



# 4 strategies for unions to end gender-based violence and harassment at work

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Gender-based violence and harassment (GBVH) in the world of work is a whole-of-society issue with harmful impacts on workers' safety and economic security, as well as equity and cultural progress. Workers' voices and experiences must be at the center of any solution to address and prevent GBVH because workers have a firsthand understanding of the culture and challenges in their industries and workplaces. The most effective interventions are those led by workers who are disproportionately impacted by GBVH, including women workers, in conjunction with unions, employers and government representatives. Unions can and should play a key role in ending GBVH: Unions create spaces where workers can come together to share and address concerns, driving progress in changing the culture that perpetuates GBVH.



Here are four worker-centered strategies that unions can use to address and prevent GBVH in the world of work:

## **Raise awareness and gather information about the scope and incidents of GBVH in the world of work.**

One of the most effective steps a union can take to address GBVH is to undertake participatory research where member volunteers who have witnessed or experienced GBVH work alongside union representatives to develop confidential and voluntary survey tool that gathers information from colleagues about how GBVH is manifesting their workplace. It's critical for workers to co-create the surveys to ensure that the questions are reflective of the worker experience. Vitrally, surveys should be voluntary and protect the confidentiality of those who choose to complete them. Survey results and data are a powerful tool in advocating for culture change and safer working conditions because they reveal how pervasive GBVH is in the relevant occupation and where to focus mitigation efforts.

**Example:** Women members of UNITE HERE Local 1 conducted participatory research interviews with 500 of their peers working in hotels and casinos in Chicago. The survey questions were created by the women workers. The aim of this research was to better understand the experience of women workers in Chicagoland hotels and hear directly from workers what might make them feel safer on the job. During these interviews, workers shared specific examples of the GBVH they had been experiencing in hotels. The researchers found that 58% of women hotel workers and 77% of women casino workers surveyed had been sexually harassed by a guest. These results raised the awareness of union leadership about the prevalence of the abuse and the need to prioritize GBVH in collective bargaining agreements and local legislation. Subsequently, UNITE HERE Local 1 launched the "Hands Off Pants On" campaign to advocate for greater protections for hotel workers, which led to the adoption of a Chicago ordinance requiring hotel housekeepers to have access to panic buttons when cleaning rooms—a solution the workers came up with themselves.

## **Adopt a policy resolution in support of ending GBVH in the world of work at your convention.**

Unions commonly adopt policy resolutions at their conventions to address priorities that their members have identified. Adopting resolutions centered on addressing GBVH can lay the foundation for targeted actions and hold the union accountable for completing those actions.

**Example:** In June 2022, at their International Convention, the AFL-CIO adopted Resolution 8 on promoting gender equity. This resolution laid out the union's commitment to "combat gender-based harassment and violence in the workplace" and to advocate for the implementation of International Labor Organization Convention 190, the first global standard on ending violence and harassment in the world of work. The resolution also mentions the U.S. National Plan to End Gender-Based Violence and committed the AFL-CIO to addressing the root causes of workplace violence and harassment.

## **Negotiate collective bargaining agreements and contract language inclusive of GBVH protections.**

One of the most powerful tools that a union possesses is the right to collective bargaining, by which they can enshrine tangible and sustainable protections and resources for workers into contracts. Incorporating protections from and interventions to address GBVH into contracts is a key strategy that unions can use to ensure that their members are working in safe and equitable environments.

**Example:** UNITE HERE has had recent success in their bargaining with institutional food service employers. The union won stronger language on sexual harassment, intimate partner violence protections for workers, and the rights of transgender and non-binary workers in contracts with three of the largest food service employers in the United States: Sodexo, Compass Group and Aramark. These stronger protections are built into agreements covering more than 50,000 workers.

In 2018, the Women of Steel of the United Steelworkers (USW) released a call to action with several ways the union could work to address GBVH in the workplace. This included making it a union priority to negotiate stronger contract provisions addressing violence and harassment, such as access to leave for members experiencing domestic violence. In 2023, USW reported that its bargaining committees won their fight to include language on domestic violence leave in recent contracts covering thousands of members in the steel, paper, tire and rubber, health care and other major sectors. Additionally, USW members fought to secure domestic violence leave language in the union's contracts with two major steelmakers in the U.S.

