LRS AGREEMENTS DATABASE

Violence, Harassment & Bullying

A Thematic Analysis of ILO C190, Gender-Based Violence and Workplace Harassment Provisions

1
Agreement explicitly referencing C190

3
Agreements with sexual harassment provisions

136
Agreements with HIV/AIDS provisions

151
Agreements covering family responsibility

Corpus: 1,433 collective agreements • Corpus period: 2000–2026 • Repository: 1,682 files

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1. Executive Summary

SIGNIFICANT GAP

This report analyses the 1,433-document collective agreements repository for provisions relating to ILO Convention No. 190 (Violence and Harassment), gender-based violence (GBV), sexual harassment, bullying, and related workplace dignity issues. The central finding is that these provisions are strikingly rare in the domestic Southern African agreements in this collection — a significant gap given the region's high rates of gender-based violence and the existence of South Africa's Code of Good Practice on Sexual Harassment since 1998.

A systematic keyword search across all 1,433 documents — combining pdftotext extraction, OCR recovery, and contextual snippet analysis — yielded the following headline findings:

- Only 1 document explicitly references ILO Convention 190: a 2020 South African sectoral agreement (ATASA/SAAA) that, in the context of COVID-19 bargaining, included a call for C190 ratification and committed to combating gender-based violence at the workplace.
- Sexual harassment is addressed substantively in 2 documents: the IKEA Global Framework Agreement (supply chain conduct standards) and the Australian Grasstree Operations Enterprise Agreement (under Fair Work Act anti-bullying provisions).
- Bullying as an explicit concept appears in 1 document — the Grasstree (Australia) agreement — and is absent from all 1,296 South African agreements in the corpus.
- 9 documents use the term 'victimisation', but in all cases this refers to the labour relations concept of retaliation for trade union membership — not to victimisation of GBV survivors.
- Dignity provisions and equal pay for equal work appear primarily in Global Framework Agreements of multinational companies (IndustriALL, BWI, UNI Global Union), not in domestic South African or Pan-African agreements.
- 151 documents contain Family Responsibility Leave provisions — the closest proxy for domestic/family violence support in formal agreements — and 136 documents contain HIV/AIDS workplace provisions, which historically addressed a related spectrum of vulnerability and stigma in the Southern African workplace.

KEY FINDING

The absence of explicit GBV, harassment, and bullying provisions from the overwhelming majority of South African collective agreements is itself a major finding. It reflects a structural gap in how these issues have been handled in SA labour relations: typically through separate workplace policies or the 1998 Code of Good Practice on Sexual Harassment, rather than through embedding these obligations in collective agreements.

2. Search Methodology

The search was conducted in two passes across all 1,433 documents in the analysable corpus:

2.1 Primary Keyword Pass

The first pass targeted direct references to the relevant legal instruments and concepts:

Search Term / Pattern	Documents Found	Nature of Match
C190 / ILO Convention 190 / Convention No. 190	1	Direct reference; ratification call in SA sectoral CBA (2020)
gender-based violence / GBV	1	Same ATASA/SAAA 2020 document; gender-based violence at workplace
sexual harassment	2	IKEA GFA supply chain code; Grasstree Fair Work Act reference
bullying / bullied	1	Grasstree (Australia) Fair Work Act 2009 reference
harassment (all forms)	3	IKEA GFA; Shoprite Mozambique RA (union membership); Grasstree
workplace violence	0	No direct matches across 1,433 documents
unwanted conduct	0	No matches found
sexual misconduct	0	No matches found
gender equality	1	ATASA/SAAA 2020; same document as C190 reference
victimisation	9	All 9 in labour relations context (union retaliation); not GBV

2.2 Broader Related Terms Pass

A second, broader pass searched for related concepts that might reflect indirect protection from harassment or GBV:

Search Category	Documents Found	Relevance to GBV/Harassment
Family responsibility leave	151	Primary practical support mechanism for domestic violence
Maternity provisions	226	Pregnancy and post-birth protection; partial GBV-adjacent coverage
Dignity (workplace)	9	8 in GFAs of multinationals (ILO-aligned language); 1 in SA university CBA

Search Category	Documents Found	Relevance to GBV/Harassment
Equal pay for equal work	7	All in GFAs of multinationals; none in domestic SA agreements
Safe / healthy working environment	4	All in GFAs (ILO Conventions 155 and 167 language)
Domestic violence	0	No agreements explicitly address domestic violence impact on work
Sexism / sexual discrimination	0	Not found as standalone terms
Zero tolerance (harassment/violence)	0	No agreements use this framing
Pay equity / gender pay gap	0	Not addressed as a collective bargaining issue in this corpus

3. ILO Convention 190: The Sole Explicit Reference

3.1 Background on C190

ILO Convention No. 190 (Violence and Harassment Convention, 2019) is the first international labour standard to address violence and harassment in the world of work comprehensively. It defines violence and harassment as 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. South Africa signed and ratified C190 in June 2022.

