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Tran Thi Huyen Trang

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Responsibilities of enterprises in prevention and control of sexual harassment in the workplace: From international law to korean and vietnamese experience*

Responsabilidades das empresas na prevenção e no combate ao assédio sexual no ambiente de trabalho: Do direito internacional às experiências coreana e vietnamita

Tran Thi Huyen Trang**

Abstract

Workplace sexual harassment is associated not only with individual misconduct but also with the organization of the working environment. This article uses legal analysis, legal comparison, and descriptive statistical analysis of data from 501 employees and 65 employer representatives in Vietnam's textile and banking sectors to examine enterprises' responsibilities for preventing workplace sexual harassment under international standards and Korean and Vietnamese law. It hypothesizes that effective prevention and control depend both on the recognition of corporate responsibilities and on their translation into obligations that can be identified, accessed, and fulfilled. The findings show that Korean law establishes specific obligations and mechanisms to ensure implementation, whereas Vietnamese law focuses on internal labour regulations and internal governance. The survey also reveals a gap between the mechanisms enterprises believe they have established and employees' ability to recognize or access them. On this basis, the article organizes corporate responsibilities into three groups: prevention; receipt of reports; and investigation, response, and remediation.

Keywords: *Sexual Harassment; Workplace; Corporate Responsibility; Labour Law; Vietnam; South Korea.*

Resumo

O assédio sexual no ambiente de trabalho não constitui apenas uma conduta individual inadequada, mas também está associado à forma de organização do ambiente laboral. O artigo emprega análise jurídica, comparação jurídica e análise estatística de dados obtidos com 501 trabalhadores e 65 representantes de empregadores dos setores têxtil e bancário no Vietnã para examinar as responsabilidades das empresas na prevenção do assédio sexual no trabalho à luz dos padrões internacionais e das legislações coreana e vietnamita. A hipótese é que a efetividade da prevenção e do combate ao

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** Tran Thi Huyen Trang holds a PhD in Economic Law from Hanoi Law University, Vietnam. She is a lecturer at the Faculty of Law, University of Finance – Marketing, Vietnam, with over 15 years of teaching and research experience in labour law. Her research focuses on labour law, gender equality, workplace sexual harassment, and the protection of employees' rights.

assédio sexual depende não apenas do reconhecimento das responsabilidades empresariais, mas também de sua concretização em obrigações identificáveis, acessíveis e passíveis de cumprimento. Os resultados indicam que a legislação coreana estabelece obrigações específicas e mecanismos para assegurar sua implementação, enquanto a legislação vietnamita se concentra nos regulamentos internos de trabalho e na governança interna. A pesquisa também revela uma distância entre os mecanismos que as empresas consideram ter estabelecido e a capacidade dos trabalhadores de reconhecê-los ou acessá-los. Com base nesses resultados, o artigo sistematiza as responsabilidades empresariais em três grupos: prevenção; recebimento de denúncias; e apuração, adoção de medidas e reparação das consequências.

Palavras-chave: Assédio sexual; Ambiente de trabalho; Responsabilidade empresarial; Direito do trabalho; Vietnã; Coreia do Sul.

1 Introduction

Sexual harassment in the workplace is considered one of the serious global challenges. In some Asian countries, studies show that sexual harassment in the workplace still occurs at a noticeable level. In China, 20% of the 1,837 women interviewed reported having experienced sexual harassment in the workplace. In Singapore, 54.4% of respondents in a sample of 500 people reported experiencing sexual harassment, of which the proportions were 58.3% for women and 42% for men, respectively[1]. Sexual harassment in the workplace is increasingly seen as a serious problem in modern labour relations, as it not only infringes on the dignity and health of workers, but also negatively affects the performance of businesses and the stability of the working environment. Research results show that sexual harassment in the workplace can lead to consequences such as decreased labour productivity, increased conflict within the organisation, as well as damage to the reputation and sustainable development of enterprises[2]. Therefore, in recent years, the issue of preventing and combating violence and harassment in the workplace (including sexual harassment in the workplace) has become an important content in international legal standards.