## **Host frequent, in-person trainings for leadership and members.**

Training on GBVH in the world of work can help change an organization's culture. Effective trainings are in-person, trauma-informed, worker-centered and co-created with workers. They occur at least once per year for all employees and should be conducted by experienced trainers who have expertise in addressing GBVH and creating trauma-informed, survivor-centered spaces. Unions also have the ability to advocate for widespread, comprehensive training across industries through legislative action.

**Example:** California passed the Janitor Survivor Empowerment Act (AB 547) in 2019, requiring that all janitors in California receive sexual violence prevention training from fellow janitors who have been certified as trainers and counselors. Having peers provide training is an effective way to ensure worker experiences are centered and to build worker trust. This legislation was the direct result of years of advocacy from workers in the industry alongside their union, SEIU United Service Workers West, to codify protections against GBVH into law for all janitorial workers in California. Many of these workers now lead the Ya Basta! Center and are peer trainers for the required sexual violence and harassment prevention training.

*Kate Miceli and Amy Dalrymple are Policy Analysts at the U.S. Department of Labor Women's Bureau.*

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# 6 actions for governments on gender-based violence and harassment at work

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Leadership from federal, state and local governments is key to ending gender-based violence and harassment (GBVH) in the world of work. Government representatives should collaborate with employers, workers and unions to develop and implement policies, programs and legislation to address the root causes of GBVH and the needs of survivors who have experienced GBVH in the world of work.

Here are six tools that governments at any level can use to create safer work environments free of GBVH:

**Enact policies addressing GBVH in the world of work.** Through legislation, Executive Orders, ordinances, resolutions and rulemaking, lawmakers and governments can establish and implement employment protections for workers who experience GBVH, including addressing sexual harassment and the impacts of domestic violence, sexual assault and stalking in the world of work. Several states, such as California, have amended their sexual harassment laws to expressly recognize gender-based harassment and require trainings on sexual harassment. Others, such as Delaware, have expanded their laws to cover workers typically left out of protections such as unpaid interns and apprentices, and Connecticut has amended their law to include employers of all sizes, thus covering all workers. Other states have adopted safe leave laws that require employers to provide paid leave from work to eligible employees for seeking services related to violence they and/or their family members have experienced. Ideally, laws should provide robust protections to all workers, including workers who are often left out such as farmworkers, domestic workers and part-time workers.

**Establish offices on gender-based violence (GBV).** Chicago, Houston and New York City all have created offices on GBV within their mayor's offices. A dedicated office on GBV demonstrates the city's recognition of the prevalence of GBV and the need for leadership and commitment from the government to develop and implement programs and policies to prevent and address GBVH, including in the world of work. The New York City Mayor's Office to End Domestic and Gender-Based Violence (ENDGBV) has released a model workplace policy on domestic and gender-based violence that is integrated into all of the city agencies' existing workplace violence prevention programs.

**Create strategic plans.** Strategic plans provide a clear vision of how governments will take steps to prevent and address GBVH throughout their communities and within workplaces, as well as provide a mechanism for constituents to hold them accountable. For example, the U.S. National Plan to End Gender-Based Violence provides an outline for a whole-of-government approach to ending GBV. It includes several actions related to economic security, including addressing harmful work cultures and root causes of gender-based violence and harassment in the world of work. Chicago's Citywide Strategic Plan to Address Gender-Based Violence and Human



Trafficking describes how Chicago's government will increase supportive services, collect data on GBV and shift cultural norms.

**Conduct and mandate trainings.** Governments can require workers or state employees to complete regular trainings on GBVH in the world of work. Trainings are an important tool because they emphasize that GBVH in the world of work is not an acceptable practice and provide workers with a better understanding of how to respond when GBVH occurs. Connecticut recently passed a law requiring domestic violence training for state agency employees.

Effective trainings should be conducted in person at least once per year for ALL employees. The trainings should be interactive, trauma-informed, survivor-centered and should provide relevant information based on the industry the workers are in. Organizations with experience in trauma-informed GBVH training should create and lead the trainings.

**Leverage new or existing funds.** Dedicating funding towards ending GBVH in the world of work is one of the most powerful ways to drive sustainable progress. Governments can assess their existing funding streams to see how they can be modified to address GBVH in the world of work. For example, the Women's Bureau (WB) modified one of its existing grant programs, the Fostering Access, Rights and Equity (FARE) grant program, to focus solely on funding community-based organizations working to prevent and address GBVH in the world of work. This narrowed focus on GBVH allows the WB to learn from our grantees about what practices are working on the ground and how we can adapt our approach based on worker and survivor experiences.

