

The sexual harassment of women factory workers in Guangzhou

A survey by the Sunflower Women Workers Centre

向阳花女工中心

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International Day for the Elimination of Violence against Women

Introduction

Women workers in Guangzhou's industrial zones are faced with numerous problems, a lack of protection during menstruation, being forced out of their job while pregnant, non-payment of maternity leave benefits, and, in particular, sexual harassment in the workplace.

In most cases of sexual harassment, the victim is blamed so many women workers are forced to endure humiliation alone or in silence: Their employers take no measures to prevent sexual harassment; communities offer no support to female victims; and society as a whole lacks adequate awareness of the issue or deliberately avoids talking about it. All of these factors have put women workers in an even more vulnerable position.

The International Day for the Elimination of Violence against Women falls on 25 November. As such, we hope to address the sexual harassment of women workers on this day by publishing our survey of women workers in Guangzhou factories and to push for effective preventive measures to be established in the workplace.

This survey was conducted between late August and late October 2013. In total, 134 questionnaires were completed.

Survey results

The survey shows that the sexual harassment of female employees in Guangzhou factories is highly prevalent. About 70 percent of respondents had at some point in their working life encountered some form of sexual harassment, including offensive comments and jokes, leering, obscene phone calls and messages, touching without consent, displaying genitalia, asking for sex, etc.

The problem is so serious that **15 percent of the respondents actually quit their jobs due to sexual harassment**. These women were unable to deal with sexual harassment at work and felt they had no option but to quit, even though this could mean losing their last month's salary.

The majority of women workers try to deal with sexual harassment by themselves. Some simply submit to it without protest, others find some way to resist or just quit their jobs. None of the women workers we talked to sought help from the trade union or the women’s federation.

70% of female employees have been sexually harassed at work

Types of sexual harassment:

Annoying whistling, shouts and lewd jokes	70%
Offensive comments about the body or appearance	66%
Staring at breasts and hips	55%
Annoying touching	32%
Showing sexual images	30%
Obscene calls or pornographic messages	25%
Asking for sex	9%
Displaying genitalia	5%
Asking for kissing	4%

No female employees sought help from the trade union or women’s federation after they were sexually harassed

Ways of handling sexual harassment:

Submitting to harassment	43%
Resisting harassment	47%
Resigning	15%
Seeking help from the trade union or women’s federation	0%

Forms of resistance include: telling the harasser that such behaviour is inappropriate; forceful resistance at the scene; applying pressure in private or complaining to management.

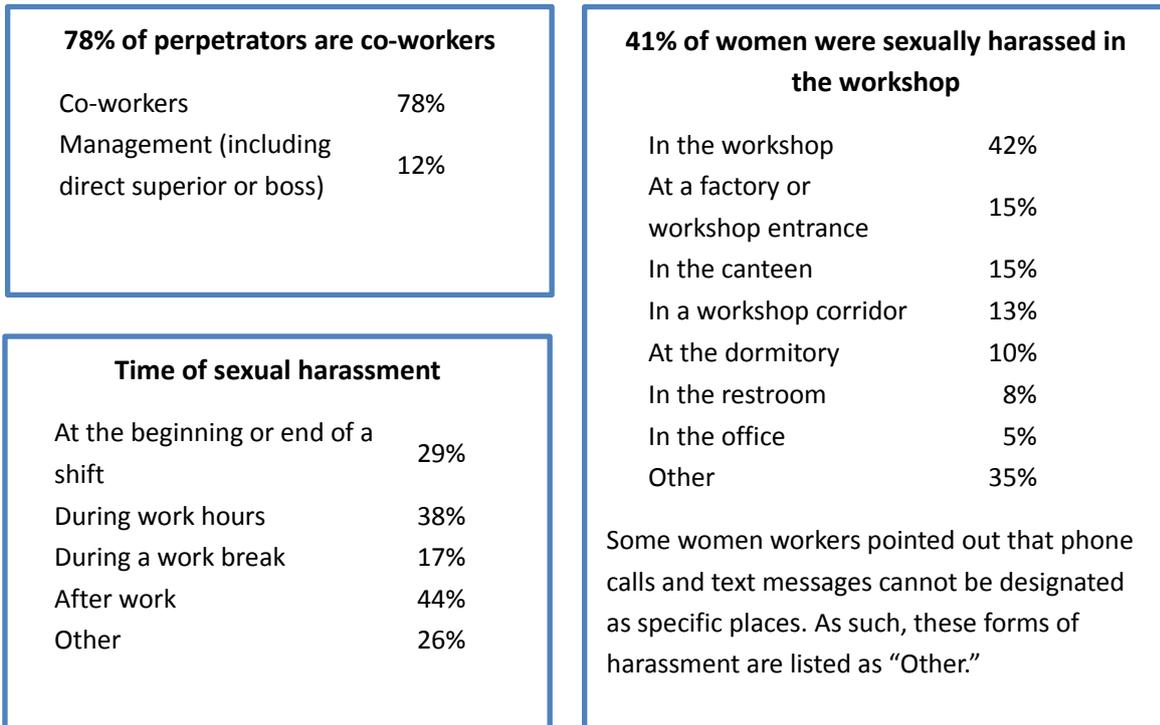
Some women had been harassed more than once and their response often varied.