Given that C190 was only adopted in June 2019 and the bulk of this collection predates 2020, it is not surprising that direct references are rare. However, the single explicit reference found — embedded in a lockdown-period agreement — is historically significant as evidence that SA trade union and employer representatives were already aware of C190 and pressing for its implementation before formal ratification.

3.2 The ATASA/SAAA Lockdown Agreement (2020)

NOTABLE EXAMPLE

This is the only document in the 1,433-file corpus to explicitly reference ILO Convention 190. It is a COVID-19 lockdown agreement in the Apparel/Textile/Footwear sector (ATASA — Apparel and Textile Association of South Africa; SAAA — South African Apparel Association), negotiated under National Bargaining Council oversight in March 2020.

The relevant provisions appear in a section on pandemic health and safety measures, where the parties explicitly linked COVID-19 response to broader gender equality and workplace violence obligations:

> *"promote gender equality and combat gender-based violence at the workplace, and to improve other already existing value-added services of the Council"*
>
> **— ATASA/SAAA COVID-19 Lockdown Agreement, March 2020 — National Bargaining Council (NBC) Collective Agreement**

> *"Support the call for the ratification of ILO Convention 190, to help combat workplace gender-based violence."*
>
> **— ATASA/SAAA COVID-19 Lockdown Agreement, March 2020 — Clause 1.3.7**

The agreement also commits the bargaining council to gender equality advocacy and enhanced health and safety committee structures — a rare example of a South African sectoral agreement treating workplace GBV as part of the formal collective bargaining agenda.

Agreement Detail	Information
Full filename	South Africa _ATASA SAAA _Industrial _Legislated _SACTWU _2020.pdf
Sector	Apparel, Textile, Footwear (Manufacturing)
Agreement type	Legislated (National Bargaining Council) Collective Agreement
Date	March 2020 (COVID-19 lockdown period)
Union signatory	SACTWU (Southern African Clothing and Textile Workers Union)
Governing body	Apparel/Textile/Footwear/Leather Bargaining Council
C190 ratification status at time	C190 not yet ratified by SA (ratified June 2022)
Significance	Only agreement in corpus to explicitly reference C190 and GBV at the workplace

4. Sexual Harassment Provisions

4.1 Overview

SIGNIFICANT GAP

Sexual harassment is addressed substantively in only 2 documents in the full corpus of 1,433 agreements — both in international instruments rather than domestic South African collective agreements. This is despite South Africa having had a Code of Good Practice on Sexual Harassment under the Employment Equity Act since November 1998.

4.2 IKEA Global Framework Agreement (BWI, 2006)

The IKEA Supplier Code of Conduct, incorporated into the BWI-IKEA Global Framework Agreement, contains an explicit and comprehensive section on harassment and disciplinary practices that applies to all IKEA suppliers globally — including those in South Africa and elsewhere in Africa.

> *"The IKEA supplier shall not engage in or support the use of: corporal punishments, threats of violence, threats of other forms of mental or physical coercion, disciplinary actions or engage in sexual harassment."*
>
> **— IKEA Way on Purchasing Home Furnishing Products (IWAY) / BWI-IKEA GFA, Section 15.a**

> *"Harassment, Abuse and Disciplinary Practices [heading] — 15.a General: The IKEA supplier shall not engage in or support the use of corporal punishments, threats of violence, threats of other forms of mental or physical coercion, disciplinary actions or engage in sexual harassment."*
>
> **— BWI IKEA Way.pdf — Section 15 (Harassment, Abuse and Disciplinary Practices)**

The IKEA framework is notable because it is a supply chain instrument. It does not merely apply to IKEA's own direct employees — it binds all suppliers who sell to IKEA, meaning these standards cascade down through manufacturing supply chains in countries where IKEA sources products. The section heading itself ('Harassment, Abuse and Disciplinary Practices') represents a level of explicit framing that no domestic SA collective agreement in this corpus achieves.

