassment in the workplace have risen dramatically. (Data by the Department for Women Policies. SPM/PR, 2012)

Maria da Penha Law (Law 11340 of 2006) was a great accomplishment, for it recognized domestic violence against women as a crime and not as a private matter. Yet, there is still need for the effective setting in place and the broadening of public policies designed to combat and prevent such practices. We need to break with the neglect shown by governments, authorities, and lawmakers in relation to this appalling situation. Moreover, the Maria da Penha Law is applicable only to cases of domestic/family violence, that is, even though it guarantees, as deemed necessary, that a labor contract continue in effect should a woman need to take a leave, the law



does not apply to situations of violence arising from relations in the workplace.

In the world of work, as capitalism strengthens patriarchal values and the sexual division of labor continues to prevail, there is a separation and hierarchization between what female and male jobs purportedly are, these the most valued ones. The outcome of a history of women's struggle, some women manage to actually break through these barriers and to stand out, yet they still are the target of prejudice, unequal treatment, lower wages, suspicion as to their professional skills.

The physical and psychological consequences of sexist violence in the workplace are very serious for those suffering them, yet may also be harmful to employers and, in the case of public service, even to governments. The economic costs with leaves of absence, lawsuits, and medical and psychological care, in addition to the social costs, are passed on to the whole of society.

**The existence of a democratic State presupposes equality of rights, treatment, and opportunities between women and men and is, therefore, incompatible with manifestations of sexist violence.**

Ensuring democracy, in turn, calls for thinking about the social relations it establishes.

The end of sexist violence in the workplace is a necessary condition for the construction of new relations based on the principles of respect for a decent life for all women and equality between women and men.

The trade union movement, comprised of women and men, must also make the fight against sexist violence its own. **Unions must be spaces for educating, reporting, and overseeing, as well as spaces for socially controlling the enforcement of laws set forth to guarantee equality of opportunities and treatment for working women.**

Thus, rallying, sensitizing, and coordinating the labor movement to fight against sexist violence in the workplace is rethinking actions internal and external to the workplace and fighting, in alliance with the other grassroots movements, for the construction of a society that is effectively just and democratic, ultimately seeking to overcome social inequality and all forms of violence against women.



# SEXIST VIOLENCE

**Sexist violence is violence suffered by women, given their condition as women.** It broadens the concept of gender-related violence because it can be inflicted on any woman, regardless of her sexual orientation. Thus, it occurs with no distinction of race, social class, religion, sexual orientation, age, or any other condition. It is the byproduct of a patriarchal social system that subordinates the feminine sex to the masculine. This violence is the expression of the will to dominate and is not a private matter. It reveals unequal power relations between women and men and contributes to perpetuate such inequality.

This is a reality that affects millions of women around the world. This violence is one which women suffer for being women and is generally perpetrated by men who are close to them, like their husbands, boyfriends, exes, and bosses.

Fighting violence against women is usually constrained by a scarcity of policies and services to support those who have suffered any violence, which leads to fear of reporting. Thereby, many women end up suffering several forms of violence for many, many years.



Regardless of where it occurs, sexist violence may have workplace implications. A woman who is a victim of domestic violence may also be harassed by her boss or colleague. She may need to be absent from work for days due to injuries suffered or, if she continues to go to work, has her performance compromised.

Violence can also happen on their way to work. On the streets and public transportation it is common for women to be harassed or even actually raped.

Conventional wisdom has it that violence against women is an extreme situation that is restricted to a few cases and individuals. But it affects all women since even women who have never experienced any violence themselves have already experienced fear, changed their behavior, and limited their options under threat of violence.

Another misconception is that violence against women is a problem that only affects the poorer classes or “exotic” cultures. Yet we know that violence is cross-cutting and occurs in every social class, in different cultures and religions.





# FORMS OF VIOLENCE AGAINST WOMEN

**SEXUAL:** forcing a woman to have sexual relations and/or performing sexual acts that do not please her (or in an aggressive way); force her to have a sexual relation with other people or have her watch other people having sex. When there is rape or sexual abuse, at home or away from it, resulting in physical injuries, unwanted pregnancy, and emotional problems. Working women can suffer this kind of violence at home, on the streets on their way to work, or even in the workplace itself.

**FAMILY:** suffered in the family, that is, in a woman's relations with members of her family community, marked by kinship: father, mother, stepfather, and others. This violence impacts a woman's entire professional life and affects her performance at work.

**PHYSICAL:** action or omission causing any damage to the physical integrity of a person. It can happen in the workplace and in private and public spaces.

**MORAL:** action intended to slander, defame, or insult the honor or reputation of a woman. One form of veiled violence is moral harassment. Ill-intentioned gossip depreciating women that is spread in the workplace is an example of this kind of violence.

