



Gender Based Violence in the Workplace

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GBV DEFINED

“Gender-based violence (GBV) is the general term used to capture violence that occurs as a result of the normative role expectations associated with each gender, along with the unequal power relationships between the two genders, within the context of a specific society.” (Bloom 2008, p14).

GBV types - physical, sexual, emotional, financial or structural

Power and Control core and common elementS in the various abuses.



Unpacking GBV

- What is Sexual offenses according to Criminal Law (sexual offences and related matters) amendment act
- What is Sexual harassment?
- Sexual harassment as explained can be both physical and verbal as well as electronic and non-verbal. In the absence of evidence like a non-verbal GBV situation/ altercation
- What would the process of reporting such behaviour be?
- What is coercive sex?
- Signs of GBV as a student
- In the workplace, what would be the most common, early signs of Gender Based Violence?
- What is 'Compelled Self-Sexual Assault'?
- Facets of Consent
- Preventative, protective and supportive measures

What is a Sexual Offence?

- Any offence outlined within the Criminal Law (Sexual Offences and Related Matters) Amendment Act 2007
- Including, but not limited to, rape, compelled rape, sexual assault, compelled sexual assault, compelled self-sexual assault
- See definitions of the above in policy document

SEXUAL HARASSMENT

- Unwanted / unwelcome (subjective)
- Of a sexual nature – explicit/implicit(difficult to see)
- Offensive/distressing
- Single episode or repeated
- Affects everyone, irrespective of sexual orientation
- **TYPES:** verbal, non-verbal, physical, grooming, *quid pro quo*, & special victimization



Sexual Harassment can be:

Physical

Unwanted touch,
sexual actions

Electronic

Images, written words,
videos, sound clips

Verbal

Spoken words

Non-verbal

Gestures, body posture,
voice tone, facial expression

- What is coercive sex?
- Refers to unwanted sexual activity that happens when you are pressured, tricked, threatened, or forced in a nonphysical way. Coercion can make you think you owe sex to someone. It might be from someone who has power over you, like a teacher, landlord, or a boss. No person is ever required to have sex with someone else.

Signs of GBV as a student

- People in a place of seniority
- Predatory behaviour (they look for the ones with father issues, bad experience on previous relationships , low-self esteem, first year students who are looking for freedom & excitement etc.)
- Manipulation/ Gaslighting: psychological manipulation of a person usually over an extended period of time that causes the victim to question the validity of their own thoughts, perception of reality, or memories and typically leads to confusion, loss of confidence and self-esteem, uncertainty of one's emotional or mental stability, and a dependency on the perpetrator (Webster dictionary).
- Quick involvement in relationships (extreme attachment issues, likely to possessive and controlling)
- Grooming: desensitize to personal morals, values or principles,(normalizing) for example: giving you special attention or buying you things you cannot afford

What GBV looks like in the workplace?

- Can be subtle
- Unwanted sexual advances (minute you feel uncomfortable, report it or address it with the person, overstepping boundaries)
- Sexual abuse and violence, including 'coercive' or transactional sex, rape and sexual assault.
- Psychological abuse and intimidation-The use of verbal and non-verbal communication with the intent to harm another person mentally or emotionally examples include name calling, humiliating / degrading comments, misuse of personal information about the other person, stalking (repeatedly following, pursuing person), lying /manipulation/gaslighting
- Threats and acts of physical and sexual violence.
- Abusive working conditions such as poor health and safety (including building and equipment safety).
- Involuntary excessive long working hours and unpredictable or late demands to work overtime.

What is 'Compelled Self-Sexual Assault' ?

- occurs when a person unlawfully and intentionally compels a complainant, without the consent of the complainant, to:
- Engage in any of the following with him-/herself:
- masturbation
- arousal or stimulation of a sexual nature of the female breasts
- sexually suggestive or lewd acts(Crude & offensive in a sexual way)
- Engage in any act which has or may have the effect of sexually arousing or sexually degrading the complainant
- Penetrate his/her own genital organs or anus

Consent

A young woman is invited to a young (but slightly older) man's home to "hang out". There has been no explicit discussion that sex will happen, but he thinks her agreement to visit means she wants sex. She thinks he may be thinking this, but in her mind, she is not sure if she wants to have sex with him.

Time passes, and by 2am he makes his move and says he would like to have sex with her. She says no. She does not feel ready or in the mood. He then says she should leave.

She realises that by now it is not safe for her to get home-it's not safe to walk in the streets and she doesn't have cash for an Uber.

She feels trapped, and then decides she "may as well" have sex with him because then it is all "less complicated". She will have a "safe" space to spend the night, and she convinces herself that she probably wanted sex anyway, and it "wasn't that bad"

"Was she raped"?

ELEMENTS OF CONSENT

- Free and informed agreement
- Right to change her/his mind, at any time
- Consent to one type of sexual act does not necessarily imply consent to other forms of sexual activities
- Silence does not imply consent
- Previous or present sexual relationship between the parties does not imply consent
- Consent is not implicit in a person's manner of dress
- Accepting a social invitation does not imply consent
- Person whose capacity to consent is diminished (alcohol, drugs, meds)



What can be done to prevent GBV?

- Specialised Training in GBV-On-going
- Empower women-skills(self defence),work opportunities and care & support
- Being involved in programmes offered within the university space
(Singamadoda-space learn n unlearn toxic masculinity, peer helper activation, Self defence classes (continue, once off, conversation, FRT course)
- Take responsibility-Safety tips
- Report unwanted behaviour
- familiarise self with Nelson Mandela University SHO Policy
- Assistance to the perpetrator in changing their behaviour.

Institutional “protective measures” for complainants/ victims of sexual harassment or sexual offences

Protective measures, as needed/applicable/possible:

- No-contact order
- Change of university residence
- Academic concessions/change of classes
- Leave of absence (or special leave, for staff)

Institutional “supportive measures” for complainants/ victims of sexual harassment or sexual offences

Supportive measures:

- Free counselling – Emthonjeni Fountain of Student Wellness/Student Health (or Wellness@Work, for staff)
- GBV counsellor (*51742)
- Online Female GBV support group
- Online Male GBV support group
- Online LGBTQI support group
- Access to medical treatment and advice – Student Health (or through medical aid schemes, for staff)