Agreement Detail	Information
Document	BWI IKEA Way (IWAY) / BWI-IKEA Global Framework Agreement
Date	2006
Parties	Building and Wood Workers International (BWI) + IKEA
Scope	All IKEA suppliers globally
Harassment provision	Section 15: Explicit prohibition of sexual harassment; corporal punishment; mental coercion
Enforcement	Supplier audit and compliance mechanism

Agreement Detail	Information
Applicability to SA	Applies to any South African supplier to IKEA

4.3 Grasstree Operations Enterprise Agreement (Australia, 2011)

The Grasstree Operations Enterprise Agreement — a Fair Work Act certified enterprise agreement for an Australian coal mine — references anti-bullying and anti-harassment provisions as part of its incorporation of Fair Work Act 2009 objects:

> *"helping to prevent and eliminate bullying, harassment and discrimination on the basis of race, colour, sex, sexual preference, age, physical or mental disability, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin."*
>
> **— Grasstree Operations Enterprise Agreement, Fair Work Act 2009 objects clause**

While this is a reference to the statutory objects of the Fair Work Act rather than a freestanding negotiated provision, it is significant that Australian enterprise agreements routinely incorporate anti-harassment/anti-bullying language as part of their compliance with the legislative framework. South African agreements in this corpus do not contain equivalent statutory incorporation language, despite the existence of Section 6 of the Employment Equity Act and the Code of Good Practice on Sexual Harassment.

Agreement Detail	Information
Document	Grasstree Operations Enterprise Agreement
Jurisdiction	Australia (Fair Work Act 2009)
Sector	Coal mining
Bullying provision	Incorporated via Fair Work Act 2009 objects (prevention and elimination of bullying/harassment)
Comparable SA legislation	Employment Equity Act Section 6; Code of Good Practice on Sexual Harassment (1998)
Key difference	Australian EA explicitly references anti-bullying provisions; SA CBAs in corpus do not

5. Dignity and Equal Treatment in Global Framework Agreements

5.1 The GFA Pattern

Eight documents — all Global Framework Agreements between international trade union federations (IndustriALL, BWI, UNI) and multinational companies — contain explicit dignity and equal pay provisions that would constitute a baseline framework for addressing harassment and discrimination. These provisions generally draw on ILO Conventions 100 (equal remuneration), 111 (discrimination), 138 (child labour), and 182 (worst forms of child labour).

KEY FINDING

These GFA provisions apply to the operations of each multinational's affiliates and subsidiaries globally — including in South Africa and across the Pan-African footprint documented in this collection. However, GFA provisions are typically aspirational rather than directly enforceable through domestic dispute resolution mechanisms, and they do not substitute for domestic collective agreements addressing these issues.

5.2 IndustriALL/DaimlerChrysler (2002)

> *"Discrimination against employees based on gender, race, disability, origin, religion, age or sexual orientation is not acceptable. Equal pay for equal work: Within the scope of national legislation, DaimlerChrysler respects the principle of 'equal pay for work of equal value'."*
>
> **— IndustriALL / DaimlerChrysler Global Framework Agreement, 2002**

5.3 IndustriALL/Renault (2004)

> *"Renault does not discriminate for any reason whatsoever in the workplace. It recruits its employees by reference to their qualities and skills and treats them with dignity. It does not discriminate on the basis of age, social origin, family situation, gender, sexual orientation, handicap, political, trade union or religious affiliation."*
>
> **— UNI/IndustriALL / Renault Social Responsibility Agreement, 2004**

5.4 University of Cape Town CBAs (2017–2018)

The two University of Cape Town collective agreements (2017 and 2018) are notable as the only domestic South African CBAs in the corpus to contain an explicit workplace dignity clause — though it is brief and aspirational rather than procedural:

> *"Workplace dignity: The parties jointly commit to a workplace where the dignity of all staff is respected."*
>
> **— UCT / NEHAWU / UAWU / DETAWU Wage and Conditions Agreement, 2017 and 2018**

This is a one-sentence clause with no procedural content — no definition of what violations of dignity constitute, no reporting mechanism, no redress procedure. Its inclusion does, however, signal that SA higher education collective bargaining had begun to incorporate dignity language by 2017. No agreements from other sectors include equivalent language.

