



REPUBLIC OF NAMIBIA

MINISTRY OF LABOUR, INDUSTRIAL RELATIONS AND EMPLOYMENT CREATION

Terms of reference for the study on Violence and Harassment against women and men in the world of work in Namibia

1. Background Information

In 2016, the International Labour Organization (ILO) Meeting of Experts on violence against Women and Men in the world of Work observed that violence and harassment in the world of work is unacceptable and indeed in compatible with decent work and that it must be addressed. The experts concluded that violence and harassment is a human rights issue and affects workplace relations, worker engagement, health, productivity, quality of public and private services and enterprise reputation. It affects labour market participation and in particular many prevent women from entering the labour market, especially in male – dominated sectors and jobs and remain therein. Violence may undermine democratic decision – making and the rule of law. Therefore, the experts agreed that the issue of violence in the world of work must be addressed as a matter of urgency.

There is mounting pressure and calls for urgent action to address violence and harassment against women and men in the World of Work. The issue has been expressed at global level in the 2030 agenda for sustainable development goals which calls for the achievement of full and productive employment and decent work for all women and men.

The governing body of ILO at its 325th Session decided to place a standard-setting item on “Violence against Women and Men in the World of Work” on the agenda of the 107th Session of the International Labour Conference (ILC) with a view to a double discussion. The term of “Violence was later replaced by violence and harassment.

At its 107th Session of the ILC, the agenda item “Ending Violence and Harassment against Women and Men in the World of Work” was discussed as agenda item number V. During the meeting, there was extensive discussion on the nature of violence and harassment, its causes, effects and action needed. The meeting agreed that a significant body of evidence demonstrates that violence and harassment in the world of work persists against workers and others, however there was a recognition of the need for more data and in particular data with greater comparability.

Member States were requested to make comments on the report after consultations with the most representative organisation of employers and workers – these comments will form the basis of background report for the 2019 ILO discussions. The Namibian delegation observed that in Namibia no study was done on violence and harassment against women and men in the world of work.

Therefore there is need to conduct a study in order to make valuable contributions to the second discussion of this agenda item at the ILC 2019.

It is against the above background that the Namibian delegation participating in this discussion, after realising that there has been no such study undertaken in Namibia proposed that such study be carried out to enrich their discussion at the ILC this year. Given the short period of time left before the ILC meeting, the Ministry of Labour, Industrial Relations and Employment Creation intend to conduct a case study within the period of 3 months and consider a broader study in the future to fill the gap.

2. Definitions

For the purposes of this study:

- a) the term “violence and harassment” in the world of work refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment;
- b) the term “gender-based violence and harassment” means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual harassment;
- c) the term “worker” covers persons in all sectors, both in the formal and informal economy, and whether in urban or rural areas, including employees as defined by national law and practice, as well as persons working irrespective of their contractual status, persons in training, including interns and apprentices, workers whose employment has been terminated, volunteers, jobseekers and job applicants.

3. Objectives

The main objective of the case study is to contribute to the formulation of policies and programmes aimed at preventing and eliminate violence and harassment against women and men in the world of work. The specific objectives are:

- a) To determine the prevalence of violence and harassment in selected industries in Namibia.
- b) To determine which groups of people are most vulnerable to violence and harassment in the world of work.
- c) To determine the level of understanding of violence and harassment in the world of work.

4. Methodology

The study will be carried out in Windhoek, Namibia. Workplaces will be selected randomly from three work sectors namely: retail sector, security (male dominated) and domestic workers (female dominated). A questionnaire will be used to source the information from the respondents. A total number of 300 respondents is targeted for this exercise with 100 respondents in each sector. The questionnaires will be administered by the consultant and selected interviewers. The study will include a component of desktop research in reviewing the existing legal framework and focus group

discussions with key informants in the selected sectors in relation to violence and harassment in the world of work.

5. Scope of Work

The Consultant shall:

- a) Lead the process of collecting information on Violence and Harassment against women and men in selected work places in Namibia in close coordination with the Technical Working Group (TWG) and under the direct supervision of the Ministry of Labour, Industrial Relations and Employment Creation;
- b) Prepare his/her work plan and data collection tools in line with the Terms of Reference for the study;
- c) Conduct a comprehensive stakeholder analysis to determine key players in the area of violence and harassment in the world of work and national legal frameworks;
- d) Review existing National, Regional and International legal/regulatory frameworks to identify possible loopholes in addressing Violence and Harassment against women and men in the world of work;
- e) Coordinate with the TWG, which will provide technical input throughout the research process;
- f) Attend and present the comprehensive study report within the high-level validation meeting organized by the Ministry of Labour, Industrial Relations and Employment Creation;
- g) Prepare and submit the drafts and final report as per agreed time frame; and
- h) Perform such other duties pertaining to this assignment as may be assigned by the Ministry of Labour, Industrial Relations and Employment Creation.

6. Deliverables

A typed final version of the comprehensive violence and harassment in the world of work study report. It must give a clear description of the patterns of violence and harassment in the world of work that take place within Namibia. The derivatives are as follows:

- a) Submission of the work plan
- b) Submission of preliminary questionnaire
- c) Submission of the first draft of the study
- d) Facilitate a discussion with the TWG on the main findings and highlights from the report.
- e) Submission of the Second draft
- f) Conduct a validation workshop
- g) Submission of the final report after receiving feedback from validation workshop

7. Timeline for Deliverables

| | Deliverables | Duration |
|---|---|------------------------------------|
| 1 | Submission of the work plan | 1 weeks after signing the contract |
| 2 | Submission of preliminary questionnaire | 2 weeks after signing the |

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| | | contract |
| 3 | Submission of the first draft of the study | 1 Months |
| 4 | Facilitate a discussion with the TWG on the main findings and highlights from the report. | 1 week |
| 5 | Submission of the second draft | 1 week |
| 6 | Conduct a validation workshop | 1 week |
| | Submission of the final report after receiving feedback from validation workshop | 1 week |

8. Schedule of payment

The consultant shall be paid consultancy fee upon completion of the following milestones:

| | Payment schedule | Percentage of payment |
|---|--|------------------------------|
| 1 | Signing of the Contract | 30% |
| 2 | Submission of the first draft of the study | 20% |
| 3 | Conduct a validation workshop | 10% |
| 4 | Approval of final report | 40% |