An important turning point in the development of international labour standards was the adoption of Convention No. 190 on violence and harassment in the world of work in 2019 by the International Labour Organization (ILO) along with Recommendation No. 206. These instruments establish a new approach when considering violence and harassment in the workplace not only as individual misconduct but also as a systemic risk in the working environment, requiring the active participation of many actors in the prevention and handling of violations. Therefore, the responsibility for ensuring a safe working environment not only lies with the State through the establishment of an appropriate legal framework but is also associated with the obligations of enterprises as the direct entity responsible for organising and managing labour activities. On the basis of these international standards, many countries have gradually established legal regulations to determine the responsibilities of employers in preventing and handling sexual harassment in the workplace. However, the level of institutionalization of these obligations in national laws as well as the effectiveness of enforcement in the corporate environment still differ significantly. Some legal systems have developed relatively specific obligations for the prevention, receipt of reports and handling of harassment, while in others, corporate responsibilities are still mainly expressed through general regulations or requirements for the issuance of internal regulations.

In this context, academic studies on sexual harassment in the workplace have adopted in various approaches. Some of the most prominent works in the legal field have laid the groundwork for the consideration of sexual harassment in the workplace as a form of discrimination based on gender in employment relations, thereby promoting the development of legal mechanisms to protect workers against this behaviour[3]. However,

[1] VIETNAM. Ministry of Labour, Invalids and Social Affairs; INTERNATIONAL LABOUR ORGANIZATION. *Research Report: Sexual Harassment at the Workplace in Viet Nam: An Overview of the Legal Framework*. Hanoi, 2013. p. 15. Available at: https://www.ilo.org/sites/default/files/wcmsp5/groups/public/@asia/@robangkok/@ilo-hanoi/documents/publication/wcms_206106.pdf. Accessed on: 15 Oct. 2026.

[2] DUANE MORRIS VIETNAM LLC. *Report on Preventing Sexual Harassment in the Workplace: An Assessment of the Legal Framework and the Practical Implementation of These Regulations in Garment Factories in Vietnam*. 2018.

[3] MACKINNON, Catharine A. *Sexual Harassment of Working Women: A Case of Sex Discrimination*. New Haven: Yale University Press,

in these studies, the role of enterprises is often only considered as the context of sexual harassment in the workplace or as the enforcer of legal regulations issued by the State, while the responsibility of enterprises as a risk-managemententity in the working environment has not been fully analysed[4].

Stemming from that research gap, the paper focuses on analysing the responsibilities of enterprises in preventing and combating sexual harassment in the workplace through a combination of an analysis of international legal standards, a comparison of national laws, and practical survey data in the corporate environment. In this study, Korean law is used as a reference case because the country's legal system has relatively clearly established the obligations of employers in preventing and handling sexual harassment in the workplace. At the same time, the study also analyses legal regulations and practices implemented in Vietnamese enterprises to assess the level of compliance as well as challenges in implementation.

On that basis, the paper focuses on answering three main research questions:

(i) How do international legal standards determine the responsibilities of enterprises in preventing and combating sexual harassment in the workplace?

(ii) How have Korean and Vietnamese laws institutionalized these standards?

(iii) What challenges does practice in Vietnam reveal in transforming legal obligations into effective operational mechanisms in the corporate environment?

The paper contributes to existing research on sexual harassment in the workplace in three aspects:

Firstly, the paper develops a legal analytical framework on the responsibilities of enterprises in the prevention and control of sexual harassment in the workplace based on three basic groups of obligations, including: prevention; receipt of reports; and handling and remedying the consequences.

Secondly, the study provides empirical evidence on workplace sexual harassment practices and handling mechanisms in enterprises in Vietnam through survey data for employees and employers in two economic sectors with different working - environment characteristics.