68% of women workers are disgusted by and detest sexual harassment

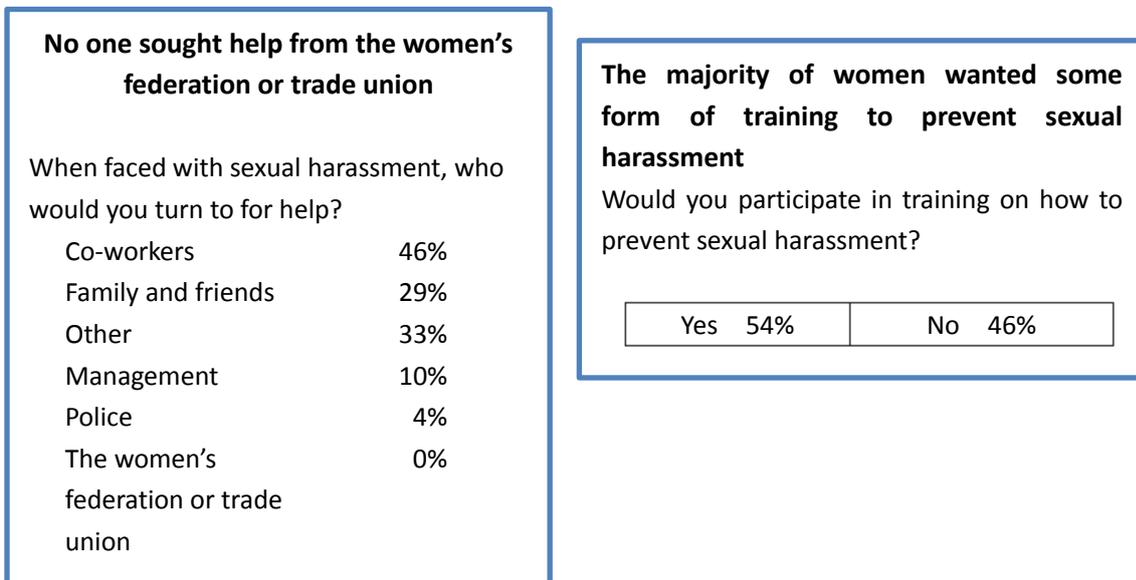
We asked those respondents who had been sexually harassed how they felt: 68% of them said the harassment was disgusting and repulsive. Some said the harassers were psychopaths. The majority of victims were angry, disgusted, upset and in pain but felt they could do little about it. Some typical reactions are as follows.

- A: “I want to kill that man and terminate him.”
- B: “I’m horrified and helpless.”
- C: “These sick people are scumbags and psychopaths.”
- D: “I’m so scared. I cannot sleep well and I keep having nightmares. I just want to run away.”