GFA / Agreement	Year	Dignity Provision	Equal Pay Provision	Harassment Provision
BWI / Impregilo (Construction)	2006	—	Equal pay for work of equal value (ILO C100/111)	Safe and healthy working environment
BWI / Italcementi (Cement)	2008	—	Equal pay for work of equal value (ILO C100/111)	Safe working environment
BWI / Royal BAM (Construction)	2006	—	Equal pay in equal circumstances (ILO C100/111)	Safe working environment
BWI / IKEA (Retail)	2006	—	—	Explicit sexual harassment prohibition
IndustriALL / Aker (Norway)	2008	Right to safe working environment	—	—
IndustriALL / Arcelor (Steel)	2005	Children's dignity (ILO context)	—	—
IndustriALL / BMW (Automotive)	2005	Children's dignity; treated with dignity	—	—
IndustriALL / DaimlerChrysler	2002	Not explicit	Equal pay for equal work; non-discrimination by gender	—
IndustriALL / Renault	2004	Recruited and treated with dignity	Equal pay (ILO C100)	—
UCT / NEHAWU / UAWU (SA, HE)	2017-18	Workplace dignity commitment	—	—

6. 'Victimisation' in the Labour Relations Context

NOTE

The term 'victimisation' appears in 9 documents, but in every case it is used in the South African labour relations sense — meaning retaliation against an employee for trade union membership or participation in protected industrial action. This is a distinct legal concept from 'victimisation' as used in GBV or harassment contexts.

The Labour Relations Act uses 'victimisation' to describe unfair treatment of employees based on their union activities. The 9 documents containing this term are predominantly MIBCO (Motor Industry Bargaining Council) wage agreements from 2005–2013, which include a standard clause protecting overtime workers from coercion, intimidation, or victimisation. An example:

> *"Employees shall not be required to work overtime other than on a voluntary basis, free from any form of coercion, intimidation or victimisation."*
>
> **— MIBCO / Fuel Retailers Association / NUMSA MISA, Multiple years (2005–2013)**

Two higher education CBAs (Durban University of Technology 2018; University of Pretoria 2016) use 'victimisation' in the context of post-strike return-to-work agreements:

> *"Parties agree that no employee will be subjected to any form of victimisation for participating in the strike."*
>
> **— Durban University of Technology / NEHAWU / TENUSA, 2018**

> *"UP undertakes to do what it can to ensure that all workers who participated in protest action at UP will not be dismissed or victimised by their employers."*
>
> **— University of Pretoria / NEHAWU, 2016**

The Lesotho/Massmart NUCCAW Recognition Agreement uses 'victimisation' in the context of trade union activity, but also includes a broader non-discrimination clause that covers sex and race:

> *"Both parties agree that discrimination on the basis of sex, race, religion or creed, and victimisation of employee because of trade union activity, is unacceptable."*
>
> **— Massmart Holdings / NUCCAW (Lesotho), Recognition Agreement, 2022**

7. Family Responsibility Leave: Proximity to GBV Support

7.1 Prevalence and Significance

Family Responsibility Leave (FRL) is addressed in 151 documents — 10.5% of the corpus — making it the most significant proxy provision for domestic and family violence support in the collection. Under Section 27 of the South African Basic Conditions of Employment Act (BCEA), employees are entitled to 3 days of paid family responsibility leave per year. Many agreements in this corpus improve on this statutory minimum.

KEY FINDING

While family responsibility leave is not an explicit GBV provision, it is the primary formal mechanism through which domestic violence can affect formal employment arrangements. The enactment of the Domestic Violence Amendment Act (2021), which gives employees the right to take leave to deal with matters arising from domestic violence, post-dates most of the agreements in this corpus.