Third, by comparing the approaches of Korean and Vietnamese laws in regulating employer responsibilities, the paper contributes to clarifying the challenges in the process of transforming international standards on prevention and control of sexual harassment in the workplace into legal obligations and implementation mechanisms at the national level.

2 Research methods

The paper uses a legal analysis method combined with legal comparison and practical survey data. Firstly, international legal standards related to the responsibilities of enterprises in preventing and combating sexual harassment in the workplace are analyzed to determine the basic obligations imposed on employers. On that basis, the legal comparison method is used to consider how these obligations are institutionalized in Korean and Vietnamese laws. The analysis and comparison are conducted according to three groups of responsibilities of enterprises, including prevention, receipt of reflected information, and handling and remediation. Survey data in Vietnam are used as a source of practical evidence to supplement legal analysis, thereby considering the extent to which legal obligations are transformed into operational mechanisms in the enterprise environment.

The survey was conducted between January and March 2025 for two subject groups, including employees and employers. The data used in the paper included 501 responses from employees and 65 responses from representatives of employers in the textile and garment sectors and banks in Hanoi, Ho Chi Minh City, and Binh Duong, based on administrative boundaries at the time of the survey. In the sample of employees, 286 people (57.1%) worked in the textile and garment sector and 215 people (42.9%) worked in the banking sector; women accounted for 66.3% of the participants. For the sample of employers, 56/65 responses (86.2%) came from the textile and garment sector and 9/65 responses (13.8%) came from the banking sector. The number of responses from the banking sector was lower because many branches of the same bank apply the same labour regulations and governance regulations issued by the managing bank. Therefore, the collection

1979.

4 MCCANN, Deirdre M. *Sexual Harassment at Work: National and International Responses*. Geneva: International Labour Office, 2005.

of multiple responses from branches of the same bank can lead to the repetition of information about the same internal governance mechanism. The survey data were collected within the framework of the author's doctoral thesis and are reused in this paper for the purpose of analyzing the practice of fulfilling the responsibilities of employers in the prevention of sexual harassment in the workplace[5].

The textile and banking sectors were deliberately selected on the basis of the characteristics of labour structure and working environment. Firstly, the focus on industries with a high proportion of female workers stems from the gender characteristics of sexual harassment in the workplace. According to CARE data cited in a study on sexual harassment in factories in Vietnam, women account for about 78% of victims of sexual harassment in the workplace[6]. Similarly, a survey by Better Work Vietnam showed that about 60% of respondents identified female workers as a vulnerable group to sexual harassment in the workplace[7]. On that basis, the study selected the textile and banking, both of which have a high proportion of female workers. In 2023, the textile and garment industry will had about 2.5 million female workers, accounting for 74.8% of the industry's workforce[8], while female workers in the banking industry account for about 58% of the total workforce[9].

In addition to the similarities in gender structure, these two sectors also reflect different labour-organisation contexts. The textile and garment sector is mainly organized in a centralized production environment, with work interaction largely taking place within the enterprise. Meanwhile, banks operate in the service sector, have a hierarchical organisational structure, and employees regularly interact with customers and partners outside the enterprise. This difference allows the study to examine the implementation of the responsibilities of enterprises to prevent and combat sexual harassment in working environments with different organizational and interactive characteristics, thereby supplementing the practical basis for assessing the level of fulfilment of legal obligations by employers.

The survey was conducted using a non-probability convenience sampling method based on accessibility, combined with the dissemination of the questionnaire through a network of participants, both in person and online through Google Forms. Participants were approached directly or through networks that referred and shared survey links. Because the online survey continued to be disseminated to participants through a variety of contacts, the total number of people who actually received the survey invitation was not fully determined. Therefore, the study did not take into account the overall response rate of the survey.