Governments can also assess new funding streams to see how addressing GBVH can be incorporated. For example, as funds from the Bipartisan Infrastructure Law, Inflation Reduction Act, and CHIPS and Science Act began to flow to the states, federal agencies addressed the need to create jobs free of GBVH by publishing guidance for funding recipients regarding the need to center equity. The U.S. Department of Commerce released the voluntary CHIPS Women in Construction Framework for contractors, unions and other relevant partners to adopt with the goal of increasing women in the construction labor force. The Framework includes guidance to maintain a healthy, safe and respectful workplace that prevents and addresses harassment, discrimination, retaliation and violence.

**Gather accurate and representative data.** Without data about the prevalence and impact of GBVH on work, it is difficult to clearly identify root causes of GBVH and mitigate the risks and barriers it creates. Additionally, without data, it is challenging to understand how widespread GBVH is among all populations and industries. Governments can gather data on GBVH by either adding questions to existing data sets or creating new studies to investigate specific industries or groups of people.

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# Employer strategies to end gender-based violence and harassment at work

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In addition to providing a safe and equitable workplace, employers have a major role to play in ensuring their workplaces are respectful environments free of gender-based violence and harassment (GBVH). Preventing GBVH at work is also good for businesses: It reduces staff turnover, increases productivity, creates a safer work environment for all workers and raises morale.

Here are four strategies that employers can use as they create policies, programs and procedures that prevent and address GBVH in the world of work:

## **Add GBVH to your occupational safety and health policies and protocols.**

Employers have an obligation to ensure their workplaces are safe for workers. GBVH at any jobsite can lead to unsafe conditions that could have profound physical and psychological impacts on workers' safety and health. Employers can help mitigate GBVH by viewing GBVH prevention and response through the lens of workplace health and safety and by addressing GBVH in their health and safety policies and protocols.

Earlier this year, the Women's Bureau partnered with the Occupational Safety and Health Administration (OSHA) to host a series of webinars on GBVH as a workplace safety and health issue, highlighting the long-lasting physical and psychological impacts of GBVH on workers' health and safety. During the webinar on GBVH in the construction industry, a representative from Turner Construction highlighted the strategies that employer is using to mitigate GBVH on their jobsites, such as partnering with the Policy Group on Tradeswomen's Issues to host events for tradeswomen to discuss their job environments. During these events, tradeswomen identified a need for a tradeswoman advocate and Turner Construction created this role to support tradeswomen working on their Boston projects.

Additionally, conducting risk assessments can help employers identify factors that could contribute to GBVH on their worksites. The Equal Employment Opportunity Commission published a chart of risk factors for harassment and responsive strategies that employers can use to mitigate risks. For example, having intimacy coordinators on film and TV sets helps mitigate the risk of harassment associated with power disparities, isolated workplaces and performing hyper-exposed work. This is an important safety feature for the actors, but also for the production company.

## **Strengthen workplace policies to include GBVH.**

Workplace policies are an important tool for employers because they ensure that procedures, protections and rights are clearly defined to all employees. They can also demonstrate an employer's commitment to inclusivity,



safety and equity. Many employers currently have a workplace policy that addresses harassment in the workplace, but employers should broaden the scope to include any type of GBVH. Effective workplace policies are also victim- and survivor-centered, readily accessible to all employees, and clearly define policies and procedures specific to the workplace.

Employers can reference model policies while collaborating with their employees to tailor a GBVH policy to fit the specific needs of their workplace. Futures Without Violence's Workplaces Respond National Resource Center offers several resources, model materials and trainings for employers to strengthen GBVH workplace policies. The City of New York has published a domestic and gender-based violence (GBV) workplace policy for all city agencies to provide trauma-informed responses to workers experiencing GBV. And the Connecticut Coalition Against Domestic Violence has updated their toolkit on domestic violence and the workplace, which offers employers best policies and practices to create a safe and supportive work environment for survivors.