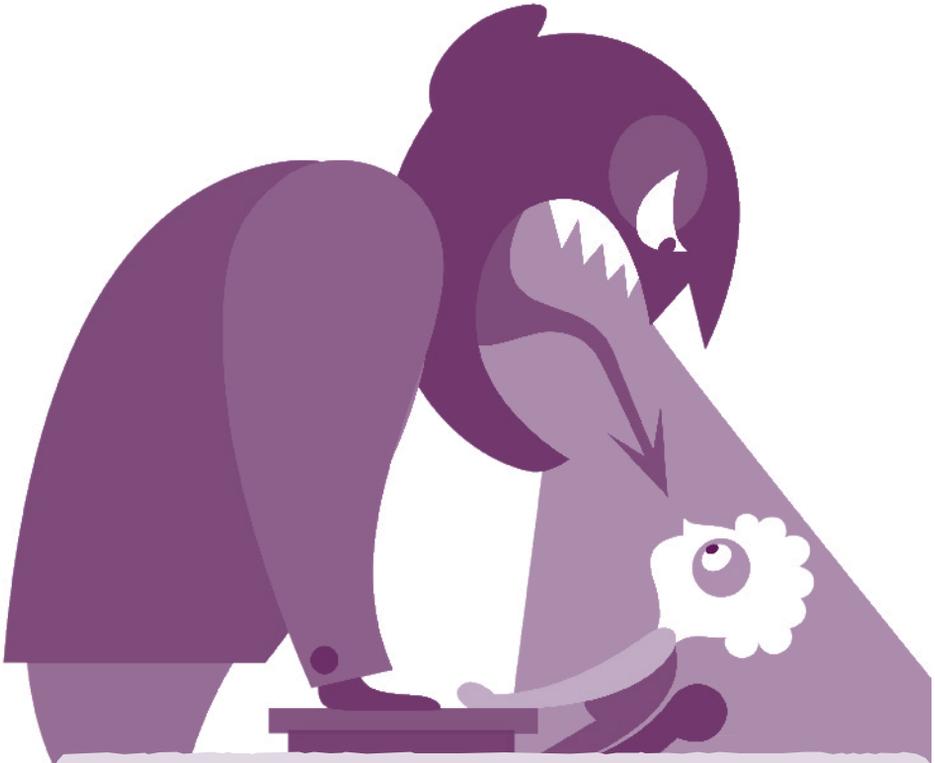
**PSYCHOLOGICAL:** preventing a woman from working; from maintaining relations with relatives, friends, or neighbors; interfering in her way of dressing; criticizing her professional or domestic performance; depreciating her physical appearance; destroying or hiding documents or personal belongings. Being the subject of jokes, recurrent humiliation, and contempt for the work done by women is one way this violence expresses itself in the workplace.

**MATERIAL:** exposing women, and relatives financially dependent on her, to a situation of financial stress that could be avoided; companion/husband not contributing for the livelihood of the family; abandoning a home and leaving a family without any support or unassisted, a situation that can be further compounded in cases when the woman is sick or pregnant. At work, this is expressed when women and men are paid different wages for the same work, women earning less than men.

**PROPERTY-RELATED:** action of retaining or stealing, and partial or total destruction of, victim's possessions: objects, telephones, working tools, personal documents, goods, money, clothes, etc. Damaging a computer needed to work, a sewing machine, a washing machine, or any other working equipment belonging to women are forms of violence against their possessions.

**Recognizing how the various forms of violence against women manifest themselves entails understanding that this is an important theme for organizing the working class. Inequality between men and women**

**expresses itself in many ways, and violence is one of them.** For this reason, the labor movement should include this theme in the overall and historic union struggles, as well as all those concerning women's working conditions.



*In our guide, we shall use the term “sexist violence in the workplace” when referring to all forms of violence (sexual, physical, moral, material, psychological, and property-related) to which working women are exposed in the workplace, further compounded by the fact that they are women.*

# FACTORS THAT CONTRIBUTE TO ONGOING SEXIST VIOLENCE

The outcome of the historical construction of modern societies, the process through which capitalism is reinforced by patriarchy entitles men, as a social group, to privileges and to being protected when they act toward keeping women under submission. A number of struggles have managed to bring into question and even revert in part our society's macho-based construction but, there still are many obstacles we need to break down in order to bring an end to sexist violence. Some of them are:

- ♀ Impunity of aggressors;
- ♀ The silence of battered women;
- ♀ Socially constructed ideas about women's inferiority;
- ♀ Violence treated as a natural issue and its consequent trivialization;
- ♀ Transformation of victims in guilty parties by saying that women have teased and deserved it;
- ♀ Differences in pay between men and women in the working world that often pose a hardship for them to be economically self-sufficient and make them financially dependent on men;



- ♀ The role of the media, which reinforces macho and capitalist values;
- ♀ The inherited legacy of slavery, when black women had no control over their own bodies and lives;
- ♀ A number of excuses used to justify acts of violence: alcohol, stress, or madness.

**There is no excuse for violence. It must be punished!**

# SEXIST VIOLENCE IN THE WORKPLACE

Sexist violence in the workplace is one of the great woes afflicting women of all ages, races and ethnicities, and sexual orientation. It also signals that this is a structural and systemic problem, deeply rooted in social, economic, organizational, and cultural factors.

Power imbalance in the workplace and precarious working conditions for many women makes them more vulnerable especially to moral and/or sexual harassment, but also to all other forms of violence and abuse.