Two separate questionnaires were developed corresponding to the two groups of survey respondents. For employees, the questionnaire collected some basic information about gender, age, position, and working time, and focused on awareness of sexual harassment in the workplace, witnessing or experiencing forms of behaviour and employee reactions, and the ability to recognize and access mechanisms to prevent and combat sexual harassment within the enterprise. For employers, the questionnaire focused on the general characteristics of the enterprise, awareness of the responsibility to prevent and combat sexual harassment the development and dissemination of internal regulations, communication and training activities, mechanisms for receiving feedback, handling cases, and protection of harassed persons. Participants were informed of the purpose of using information for scientific research, and the information provided was kept anonymised.

Survey data were processed using descriptive statistical methods, mainly through the frequencies and percentages of response options. The results of the employee group and the employer group were analyzed

[5] TRAN, Thi Huyen Trang. *Vietnamese Labour Law on Workplace Sexual Harassment*. 2025. Doctoral dissertation (Economic Law) - Hanoi Law University, Hanoi, 2025.

[6] TIENG CHUONG. Declaring War on Sexual Harassment in Factories. 21 Sept. 2018. Available at: https://tiengchuong.chinhphu.vn/tuyen-chien-voi-nan-quay-roi-tinh-duc-tai-cac-nha-may-11325132.htm. Accessed on: 14 Oct. 2026.

[7] BETTER WORK VIET NAM. *Promoting Change: Better Work Viet Nam Takes on Sexual Harassment and Gender-Based Violence Through Targeted Initiatives*. 29 Jan. 2024. Available at: https://www.betterwork.org/empowering-change-better-work-viet-nam-takes-on-sexual-harassment-and-gender-based-violence-through-targeted-initiatives/. Accessed on: 15 Oct. 2026.

[8] INTERNATIONAL LABOUR ORGANIZATION. Empowering women in Viet Nam's textile and garment industry: the importance of training, skills development, and gender equality. 17 Mar. 2025. Available at: https://www.ilo.org/resource/article/empowering-women-viet-nams-textile-and-garment-industry-importance-training. Accessed on: 15 Oct. 2026.

[9] GIANG, Huong; GIAP, Hoang. Women in the Banking Sector Ready to Enter the Nation's Era of Rise. *Banking Review*, 8 Mar. 2025. Available at: https://tapchinganhang.gov.vn/phu-nu-nganh-ngan-hang-san-sang-buoc-vao-ky-nguyen-vuon-minh-cua-dan-toc-15651.html. Accessed on: 15 Oct. 2026.

separately according to the structure of each questionnaire. The two groups of employees and employers are two independent survey samples, not corresponding employer–employee pairs. For directly related contents, the results of the two groups are compared to identify similarities or differences between the mechanisms that the enterprise believes it has established and the degree to which workers are aware of or able to access those mechanisms in practice. The study did not perform inferential statistical tests.

Due to the use of non-probability sampling, the survey results are interpreted within the scope of the research sample and are not used to estimate the prevalence of the phenomenon in the entire Vietnamese workforce. The survey data are mainly used to supplement the legal analysis, to help identify problems that arise in the process of carrying out fulfilling responsibilities to prevent and combat sexual harassment in the workplace, and provide a practical basis for assessing the gap between legal regulations and implementation mechanisms at enterprises.

3 International legal standards on responsibilities of enterprises in preventing and combating sexual harassment in the workplace

Sexual harassment in the workplace has become an issue that has received the attention of international law from an early stage. For decades, international organizations have included the issue of sexual harassment in the workplace on the agenda of international forums[10] and conferences[11], and called on countries to take urgent action to address violence and harassment against both women and men in general, as well as sexual harassment in the workplace in particular. In 1985, the ILO recorded an important development when the International Labour Conference adopted the Resolution on Equal Opportunities and Equal Treatment for Men and Women in Employment. The resolution recognizes the adverse impact of sexual harassment on working conditions, job prospects, and promotion, and requires policies that promote equality to include measures to prevent and combat sexual harassment[12].