7.2 Examples of FRL Provisions

> *"Family Responsibility Leave shall be 6 days."*
>
> **— Massmart Game Lesotho Wage Agreement, 2017–2019 (Legislated statutory minimum: 3 days; this agreement doubles it)**

> *"An employer must grant an employee, during each annual leave cycle, the number of days of paid family responsibility leave as provided for in the Act."*
>
> **— EPCMA/NBCCMI/SACTWU, Clothing & Textile Bargaining Council Agreement, 2016–2017**

> *"14. FAMILY RESPONSIBILITY LEAVE — 14.1 With effect from 1 January 2013 an employee will be entitled to [improved FRL conditions]."*
>
> **— Public Service Co-ordinating Bargaining Council (PSCBC), 2012–2015**

The Public Service Council agreement is notable because it governs South Africa's largest single employer — the national public service — covering teachers, nurses, police officers, and civil servants. Improved family responsibility leave in this context has a direct and material impact on survivors of domestic violence in the workforce.

7.3 Maternity Provisions

226 documents (15.8% of corpus) contain maternity provisions. While maternity leave is primarily a labour protection rather than a GBV intervention, maternity rights and pregnancy protection overlap with GBV vulnerability, particularly for women in abusive relationships. The Maternal Health and Maternity Leave provisions in several agreements also show sensitivity to pregnancy loss:

> *"Maternity / Stillbirth / Miscarriage Leave [heading]"*
>
> **— Multiple South African Bargaining Council agreements — standard heading in NBCCMI, MIBCO, NMBI and others**

The inclusion of stillbirth and miscarriage leave as a named category in 12 documents reflects a level of sensitivity to the full spectrum of reproductive experience that goes beyond minimum legal requirements and acknowledges that pregnancy loss — which can be associated with violence, trauma, or abuse — requires specific workplace support.

8. The Silence: What Is Not Covered

SIGNIFICANT GAP

The most significant finding in this thematic analysis is structural absence. Out of 1,296 South African collective agreements in the corpus, only a handful contain any language on harassment, bullying, dignity, or gender-based violence — and even those provisions are largely incidental or minimal. This absence is itself a critical data point for anyone designing workplace GBV interventions in Southern Africa.

8.1 Provisions Entirely Absent from SA Domestic Agreements

Missing Provision	Why This Matters	International Comparator
Explicit GBV prohibition	GBV is explicitly addressed in 0 SA domestic agreements; workers have no negotiated protection	C190 requires specific GBV provisions in all covered workplaces
Sexual harassment procedure	Reporting, investigation, and remedy procedures absent from all SA CBAs in corpus	IKEA IWAY has explicit prohibition; Australian EAs incorporate Fair Work Act provisions
Bullying definition & procedure	No SA CBA in corpus defines or prohibits workplace bullying	Australian EAs routinely incorporate Fair Work Act 2009 anti-bullying language
Domestic violence leave	No agreement explicitly grants leave for domestic violence matters	UK Parental Bereavement Act; some international GFAs; Australian FWC
Equal pay audits / gender pay gap	No agreement in corpus provides for gender pay gap monitoring or equity reporting	IndustriALL GFAs include equal pay principle; EU Pay Transparency Directive (2023)
Psychosocial risk / harassment policy	No SA agreement requires employers to maintain or publish a harassment policy	C190 Article 9 requires employers to adopt and implement workplace policies
Third-party harassment	No agreement covers harassment from customers, clients, or contractors (a C190 innovation)	C190 explicitly covers harassment by third parties
Digital/online harassment	No agreement addresses digital harassment, stalking, or cyberbullying	C190 covers harassment 'in connection with work' including digital channels

8.2 Why the Gap Exists: Contextual Analysis

Several contextual factors explain the near-total absence of GBV and harassment provisions from the collective agreements in this corpus:

1. Policy segregation from collective bargaining

South Africa's approach has been to address sexual harassment through regulatory codes (the 1998 Code of Good Practice on Sexual Harassment under the EEA) and workplace policies rather than through negotiated instruments. As a result, unions and employers have treated GBV as a compliance issue for HR policy, not a collective bargaining issue. The Code is referenced extensively in training materials and disciplinary procedures but appears to have generated little pressure to embed these provisions in CBAs themselves.

2. Temporal gap — C190 is very recent

ILO Convention 190 was only adopted in June 2019. The bulk of this collection spans 2000–2019. Only 37 documents in the corpus reference the year 2025 or later. It is therefore not surprising that C190 language is almost entirely absent. What is notable is that the one document that does reference it (ATASA 2020) did so before South Africa formally ratified the Convention in 2022.