**Sexist violence in the workplace is an ongoing presence in the daily lives of countless working women. Data by the International Labour Organization (ILO, 2015) show that 52% of all working-age women have already been sexually harassed.**

There is no national official data on the theme but we know that most Brazilian working women, regardless of their professional area or position, have already been submitted to some form of violence-related constraint at work. Those who have not experienced it personally have colleagues who have.

Sexist violence impacts women's lives in multiple ways, as shown by data collected for the only scientific research into the theme, which was conducted by work doctor and researcher at the Pontifical Catholic University of São Paulo (PUC-SP) Dr. Margarida Barreto in 2000. In a two-and-a-half-year study with women in civil service,

Margarida found that women who had already suffered some form of violence complained of several kinds of ailments.

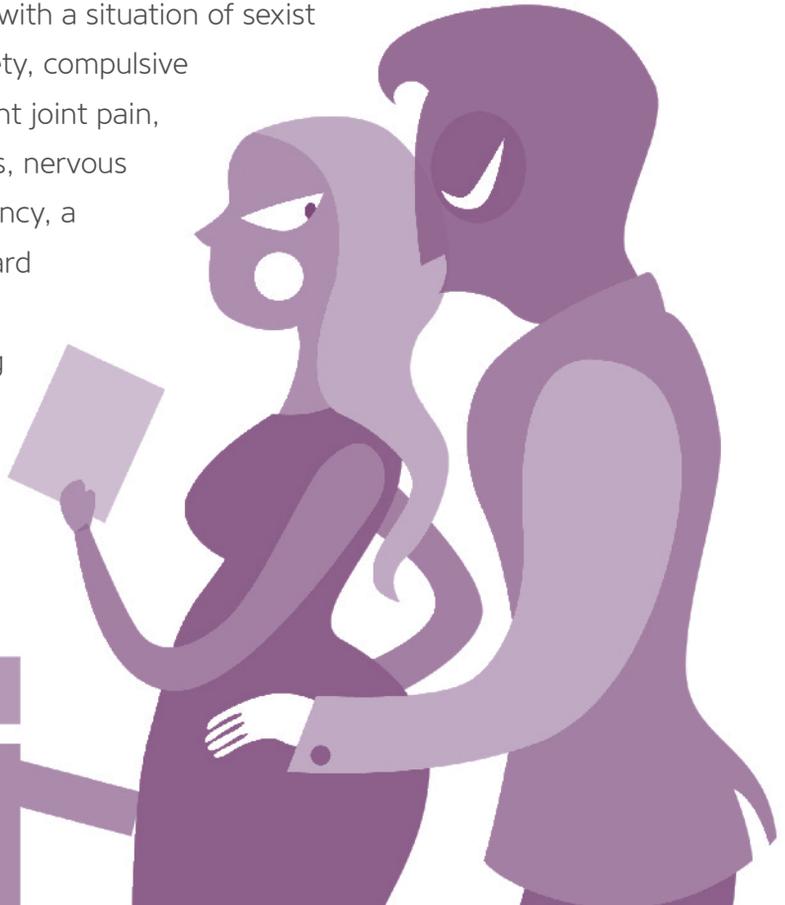
Below is a table based on the aforementioned research showing how several aspects of a working woman's personal life are impacted when they are victims of some form of sexist violence in the workplace, plus the percentages of those who reported effects caused by violence:

<b>Crying fits</b>	<b>100%</b>
<b>Widespread pains</b>	<b>80%</b>
<b>Palpitations, tremors</b>	<b>80%</b>
<b>Feeling of uselessness</b>	<b>72%</b>
<b>Insomnia or excessive sleepiness</b>	<b>69.6%</b>
<b>Depression</b>	<b>60%</b>
<b>Diminution of libido</b>	<b>60%</b>
<b>Increased blood pressure</b>	<b>40%</b>
<b>Headaches</b>	<b>40%</b>
<b>Digestive disorders</b>	<b>40%</b>
<b>Dizziness</b>	<b>22.3%</b>
<b>Suicidal thoughts</b>	<b>16.2%</b>
<b>Lack of appetite</b>	<b>13.6%</b>
<b>Shortness of breath</b>	<b>10%</b>
<b>Alcohol abuse</b>	<b>5%</b>

As the data show, an act of violence that per se is unacceptable affects a number of other behaviors in a woman's personal and professional life. Impact on performance, falling ill, leaves of absence, suicidal thoughts, and impact on mental health. Often, victims of violence end up taking it out on other workmates, generating a highly hostile working environment that affects public services professionals and users.

At other times, women who suffer violence in the workplace transfer their outrage at the situation to their families, beating their children, mistreating relatives, and so forth.

There are still a number of behaviors that can be associated with a situation of sexist violence: anxiety, compulsive eating, constant joint pain, memory lapses, nervous tics, despondency, a tendency toward reclusion, apathy, among others.