It was not until 1989 that the term sexual harassment was first officially used by the ILO in an international legal instrument, when Convention No. 169 on Indigenous Peoples and Tribes stipulated that workers from indigenous communities must be guaranteed equal opportunities and treatment between men and women in employment, and be protected from sexual harassment[13]. The most significant development in the international labour standards system in this regard took place in 2019, when the ILO adopted Convention No. 190 on Violence and Harassment in the World of Work[14]. This Convention recognises that sexual harassment in the workplace is a serious form of violence and harassment that needs to be effectively prevented and dealt with. In particular, Convention 190 emphasizes that States Parties must take appropriate measures to ensure that employers take the necessary steps to prevent and address violence and harassment in the world of work. It is worth noting that Convention No. 190 not only places obligations on States to establish a legal framework but also emphasizes the role of enterprises as direct actors in organizing and managing the workplace environment where acts of sexual harassment in the workplace can arise and have a direct impact on workers. To concretize the obligations established in Convention No. 190, the ILO has issued Recommendation No. 206 on violence and harassment in the world of work[15]. It provides detailed guidance on measures

[10] UNITED NATIONS. *The 2030 Agenda and the Sustainable Development Goals: An Opportunity for Latin America and the Caribbean*. Santiago: United Nations, 2018. p. 34, 43. Available at: https://repositorio.cepal.org/server/api/core/bitstreams/6321b2b2-71c3-4c88-b411-32dc215dac3b/content. Accessed on: 26 Apr. 2026.

[11] UNITED NATIONS. *Beijing Declaration and Platform for Action*. Adopted at the Fourth World Conference on Women, Beijing, 15 Sept. 1995. In: *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995*. A/CONF.177/20/Rev.1. New York: United Nations, 1996. Available at: https://digitallibrary.un.org/record/250039. Accessed on: 25 Apr. 2026.

[12] INTERNATIONAL LABOUR ORGANIZATION. Resolution on Equal Opportunities and Equal Treatment for Men and Women in Employment. Adopted by the International Labour Conference at its 71st Session, Geneva, 1985. *Official Bulletin*, v. LXVIII, Series A, n. 2, 1985. p. 91.

[13] INTERNATIONAL LABOUR ORGANIZATION. *Indigenous and Tribal Peoples Convention, 1989 (No. 169)*. Art. 20(3)(d). Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169.
Accessed on: 15 Oct. 2026 .

[14] INTERNATIONAL LABOUR ORGANIZATION. *Violence and Harassment Convention, 2019 (No. 190)*. Arts. 9–10. Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3999810. Accessed on: 15 Oct. 2026

[15] INTERNATIONAL LABOUR ORGANIZATION. *Violence*

that countries and businesses need to adopt in practice. The Recommendation emphasizes that the prevention and control of violence and harassment should be integrated into the corporate governance system, including the development of clear codes of conduct, the organization of training for workers, and the establishment of appropriate complaint mechanisms.

Accordingly, the responsibility of enterprises in preventing and combating sexual harassment in the workplace is firstly reflected in preventive measures. According to Article 9 of Convention No. 190, employers must take appropriate measures to prevent violence and harassment in the world of work. This provision shows that international law not only places the responsibility for handling when violations have occurred, but also requires enterprises to proactively identify and manage risks that can lead to violence and harassment. Recommendation No. 206 further concretizes this obligation when recommending that enterprises integrate measures to prevent and combat violence and harassment into their occupational health and safety management systems. This reflects an increasingly pronounced trend in international law where sexual harassment in the workplace is seen as a risk in the management of the working environment, similar to risks related to occupational safety and health.

In addition to the responsibility for prevention, international standards also emphasize the responsibility of enterprises to receive complaints related to sexual harassment in the workplace. Article 10 of Convention No. 190 requires countries to ensure the existence of safe, fair, and effective complaint and dispute resolution mechanisms for acts of violence and harassment in the world of work. This provision stems from the fact that many victims of sexual harassment in the workplace have difficulty reporting violations due to concerns about negative impacts on employment positions or employment relations. Therefore, Recommendation No. 206 emphasizes that complaint mechanisms should ensure confidentiality, protect whistleblowers from the risk of retaliation, and facilitate easy access to reporting channels for workers. Thus, the responsibility of enterprises is not only to establish a formal complaint channel but also to ensure that the mechanism is genuinely effective in protecting workers.