3. Bargaining council structure

South Africa's bargaining councils operate on a sector-by-sector basis. Within sectoral councils, the core agenda items are wages, leave, and working hours. Non-wage conditions are typically addressed through umbrella 'main agreements' that govern the entire bargaining council and are updated infrequently. The result is that individual annual wage agreements — which constitute the majority of this corpus — rarely address structural rights issues like harassment. Searching for GBV provisions in annual wage schedules is structurally unlikely to yield results.

4. Pan-African regulatory context

The 41 Pan-African retail agreements in this corpus come from countries (Lesotho, Mozambique, Malawi, Tanzania, Kenya, Zambia, Botswana, Swaziland) that lack comprehensive harassment-specific legislation comparable to South Africa's Employment Equity Act. These agreements are typically bilateral recognition and wage instruments negotiated in environments where union presence is recent and capacity is limited. Embedding harassment provisions in these contexts would require significant capacity-building.

9. HIV/AIDS as a Parallel: Lessons for GBV Integration

The most instructive parallel in this corpus is the HIV/AIDS provisions. As documented in the comprehensive analysis, HIV/AIDS workplace provisions appear in 136 documents (9.5% of the corpus) — a far higher prevalence than any harassment or GBV provision. This suggests that when a workplace vulnerability issue reaches critical mass, South African collective bargaining can and does respond by embedding provisions directly in agreements.

KEY FINDING

The trajectory of HIV/AIDS in collective bargaining offers a model for what GBV integration could look like: (1) a critical incident forcing the issue onto the bargaining agenda; (2) dedicated codes of practice; (3) progressive embedding in sectoral CBAs; (4) gradual normalisation as a standard CBA provision.

HIV/AIDS provisions in South African CBAs typically address: confidentiality of status, non-discrimination, access to VCT (Voluntary Counselling and Testing), Employee Assistance Programmes (EAPs), sick leave arrangements, and employer contributions to treatment costs. The peak prevalence was in 2005–2014 (9–13% of agreements), consistent with the epidemic's impact on the working-age population.

The parallel with GBV is instructive:

Dimension	HIV/AIDS Provisions (historical)	GBV/Harassment Provisions (current status)
Legislative trigger	Employment Equity Act 1998; ILO Code of Practice on HIV/AIDS 2001	Code of Good Practice on Sexual Harassment 1998; C190 (2019); SA ratification 2022
Prevalence in corpus	136 documents (9.5% of corpus)	1–3 documents (<0.3% of corpus)
Period of uptake	Predominantly 2005–2015	Essentially absent; only 2020 example found
Bargaining council embedding	Embedded in MIBCO, NBCCMI, HCSBC, Public Service CBAs	Not yet embedded in any SA sectoral bargaining council CBA in corpus
EAP linkage	Consistently linked to Employee Assistance Programme provisions	No EAP-GBV linkage found in corpus
International comparator	ILO Code of Practice 2001 drove global CBA adoption	C190 (2019) creates equivalent international standard; domestic adoption lagging

10. Conclusions and Implications

10.1 Key Conclusions

- ILO Convention 190 is referenced in exactly 1 document in the 1,433-file corpus: the ATASA/SAAA COVID-19 lockdown agreement of 2020. This agreement explicitly calls for C190 ratification and commits to combating gender-based violence at the workplace. It is the only South African collective agreement in this collection to do so.
- Sexual harassment is explicitly addressed in only 2 documents — both international instruments (the IKEA GFA and the Australian Grasstree Enterprise Agreement). No domestic South African collective agreement in this corpus contains an explicit prohibition of sexual harassment or a harassment management procedure.
- Bullying as a concept is entirely absent from the 1,296 South African agreements in this corpus. The single mention of 'bullying' occurs in an Australian coal mining agreement under the Fair Work Act 2009.
- Dignity provisions and equal pay commitments appear in 9 Global Framework Agreements of multinational companies — important as international standards but not as domestically enforceable South African collective bargaining instruments.
- The closest domestic SA provisions to GBV protection are: family responsibility leave (151 documents), maternity provisions (226 documents), and non-victimisation for union activity clauses (9 documents). None of these directly address GBV, harassment, or bullying.
- The absence of explicit GBV provisions reflects a structural pattern: South African labour relations has handled these issues through regulatory codes and workplace policies rather than collective bargaining. The HIV/AIDS trajectory suggests this can change once an issue reaches critical visibility.