# IDENTIFYING MORAL HARASSMENT AT WORK

**Moral harassment at work is defined as any manifestation of abusive conduct, especially those behaviors, words, gestures, and texts that go against the personality, dignity, or physical integrity of a working man or woman.**

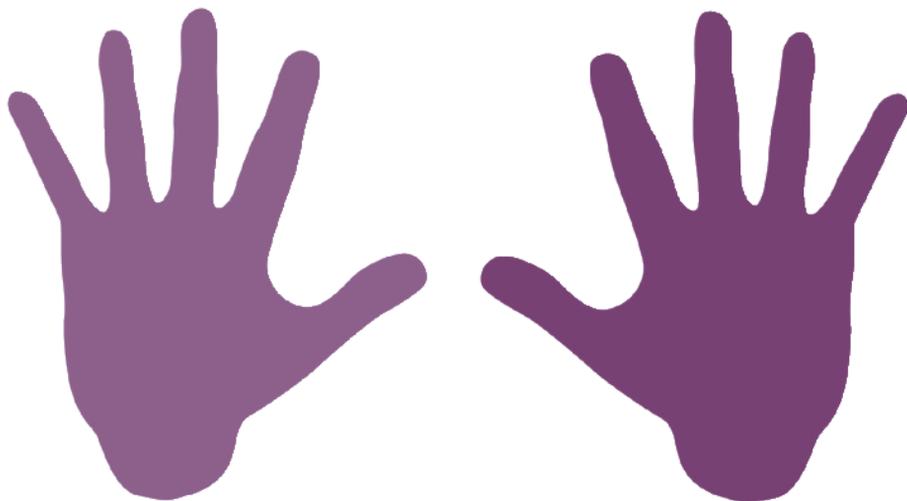
Furthermore, moral harassment is identified as abuse of power that violates the rights of workers, with negative consequences for the working environment and degradation of the victim. It supposes recurrent acts of abuse that are expressed through humiliations by one or several people. The most common situation is for the person suffering abuse to be directly subordinated to the one who commits it.

Examples of abusive conducts that constitute moral harassment are:

- ♀ Shouting at or insulting a victim in front of other people or in the absence of the victim;
- ♀ Establishing goals or projects that are impossible of being met or carried out;
- ♀ Selectively overburdening the victim with work in comparison with other workers;
- ♀ Recurrently threatening to fire or reassign the victim to another sector as a form of punishment;
- ♀ Disrespecting the victim, treating her differently, excluding her;

- ♀ Modifying, over and over, a working woman's duties or responsibilities without any notice;
- ♀ Ridiculing the victim and stigmatizing her in front of other workers;
- ♀ Making the victim invisible, ignoring her;
- ♀ Failing to provide crucial information for her adequate professional performance or manipulating information to mislead the victim and then accuse her of negligence or incompetence;
- ♀ Smearing the victim's reputation and personal image;
- ♀ Ignoring her professional achievements and good performance;
- ♀ Continuously criticizing her work, her proposals;
- ♀ Punishing or preventing the victim from taking any decision or initiative regarding her duties;
- ♀ Devaluing her work, ideas, or achievements as compared with other colleagues;
- ♀ Encouraging other workers to take part in any of the aforementioned acts by way of persuasion, coercion, or abuse of authority.

These repeated conducts constitute moral harassment and instill in the victim a gradual loss of self-confidence and self-esteem, causing stress and paving the way for other physical and psychological illnesses. They dramatically affect her quality of work life and her own quality of life, with impact on her social and family relations.



Public service is one of the working environments where moral harassment is most strikingly visible, particularly since there is a shortage of oversight institutions to fine wrongdoers. In public services, moral harassment tends to be more frequent for one peculiarity: a superior has no control over a worker's job contract. Hence, not being able to lay a working woman off without a cause, the boss begins to humiliate her and overburden her with menial tasks, or fails to assign duties, heedless of his position's social cost and protected by impunity. Recurrent and prolonged humiliation has become a daily practice inside public services agencies.

The main victims of moral harassment are women. And especially those holding less powerful positions, which is the case of most black, lesbian, bisexual, and trans women. Those who become mothers are also key targets for harassment, underestimated both during pregnancy and upon returning from maternity leave, plus suffering to readapt to the job in an atmosphere of mistrust.

# IDENTIFYING SEXUAL HARASSMENT IN THE WORKPLACE

**Sexual harassment, as established by the ILO, is unwelcome behavior, invitations, insinuations, forced physical contact, with the following characteristics: a condition for keeping a job, influence on promotion, impact on professional career.**

The Ministry of Labour and Social Security (MTPS, from the Portuguese acronym) defines sexual harassment as an unwelcome approach with sexual intention or unwelcome insistence by someone who takes advantage of a higher position to obtain sexual favors from a subordinate.

Brazil's law on the matter is very recent. It was only in 2001 that sexual harassment started to be considered a crime in Brazil, with the enactment of Law 10.224/2001, establishing a one-to-two-year prison sentence.

Sexual harassment at work must be construed as a form of discrimination in the workplace that violates the right of women workers to be safe in the workplace and to have equal opportunity.

**Economic equality between men and women is a key condition for the emancipation of women and for them to more rapidly leave a situation of sexist violence.**

Moral and/or sexual harassment expose female workers to humiliating and embarrassing, and/or repetitive and prolonged, situations during working hours that lead to a victim's emotional instability and affect her self-esteem and psychological health.