Time, place and perpetrators of sexual harassment



Responses to sexual harassment



One of the most common expectations of the women interviewed was for the police to take more effective measures and impose more appropriate punishments on the perpetrators of sexual harassment. Another common hope was that: "Government officials will pay greater attention to the matter." This illustrates both the lack of protective measures for women workers and the ineffective punishments

currently in place.

What assistance do you think the victims of sexual harassment need?

This open-ended question was answered by 84 women workers:

- ✓ 22 respondents specifically mentioned that the police should offer assistance or punish harassers accordingly.
- ✓ 25 respondents said victims need comfort, psychological counseling and guidance from family and friends.
- ✓ 15 respondents thought the victims “need to be protected,” but most could not explain who should provide what kind of protection. One mentioned the victims “need assistance from co-workers and legal institutions, while those who are harassed in public should get assistance from society.”
- ✓ 8 respondents had no idea and said, “The factory wouldn’t care and the police simply do not have the time for it.”
- ✓ 1 respondent talked about getting help from the women’s federation but none mentioned the trade union.

Survey respondents

Job status		Marital status	
General workers	78%	Single (including divorced)	31%
Skilled workers	10%	In a relationship	11%
Clerks	10%	Married	58.8%
Primary level management	6%		
Medium and high level management	1%		
Other	2%		
		Age	
The respondents were mainly aged between 18- and 35-years-old.		18-35 years old	83%
Two thirds were production line workers, while the rest were skilled or clerical workers and low level managers.		Under 18 years old	3%
More than half were married.		Over 35 years old	13%

Laws and regulations regarding sexual harassment

Law on the Protection of the Rights and Interests of Women

Article 40: Sexual harassment against women is prohibited. Victims shall have the right to file complaints with their work unit and the departments concerned.

Article 53: When a woman's lawful rights and interests are infringed upon, she may file a complaint with a women's organization, which shall protect the lawful rights and interests of the victim and have the right to request and help the department or unit concerned to investigate and deal with the case. The said department or unit shall investigate and deal with the case according to law and give a reply in due course.

Article 54: Women's organizations shall support victims who need help filing lawsuits. A women's federation or a women's organization may expose and criticize through the mass media the acts infringing upon the lawful rights and interests of special groups of women, and shall have the right to request that the department concerned investigate and deal with the cases according to law.

Law on Administrative Penalty

Acts Infringing upon the Right of the Person or Encroaching upon Right of Property and the Punishments Thereto:

Article 42: Anyone who commits any of the following acts shall be detained for no more than five days or shall be fined no more than 500 yuan. If the circumstances are relatively serious, they shall be detained for not less than five days but no more than ten days, and may be concurrently fined no more than 500 yuan:

(5) Interfering with the normal life of any other person by continually sending obscene, insulting, threatening or other information;

(6) Peeping into, sneaking photos of or wiretapping the private domain or distributing the private information of any other person.

Article 44: Anyone who acts indecently towards any person or deliberately exposes their body in a public place shall be detained for not less than five days but no more than ten days, if the circumstances are absolutely vile. Anyone who acts indecently towards a disabled person, the mentally ill, or a minor under the age of 14, or who commits any other severe violation shall be detained for not less than ten days but no more than 15 days.

Regulations of Shenzhen Special Economic Zone on the Promotion of Gender Equality

Article 23: The Employer shall take measures to prevent and stop sexual harassment and offer anti-sexual harassment education to employees.

If anyone takes advantage of their job, employment or any other convenience to use sexually explicit or implicit behaviour, language, words, images or electronic messages against any other person's will, sexually harassing the other person in exchange of employment, promotion, payment or reward, the Employer shall halt the behaviour and handle it without delay. Employees may complain or report such behaviour to the unit concerned. The said unit shall take timely measures to deal with the situation.

Article 29: The person concerned may file a complaint to the relevant competent authorities or bring a lawsuit before the people's court if the said person believes that they have been sexually harassed or discriminated against and that their lawful rights have been violated. An organization tasked with promoting gender equality can assist the concerned person in bringing a lawsuit before the people's court. Any person committing serious sexual harassment or discrimination that constitutes a crime shall be subject to criminal liability.