10.2 Implications

For researchers, practitioners, and policymakers working on GBV in the Southern African workplace, this analysis has several implications:

Gap in collective bargaining instruments:

The absence of GBV and harassment provisions from collective agreements in this collection — which spans 1,682 files and 26 years — is evidence of a structural gap, not simply a data collection artefact. Advocacy for embedding C190-compliant provisions in sectoral bargaining council main agreements would therefore represent a genuine advance.

C190 ratification creates a platform:

South Africa ratified C190 in June 2022. The ATASA/SAAA 2020 agreement shows that the industry had already begun to integrate C190 language before formal ratification. Post-ratification, it would be reasonable to expect that the next cycle of main agreement negotiations in key bargaining councils (MIBCO, NBCCMI, HCSBC, Retail/SACCAWU) could incorporate explicit C190-aligned provisions. This corpus does not yet capture those post-2022 agreements.

The GFA model offers a template:

The Global Framework Agreements in this collection — particularly the IKEA IWAY and the IndustriALL-affiliated agreements — offer ready-made templates for harassment, dignity, and equal pay provisions that could be adapted into domestic South African CBAs. IndustriALL's connections to NUMSA, SACTWU, and CEPPWAWU provide an obvious channel for this transfer.

Family Responsibility Leave is a bridgehead:

The 151 agreements containing Family Responsibility Leave provisions represent the most widespread point of contact between formal collective bargaining and the domestic/family context in which GBV most often occurs. An incremental approach would be to expand FRL provisions explicitly to cover domestic violence events (as the 2021 Domestic Violence Amendment Act permits), then progressively embed broader GBV provisions.

Appendix: Document Reference List

A. Documents with Direct C190, GBV, or Harassment Mentions

Document	Year	Keyword Found	Context
South Africa _ATASA SAAA _Industrial _Legislated _SACTWU _2020.pdf	2020	C190; GBV; gender equality	COVID-19 lockdown agreement; calls for C190 ratification; commits to combating GBV
BWI IKEA Way.pdf	2006	Sexual harassment; harassment; abuse	GFA supply chain code: explicit prohibition of sexual harassment and corporal punishment
Grasstree Operations Enterprise Agreement.pdf	2011	Bullying; harassment	Australian Fair Work Act 2009 objects; prevention of bullying, harassment, discrimination
ShopriteMozambiqueRA.pdf	n/d	Harassment	Harassment in context of union membership (not GBV); freedom of association clause
Lesotho _Massmart Holdings Ltd _Retail _Recognition Agreement _NUCCAW Lesotho _2022.pdf	2022	Victimisation; sex discrimination	Non-discrimination clause (sex, race, religion); victimisation for union activity

B. Documents with Dignity or Equal Pay Provisions (GFAs)

Document	Year	Federation	Provision Type
IndustriALL DaimlerChrysler 2002.pdf	2002	IndustriALL	Non-discrimination; equal pay; dignity implicit
IndustriALL Leoni 2002.pdf	2002	IndustriALL	Children's dignity; minimum age
IndustriALLRenault 2004.pdf	2004	IndustriALL	Dignity; non-discrimination; equal pay (ILO C100)
IndustriALL EADS 2005.pdf	2005	IndustriALL	Children's dignity; minimum age
IndustriALL Arcelor 2005.pdf	2005	IndustriALL	Children's dignity; equal remuneration (ILO C100)
IndustriALL BMW 2005.pdf	2005	IndustriALL	Dignity; minimum age; no child labour
BWI Impregilo 2006.pdf	2006	BWI	Equal pay for work of equal value; safe workplace
BWI Royal BAM 2006.pdf	2006	BWI	Equal pay in equal circumstances; safe workplace
UNI-Telefonica-2000.pdf	2000	UNI Global	Equal pay; no gender/race discrimination

Document	Year	Federation	Provision Type
UNI-FranceTelecom-2006.pdf	2006	UNI Global	Dignity; non-discrimination; no gender discrimination
BWI Italcementi 2008.pdf	2008	BWI	Equal pay (ILO C100/111); safe workplace
IndustriALL Aker 2008.pdf	2008	IndustriALL	Right to safe working environment
South Africa_UCT_Education_2017.pdf	2017	Domestic SA	Workplace dignity commitment (one-sentence clause)
South Africa_UCT_Education_2018.pdf	2018	Domestic SA	Workplace dignity commitment (one-sentence clause)