These forms of violence are difficult to prove given the fact that they mostly involve only two people: the harasser and the victim. Succeeding in proving that moral or sexual harassment in the workplace did happen is very hard because, quite often, it is just the word of the woman who was the victim of such violence against the word of a superior who perpetrated the harassment. What's more, a woman who blows the whistle on harassment is often discriminated against, blamed, or portrayed as a troublemaker for public service.

However difficult it may be, the whistle must be blown. Only by reporting these cases and punishing harassers will we bring an end to sexist violence in the workplace. A person who commits violence usually acts in the same way with several victims. There are examples of well-succeeded whistle-blowing and punishment cases in which women managed to bring an end to a situation of violence. Thus, we further stress the importance of blowing the whistle.

In the workplace, power and command positions are usually held by men, which underscores the structural differences between men and women in the workplace and creates the conditions for women to become almost the sole victims of sexual harassment and the majority of those morally harassed.

Yet, in some cases, women are in a higher position. In these cases, it is imperative that they do not exercise power in an authoritarian fashion. Authoritarian and violent forms of exercising power must be deconstructed. For that, we need more women in spaces of power with a different political culture.

## WHAT SHOULD A WORKING WOMAN WHO IS A VICTIM OF SEXIST VIOLENCE DO?

- ♀ Take note of everything that is happening, keep a detailed log of her working day, seek to gather evidence (notes, documents showing assignment of tasks impossible of being done or pointless, documents proving advantages or positions lost, etc;
- ♀ Keep alert, not panic;
- ♀ Seek help through public agency's own whistle-blowing channels, when available;
- ♀ Overcome fear, reporting her situation to people she trusts, as it is important to break the silence; be aware she is not alone;
- ♀ Find out if there are other people in the same or similar situation;
- ♀ Seek information on her rights and protection spheres/mechanisms;
- ♀ Look for the trade union, join;
- ♀ Avoid talking, without a witness, with person carrying out aggression;
- ♀ In extreme cases, leave the workplace clarifying, in writing, that the reason thereto is sexist violence in the workplace;
- ♀ Seek legal advice;
- ♀ Resort to every means of protection made available by law.

# WHAT SHOULD GOVERNMENTS DO TO COMBAT VIOLENCE?

It is necessary to ensure that public policies be adopted that may change this situation of violence. These policies must be guided, first and foremost, by violence prevention and safe and quality support to the victims.

For that, it is necessary to:

- ♀ Recognize that this is an ongoing process in society;
- ♀ Improve the legal framework so as to increase the real power of women in their fight against social, economic, and political discrimination;
- ♀ Create at the various levels of public power (municipal, state, and federal) a Code of Ethics banning all forms of discrimination and moral harassment;
- ♀ Hold seminars, talks, and other activities designed to discuss and raise awareness on the abusive practices of sexist violence;
- ♀ Deploy more Ministry of Labour and Social Security (MTPS) inspectors to ensure oversight of working conditions in the public sector;



- ♀ Approve ILO Convention 151, thus contributing to this struggle by establishing collective bargaining mechanisms in the public sector that make it possible for women to include the issue in collective bargaining agreements;
- ♀ Encourage and strengthen the Pro Gender and Race Equity Committees in State Companies;
- ♀ Design and strengthen policies that may ensure women's personal and economic autonomy (housing, employment, education, health policies);
- ♀ Transform public policies targeting sexist violence into State policies that cannot be discontinued by every new government;
- ♀ Create/activate Women's Municipal and State Boards;
- ♀ Expand Women's Police Stations (DEAMs).



## WHAT CAN FEMALE AND MALE WORKERS DO IN THEIR WORKPLACE TO PREVENT SEXIST VIOLENCE?

The first thing to be done in order to combat sexist violence in the workplace is to keep a working environment that is respectful of the presence of women. Macho-inspired funny comments are unnecessary in the workplace. Jokes, exhibiting photos or videos of naked women, and comments about feminine looks must be avoided, so that women may feel more respected and comfortable.

When any violence is perpetrated, the first thing to do is to support and protect the victim, and to look for evidence to formally report the aggressor.

The aggression cannot be “swept under the carpet”, it must be discussed – without exposing the victim – so that the same does not happen again. It is important to strengthen solidarity in the workplace as a way to stop the aggressor by creating a network of resistance against abusive conduct.

A healthy working environment, with decent conditions, is a daily accomplishment that requires “constant watch”, cooperation with, and respect for one another’s individual differences.

# WHAT SHOULD TRADE UNION ORGANIZATIONS DO TO ENGAGE WITH THIS STRUGGLE?

**Trade unions are a unique space to combat sexist violence because they can become welcoming places for female victims of violence, places where they can express themselves.** They must also be spaces for proposing public policies and affirmative actions to fight against sexist violence.

