

**Internal framework to address gender related issues faced by the employee within
the sector concerned**

Rationale and Background

Recognizing the important role that the Bhutanese women play in the overall growth and development of the country, the Royal Government of Bhutan (RGoB) has made a number of policy, legislative and institutional reforms to provide the best possible environment for their participation. Some of the national legislations that emphasize on addressing discrimination against women including at work place includes the Constitution of the Kingdom of Bhutan, Domestic Violence Prevention Act 2013, Domestic Violence Prevention Rules and Regulation 2015, Penal Code of Bhutan 2011 (Amendment), Labour and Employment Act of Bhutan 2007, Regulations on Working Conditions 2012, Civil Service Act of Bhutan 2010, Bhutan Civil Service Rules and Regulation 2012.

At the international front, Bhutan ratified the Convention on Elimination of All Forms of Discrimination Against Women without any reservation in 1981 and adopted the Beijing Declaration and Platform for Action in 1995.

These legislative frameworks provided basis for setting up of various institutions and operational mechanisms and called for interventions to address discrimination against women and increase participation of women in development amongst others. Thus, the National Commission for Women and Children (NCWC) was established in 2004 with the mandate to coordinate, monitor, advocate and report on the rights of women and children in the country.

Subsequently to achieve the mandates, vision and missions of the Commission and to realize the provisions enshrined in various national and international legislations, specific interventions targeted at addressing discrimination against women and increasing

women's participation in development were carried out. At the same time mainstreaming gender through specific incorporations into the five-year development plan; appointment of Gender Focal Persons (GFPs) in various ministries and agencies and development of capacities and tools for gender mainstreaming was initiated. Some of the notable achievement includes: formulation of the National Plan of Action on Gender (NPAG) 2008-2013, extension of paid maternity leave from existing three months to six months and paternity leave from existing five working days to 10 working days, introduction of gender friendly facilities like separate toilets, introduction of support mechanism like for instance Civil Service Support Desk and enhancing understanding on the role of women in development.

Despite such remarkable achievements, participation of women in overall development and decision-making in particular remains comparatively low. Therefore, this internal framework is developed in keeping with the provisions of the existing legal framework and procedures and it is expected to strengthen the environment for women's participation in the socio-economic development.

Objectives

The internal framework was developed with the following objectives:

1. To eliminate all forms of discrimination including sexual harassment at workplace
2. To enhance understanding on gender issues including Violence Against Women in particular sexual harassment at workplace
3. To create conducive working environment for women's participation in development. *Given the current gender gaps in the country, emphasis is given towards elimination of discrimination against women and increasing women's participation.*

Areas/components that the internal framework will address

The internal framework will cover the following key areas:

1. Harassment at workplace including sexual harassment:

The agencies will develop an internal mechanism on reporting of sexual and other forms of harassment at work place. The mechanism will include:

a) Appointment of a focal person:

The respective agencies will appoint/identify a focal person (preferably GFP) who will facilitate reporting of sexual and other forms of harassment to the management/relevant committees or HROs of the agency and provide necessary support to the victim. The focal person will have a fairly good understanding on the issues and act as a bridge between the victim and the management. Once the incident is reported to the management/relevant committees/HROs, it will be managed as per the existing procedures and reported to relevant authorities/institutions. The internal reporting mechanism will be developed in keeping with the provisions of the Labour and Employment Act 2007, Regulations on Working Conditions 2012, Bhutan Civil Service Rules and Regulations 2012 and the procedures on reporting of sexual harassment for civil servant as outlined in the Civil Servant Support Service.

b) Awareness on Sexual and other forms of harassment:

The focal person in consultation with the GFP if he or she is not a GFP will create awareness on sexual and other forms of harassment at workplace, related legal provisions and operational mechanisms. The awareness will be targeted at low level support staff and the management. The focal person will use the existing forums/mechanisms to create awareness or carry out a separate targeted program depending on the need of the employees. The GFPs/focal person will collaborate

and seek necessary technical support from the NCWC and the Gender Expert Group.

2) *Gender friendly facilities at workplace:*

The agency will consider the different needs of male and female employees and provide gender friendly facilities to address those needs. Some of the facilities include:

- **Breastfeeding facilities:** Those offices where public services are provided (ex-hospital, land services, customs) a separate breastfeeding room or a space will be provided/designated to facilitate breastfeeding for the service users. All other offices will explore providing a private working space for nursing mothers to facilitate breastfeeding.
- **Separate Toilets:** Separate toilets for male and female employees with basic amenities for example sanitary bins in the female toilets will be provided.
- Clear and visible signboards will be placed in those facilities.

3) *Representation of both male and female employees in the important committees:*

The agencies will ensure representation of both male and female employees particularly in the important committees like the Human Resource Committees, Plan Coordination Committees, Tender Committee and other relevant committees based on the agency's relevance. The agencies will also assess the existing members of various committees & recommend change if necessary to ensure representation of both male and female employees.

4) *Implementation of flexi timing to working mothers:*

The agency in consultation with NCWC and RCSC will facilitate implementation of flexi timing to working parent for breastfeeding, picking up children from school etc...

5) *Awareness on gender and child protection issues including sexual harassment:*

The agency will explore introducing a system where all new recruits/employees of the sector will be sensitized on basic concepts and issues related to gender and child protection. The agency will use the existing forums to create awareness or conduct a separate awareness program for all the new employees. The agency will coordinate with the RCSC, NCWC and other relevant agencies to integrate awareness in the on-boarding process (new recruits orientation).

Role of NCWC, GFPs and the respective agencies:

- The NCWC as the nodal agency for the protection and promotion of rights of women and children in the country will provide technical and other necessary support in the implementation of the internal framework.
- The GFP as the focal person on gender issues of the agency will facilitate the implementation of the internal framework and seek necessary support from the NCWC or any other relevant agencies to implement the framework
- The respective agencies will allocate financial resources and provide necessary support to the GFP or any other person responsible to ensure implementation of their own internal framework

Monitoring and Evaluation:

The NCWC will monitor the implementation of the internal framework through the GFPs twice a year. The GFPs will share the implementation status of the internal framework to NCWC during the biannual GFP consultation or through the online Gender Monitoring System. The NCWC will explore existing platforms including through the Annual Performance Agreements to ensure implementation of the framework.