### **Adopt international best practices.**

There are several international best practices and models that employers in the United States can adopt to strengthen their prevention of and response to GBVH. Employers from around the world, alongside workers and governments, played a key role in the development, adoption and implementation of International Labour Organization (ILO) Convention 190 (C190), the first international standard on gender-based violence and harassment in the world of work. The ILO subsequently published guidance for employers to create appropriate workplace policies and systems that address GBVH. The guide includes important definitions and examples, sections on the benefits of taking action and employer responsibilities, policy examples and more.

Another best practice for employers, as demonstrated by legislation passed in many countries around the world and in several U.S. cities and states, is providing paid safe leave for survivors. Safe leave is job-protected and paid leave from work for survivors and their family members related to the violence they've experienced. ILO Recommendation 206, which supplements ILO C190, includes leave for survivors of domestic violence as a best practice.

The Dindigul Agreement, signed in 2022, and the Lesotho Agreement, signed in 2019, are two more global examples of how workers, unions, employers and governments can come together to address and mitigate GBVH. These enforceable brand agreements aim to reduce rampant GBVH in garment factories and condition doing business with the supplier on the brands' acceptance of worker-led programs to end GBVH. Employers and businesses in the U.S. can use these brand agreements as a model to ensure their workplaces are free of GBVH.

### **Provide regular trainings on GBVH for all employees.**

Training is a key component of changing the culture of an organization because it increases communication about GBVH, ensures that all workers know their rights and provides access to information that can help the organization effectively prevent and respond to GBVH. Employers should ensure that they are providing regular trainings on GBVH to ALL employees. Effective GBVH trainings are in-person, trauma-informed, worker-centered and co-created with workers and occur at least once per year for all employees. The trainings should also be conducted by experienced trainers who have expertise in addressing GBVH and creating trauma-informed and survivor-centered spaces.

SafeBars is an example of an organization that is working with businesses to train workers in the hospitality industry about how to create safe, inclusive environments free of GBVH in alcohol-serving establishments. Their trainings are worker-centered and use terminology and examples that are based on the real-life experiences of servers and bartenders. Employers Against Domestic Violence is a Massachusetts organization that is working with employers to develop tailored workplace policies and procedures and to train all senior management, supervisors and employees about the impacts of domestic violence at work.

*Amy Dalrymple and Kate Miceli are Policy Analysts at the U.S. Department of Labor Women's Bureau.*

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# Reducing the risk for gender-based violence and harassment in the world of work

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Several factors can increase the risk for gender-based violence and harassment (GBVH) in the world of work. Identifying and mitigating these risk factors is essential in efforts to prevent GBVH and build safer workplaces for all. Drawing on the U.S. Equal Employment Opportunity Commission (EEOC)'s Chart of Risk Factors for Harassment and Responsive Strategies and the U.S. National Plan to End Gender-Based Violence, here are four risk factors for GBVH and examples of strategies that mitigate those risks.



## 1. *Homogenous Workforce*

**Risk factor:** A homogeneous workforce by definition lacks diversity among its workers; examples include the construction (male-dominated) and domestic (female-dominated) workforces. In some homogenous workforces, certain workers may feel isolated or “othered” because they are working in jobs from which they have historically been excluded due to discrimination, gender stereotyping and harmful social norms. This may increase the risk that these workers will experience GBVH because they are perceived as challenging the culture and status quo of that workforce. The workers who fit the gender stereotype for an occupation may not welcome the presence of this culture change and lash out through harassment and discrimination. Female-dominated workforces can also have a higher risk of GBVH when the supervisors tend to be male, which leads to power imbalance that can increase risk.

### Mitigation strategies:

- **Culture change:** Changing the culture within an organization to create a respectful and safe workplace for all workers can mitigate the risk of GBVH. Programs like RISE Up 4 Equity and Be That One Guy offer tools and strategies to create more inclusive work environments. This culture change can in turn support recruitment and retention of communities underrepresented in the workforce.
- **Buy-in from leadership:** The EEOC's Promising Practices for Preventing Harassment in the Construction Industry details the importance of committed and engaged leadership, strong and comprehensive anti-harassment policies and trainings, and treating harassment holistically throughout the organization. Engagement from leadership is critical in ensuring that equity measures will be taken seriously by supervisors and workers.
- **Inclusive recruiting and retention practices:** The Women's Bureau's Tools for Building an Equitable Infrastructure Workforce outlines strategies and best practices for recruiting and retaining more women into construction, manufacturing and clean energy jobs. Using inclusive language and images in recruitment materials, targeting places women frequent, and providing services such as child care and transportation are all proven strategies that can increase women's participation in these male-dominated industries.