♀ **Trade unions should never underestimate the seriousness of reported cases of sexist violence in the workplace; instead, they should;**

♀ File legal complaints;

♀ Develop campaigns to sensitize to and raise awareness of the problem of violence against women and to divulge how to get help to overcome it;

♀ Negotiate and fight for public policies that acknowledge that sexist violence is a problem that interferes in the world of work. These policies must provide support and care to victims of violence and ensure that aggressors are punished;

♀ Oversee observance of all measures designed to protect victims of sexist violence in the workplace;

♀ Organize demonstrations with other trade unions and women's movements against sexist violence in the workplace;

- 
- ♀ Establish relations with women's movements already working on the theme;
  - ♀ Engage in actions that secure a ban on sexual and moral harassment and on violence in the workplace;
  - ♀ Start campaigns against violence focused specifically on fighting sexist violence in the workplace;
  - ♀ Make sure that the people in charge of receiving and investigating reports of sexist violence are adequately trained, plus having the required sensibility, to address the complaints filed;
  - ♀ Assign some space on the trade unions' communication tools to the fight against structural machismo, the cornerstone of sexist violence;
  - ♀ Trade union social communication cannot ever reinforce stereotypes or convey messages, including subliminal messages, that may reinforce machismo and justify violence against women;

- ♀ Encourage female and male leaders to write articles on violence against women, showing that the issue should not be restricted to Women's Departments and collectives, as it is a struggle of all union members;
- ♀ Carry out capacity-building activities and debates on the theme to clarify doubts and prepare more union leaders for this struggle;
- ♀ Foster participation of trade union leaders in Municipal and State Committees for Women's Policies and other councils where public policies focusing on the combat against sexist violence ought to be debated;
- ♀ Engage in street actions, jointly with women's and feminist movements, to draw the attention of and sensitize the whole of society to the need to bring an end to violence against women in the workplace;
- ♀ Fight for passage of specific legislation on sexist violence at the local, state, and federal levels;
- ♀ Set up internal mechanisms designed to ensure that cases of violence are brought to the knowledge of the trade union so that adequate legal measures may be taken;
- ♀ Coupled with the fight for approval of ILO Convention 151, fight to increase women's participation in collective bargaining committees and to ensure that clauses on gender and diversity are introduced and complied with;
- ♀ Embed the theme in the union's political and organizing platform and in trade union administration.

## WHERE TO GET HELP

- ✿ Trade union to which worker victim of violence belongs;
- ✿ DEAMs – Women's Police Stations;
- ✿ Office of the Prosecutor;
- ✿ Ministry of Labour;
- ✿ Labour Justice;
- ✿ Centers of referral and support to women victims of violence;
- ✿ Civil society advocacy groups.

## LEGISLATION IN FORCE REGARDING SEXIST VIOLENCE IN THE WORKPLACE

Thus far in Brazil there is no specific law banning and punishing all forms of violence against women in the workplace. Progress has been made as regards moral harassment, with the drafting of Federal Law 4,742/2001, which introduces a provision in the Criminal Code penalizing moral harassment in the workplace.

These rights are guaranteed by articles 1, 3, and 5 of the 1988 Constitution, on the honor and dignity of people, and by Brazil's Labor Code (CLT). Furthermore, article 186 of the Civil Code defines the practice of moral harassment as an unlawful act, while article 927 punishes those who practice it with reparation.

## STATE-LEVEL LAWS IN EFFECT

- Law nr 3.921/2002 – State of Rio de Janeiro
- Complementary Law nr 12.561/2006 – State of Rio Grande do Sul
- Law nr 12.250/2006 – State of São Paulo
- Law nr 13.036/2008 – State of São Paulo
- Complementary Law nr 347/2009 – State of Mato Grosso