## 2. Isolated workplaces

**Risk factor:** In an isolated work environment, employees work far away from others or out of the public view, leaving few opportunities to interact with other workers or the public while on shift. Examples include farm workers, hotel workers, janitors and home health care workers. Isolation can increase the risk of GBVH because workers may be alone with someone perpetuating abusive or harassing behavior with no witnesses present who could stop or report the behavior.

**Mitigation strategies:** Strategies that reduce isolation for workers, such as physically or digitally connecting them to other people, can be used to counteract the risks of an isolated workplace. These strategies are most effective when they are worker-led or worker-created, as workers have the most comprehensive understanding of their risks in the workplace.

- **Physically or digitally connecting workers:** In Chicago, UNITE HERE Local 1 responded to the epidemic of customer harassment and assault of hotel workers who cleaned rooms in isolation by launching the “Hands Off Pants On” campaign. This campaign ultimately led the City of Chicago to pass an ordinance requiring all hotel workers to be given panic buttons to carry with them while working in isolation, a solution proposed by the workers themselves. Other states and cities, such as New Jersey and Washington, now also require panic buttons for hotel staff.
- **Sample employment agreements:** Many domestic workers, such as home health care workers and nannies, are isolated from other workers and the public in their employers’ private homes. This isolation creates disempowerment; domestic workers may have no witnesses to harassing or illegal behavior from their employer, which creates challenges to deterring or reporting the behavior. The Department of Labor has developed sample employment agreements to open a dialogue between domestic workers and employers. These agreements clearly outline workers’ rights as well as safe workplace standards, including the right to work free from gender-based violence and harassment. .

## 3. Customer-facing workplaces

**Risk factor:** Workers who regularly interact with customers, clients or patients—such as restaurant workers, flight attendants, store clerks or bus drivers—are heavily reliant on customer satisfaction to maintain their employment. This increases the risk of GBVH, as workers may be pressured, including by their supervisors, to tolerate inappropriate and illegal behavior to maintain their tips or retain their jobs. Additionally, customer-facing workplaces tend to have a mentality that the “customer is always right,” which can lead employers to side with customers over their workers.

**Mitigation strategies:** Effective mitigation strategies include eliminating workers’ reliance on customer satisfaction or clearly stating that illegal and harassing behavior by anyone within the establishment is not tolerated. This can include:

- **Eliminating the tipped minimum wage:** Nearly three-quarters (71%) of women restaurant workers reported having been sexually harassed at some point during their employment at a restaurant. The rate of sexual harassment is much higher among tipped women workers (76%) than non-tipped women workers (52%). Worker advocacy organizations like Women’s Bureau FARE Grantee Restaurants Opportunities Centers United (ROC United) are working to eliminate the tipped minimum wage and create better training standards among restaurant workers.
- **Creating a code of conduct:** Several employers in the hospitality industry, such as Brave Noise, have created codes of conduct that clearly state that harassment is an unwelcome behavior and customers will be asked to leave if they are making staff uncomfortable. This creates a clear deterrence for customers, as they are on notice that inappropriate behavior is not tolerated.

## 4. Cultural and language differences

**Risk factor:** Cultural and language differences among workers can increase the risk of GBVH because workers may face exploitation if they are less aware of workplace norms and rights. Migrant workers, for example, may be at

higher risk for GBVH when employers take advantage of cultural and language differences by only posting workplace rights notices in English in order to perpetuate illegal behavior, including GBVH.

**Mitigation strategies:** One tool to mitigate cultural and language differences is to provide culturally competent workplace education to ensure that workers know their rights. For example, the Bureau of International Labor Affairs (ILAB)'s website [MigrantWorker.gov](http://MigrantWorker.gov) provides information on migrant workers' rights, including the right to be free from discrimination and harassment, in several languages. Similarly, several Women's Bureau FARE grantees, including Centro de los Derechos del Migrante, Alianza Nacional de Campesinas, Justice for Migrant Women and Farmworker Justice, are utilizing their grant funds to provide know your rights information on GBVH to migrant and farm workers. These organizations work within communities to create culturally competent trainings and materials, as well as ensuring that workers are trained to provide information to their peers.

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