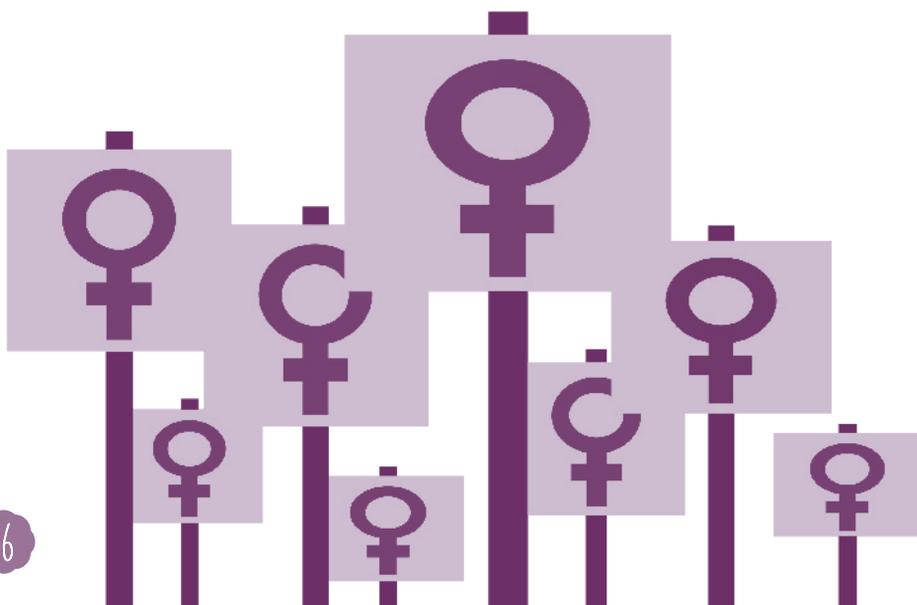
## MUNICIPAL LAWS IN EFFECT

- Law nr 1.163/2000 – Iracemápolis (SP)
- Law nr 3.243/2001 – Cascavel (PR)
- Law nr 1.078/2001 – Sidrolândia (MS)
- Law nr 3.338/2001 – Osório (RS)
- Law nr 2.120/2001 – Ubatuba (SP)
- Law nr 504/2001 – Conchas (SP)
- Law nr 2.982/2001 – Jaboticabal (SP)
- Law nr 13.288/2002 – São Paulo (SP)
- Law nr 3.671/2002 – Americana (SP)
- Law nr 11.409/2002 – Campinas (SP)
- Law nr 358/2002 – Guarulhos (SP)
- Law nr 4.307/2002 – Botucatu (SP)
- Law nr 138/2002 – Ilha Bela (SP)
- Law nr 2.252/2002 – Itaquaquetuba (SP)
- Law nr 189/2002 – Natal (RN)
- Law nr 5.534/2002 – Divinópolis (MG)



- ✿ Law nr 435/2002 – Maringá (PR)
- ✿ Law nr 4.552/2002 – Santa Maria (RS)
- ✿ Law nr 2.949/2002 – Brasília (DF)
- ✿ Law nr 573/2003 – Pinhais (PR)
- ✿ Law nr 2.382/2003 – Resende (RJ)
- ✿ Law nr 10.607/2003 – Juiz de Fora (MG)
- ✿ Law nr 511/2003 – São Gabriel do Oeste (MS)
- ✿ Law nr 1.977/2003 – Gravataí (RS)
- ✿ Law nr 4.027/2003 – Bagé (RS)
- ✿ Law nr 2.425/2003 – Gaspar (SC)
- ✿ Law nr 9.736/2003 – Ribeirão Preto (SP)
- ✿ Law nr 6.123/2003 – Presidente Prudente (SP)
- ✿ Law nr 1.210/2004 – Sorriso (MT)
- ✿ Law nr 2.392/2004 – Martinópolis (SP)
- ✿ Law nr 4.252/2004 – São Caetano do Sul (SP)
- ✿ Law nr 3.010/2004 – Poá (SP)

- ✿ Law nr 2.658/2005 – Santana de Parnaíba (SP)
- ✿ Law nr 3.152/2005 – Foz do Iguaçu (PR)
- ✿ Law nr 9.897/2005 – Londrina (PR)
- ✿ Law nr 3.308/2005 – Viamão (RS)
- ✿ Law nr 864/2005 – Bombinhas (SC)
- ✿ Law nr 430/2005 – Praia Grande (SP)
- ✿ Law nr 3.959/2005 – Osasco (SP)
- ✿ Law nr 7.223/2006 – Sete Lagoas (MG)
- ✿ Law nr 23/2006 – Campina Grande do Sul (PR)
- ✿ Law nr 12.561/2006 – Porto Alegre (RS)
- ✿ Law nr 2.665/2006 – Balneário Camboriú (SC)
- ✿ Law nr 3.234/2006 – Amparo (SP)
- ✿ Law nr 2.735/2006 – Monte Aprazível (SP)
- ✿ Law nr 6.555/2007 – Araraquara (SP)
- ✿ Lei nº4.103/2007 – Suzano (SP)
- ✿ Law nr 491/2007 – Fazenda Rio Grande (PR)
- ✿ Law nr 2.359/2007 – Capão da Canoa (RS)
- ✿ Law nr 1.510/2007 – Rolim de Moura (RO)



## FINAL REMARKS

Sexist violence in the workplace is as ancient as work itself, yet today we have become fully aware that it is a problem to be fought against. An evil that harms both physical and mental health. In addition to gender, colour also matters: most of sexist violence victims are women and black.

Sexist violence is most serious misconduct, deeply affecting both the individual and her relations in the workplace and working conditions. Oftentimes, such violence is not materializable, thus rendering it impossible of assessment if not for its consequences on the body and mind of those who suffer it.

Silence, discrimination, impunity, women's economic dependence on men, and theoretical and psychological justifications tolerate and worsen this situation.

The struggle to restore dignity, identity, respect in the workplace, and self-esteem is premised on collective organizing, organizing women and organizing the working class.

To put an end to sexist violence, we need to build a new model of society that is based on equality between men and women in every sphere of life, including at home, at work, in the realm of education, and in the multiple spheres of power.

VIOLENCE AGAINST WOMEN IN THE WORKPLACE:  
REPORT IT! COMBAT IT! STOP IT!  
PSI BRAZIL

## BIBLIOGRAPHY:

- Bahia. Tribunal de Justiça. “A mulher é a protagonista de sua vida!”. Guide. Salvador, 2007.
- Brazil. Ministério da Saúde. Assédio: violência e sofrimento no ambiente de trabalho: assédio moral.
- Brasília, Guide. Mesa de Negociação do Ministério da Saúde, 2011. Brazil. Ministério da Saúde. Assédio: violência e sofrimento no ambiente de trabalho: assédio sexual, 2011.
- Brasília, Guide. Mesa de Negociação do Ministério da Saúde, 2011.
- Brazil. Ministério do Trabalho e Emprego. “Gêneros diferentes, direitos iguais”. Guide. Brasília, 2013.
- Brazil. Ministério do Trabalho e Emprego. “Assédio moral e sexual no trabalho”. Guide. Brasília, 2013.
- BARRETO, Margarida Maria Silveira. Assédio moral: o risco invisível no mundo do trabalho. Available at [www.redesaude.org.br/jr25/html/body\\_jr25-margarida.html](http://www.redesaude.org.br/jr25/html/body_jr25-margarida.html).
- Confederação Nacional do Ramo Químico - CNQ. Assédio Moral - a tirania nas relações do trabalho. Cenas de violência cotidiana. CNQ/ INST-CUT, São Paulo, 2002.
- FASUBRA . “Lei nº11.340/ 2006- Maria da Penha- “Mulheres Construindo, Resistindo e Revolucionando”. Guide. Brasília, 2010, 30p.
- GIL, Antônio Carlos. Métodos e técnicas de pesquisa social. São Paulo: Atlas, 1999.
- GUEDES, Maria Novaes. Terror Psicológico no Trabalho. 2nd ed. São Paulo.
- HELOANE, Roberto. Assédio moral: um ensaio sobre a expropriação da dignidade no trabalho. Available at <http://www.rae.com.br/electronica/index.cfm/FuseAction=Artigo&ID=1915&Secao=PENSATA&Volume=3&Numero=1&Ano=2004>.



- HIRIGOYEN, Marie-France. Mal estar no trabalho - redefinindo o assédio moral. Rio de Janeiro: Bertrand Brasil, 2002, 350 p.
- HIRIGOYEN, Marie-France. Assédio moral- a violência perversa no cotidiano. Rio de Janeiro: Bertrand. Brasil, 2002.
- Sindicato dos Bancários de Pernambuco. História em quadrinhos: Assédio moral é ilegal e imoral. Recife, 2005.
- PSI BRAZIL. Assédio moral e discriminação no ambiente de trabalho. Guide (text by Aparecido Inácio- lawyer/professor. São Paulo, December 2009, 43p.
- NASCIMENTO, Amauri Mascaro. Curso de direito do trabalho. São Paulo. Saraiva, 1996.
- SCANFONE, Leila; TEODÓSIO, Armindo dos Santos de Sousa. Assédio moral nas organizações: a dinâmica do abuso de poder. Scientific paper presented at PUC Minas (Betim).
- Sindicato dos Bancários. “Assédio Moral é Ilegal e Imoral”. Guide. Recife, 2005,30p.
- SINDSERF&Wagner Advogados Associados. “Assédio Moral no mundo do Trabalho”. Guide. Porto Alegre, 2006, 22p.
- SINTRASEF & Lailah Vasconvelos de Oliveira Vilela. “Assédio Moral no Trabalho”. Guide. Rio de Janeiro, 2007, 18p.
- UPCN. Cuardeno de Igualdad de Oportunidades. Serie: Derechos. “Violencia Laboral- Qué es? Cómo actuar? Dónde acudir?”. Buenos Aires, 2007, 32p.

# ENTITIES THAT PARTICIPATED IN THE PREPARATION OF THIS GUIDE:

**CNTSS/CUT** - CUT National Social Security Workers Confederation

**CONDSEF** - Federal Civil Service Workers Confederation

**CONTRACS** - CUT National Commerce and Services Workers Confederation

**CSPB** - Confederation of the Public Employees of Brazil

**FASUBRA** - Federation of Education Workers Unions in Brazilian Universities

**FENAFISCO** - National Federation of State and District IRS Workers

**FENASEPE** - National States and Federal District Federation of Public Employees

**FESSP-ESP** - São Paulo State Federation of Public Employees Unions

**FETAM/SP** - São Paulo State Federation of Workers in Municipal Public Administration and Services

**FETAMCE** - Ceará State Federation of Workers in Municipal Public Services

**FETAM-RN** - Rio Grande do Norte State Federation of Workers in Municipal Public Administration

**FNE** - National Federation of Nurses

**FNU/CUT** - CUT National Federation of Energy, Sanitation, Environment and Gas Workers

**SEEPE** - Pernambuco State Nurses Trade Union

**SEESP** - São Paulo State Nurses Trade Union

**SINDSAÚDE/SP** - São Paulo State Healthcare Workers Union

**SINDSEP/SP** - São Paulo City Public Administration and Mixed Economy Companies Workers Union

**SINDSER/DF** - Federal District Public Administration, Foundations, Mixed Economy Companies and State-owned Companies Workers Union

**UNSP** - National Union of Non Tenured Public Employees of Brazil



PUBLICATION:



Public Services International  
Internationale des Services Publics  
Internacional de Servicios Públicos  
Internationale der Öffentlichen Dienste  
Internationell Facklig Organisation för Offentliga Tjänster  
國際公務勞運

SUPPORT:



**IMPACT**