In addition to the two groups of responsibilities mentioned above, international law also emphasizes the responsibility of enterprises to handle and remedy the consequences of acts of sexual harassment in the workplace. When this behavior occurs, the responsibility of the enterprise is not only limited to identifying and dealing with the violator, but also includes restoring a safe working environment and supporting the person being harassed. This approach is also reinforced in the UN Guiding Principles on Business and Human Rights[16], according to which enterprises have a responsibility to respect human rights and need to provide for or cooperate in the remediation of adverse impacts on human rights arising from their activities. Grievance mechanisms at the enterprise level therefore not only create conditions for workers to report adverse impacts but also contribute to identifying and remedying those impacts in practice. In the context of sexual harassment in the workplace, this requires the enterprise to undertake an objective investigation of complaints, apply appropriate measures to the violator, and provide the necessary support measures to the person being harassed.

From the above-mentioned international legal standards, it can be seen that the responsibilities of enterprises in preventing and combating sexual harassment in the workplace are not only passive but also designed as a system of managerial measures to prevent, detect, and handle acts of harassment in the working environment.

4 Responsibilities for preventing sexual harassment at the workplace of enterprises in Korean and Vietnamese laws

To analyze and compare the approaches of national laws in determining employers' responsibilities for sexual harassment in the workplace, this study uses an analytical framework consisting of three basic groups of corporate obligations, including: (i) responsibility for

and Harassment Recommendation, 2019 (No. 206). Paras. 8–9. Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206. Accessed on: 15 Oct. 2026

[16] UNITED NATIONS. Office of the High Commissioner for Human Rights. *Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework*. Geneva: United Nations, 2011. Principles 11, 22.

prevention; (ii) responsibility for receiving reports; and (iii) responsibility for handling and remediation. This framework is built on the basis of systematizing groups of obligations recognized in international standards. Specifically, Article 9 of Convention No. 190 focuses on preventive measures that employers need to take, including workplace policies, risk identification and assessment, control measures, provision of information and training; while Article 10 emphasizes mechanisms for reporting, complaints, investigations, protection from retaliation, sanctions and remedial measures. Recommendation No. 206 further concretizes these requirements for workplace policy, complaint procedures and investigations, confidentiality, protection against retaliation, and risk assessment. On that basis, the study systematizes the above-mentioned requirements into three interrelated groups of responsibilities to serve as a framework for analyzing Korean and Vietnamese laws. In this study, Convention No. 190 is used as an international reference standard to compare the degree of concretization of employers' responsibilities in Korean and Vietnamese laws. At the time of the study, neither country had ratified this Convention[17].



Figure 1. Framework for analyzing the responsibilities of employers in the prevention and control of sexual harassment in the workplace.

4.1 Provisions of Korean law on the responsibilities of employers in the prevention and control of sexual harassment in the workplace

Korean law has established a relatively comprehensive legal framework for regulating sexual harassment in the workplace. The relevant regulations are mainly established in the Equal Employment Opportunity and Work - Family Balance Assistance Act (EEO Act)[18], along with its implementing documents. The notable point of this legal model is that the responsibility of employers is not limited to prohibiting sexual harassment in the workplace but is instead designed as a multi-tiered system of obligations, including the obligation to prevent; the obligation to receive and investigate reports; as well as the obligation to handle and remedy the consequences when sexual harassment in the workplace occurs. This shows that Korean law has concretized the responsibility of employers to prevent sexual harassment in the workplace in a substantive way, rather than merely encouraging implementation[19]. This orientation also has many similarities with the current trend of international labour standards, in which the proactive responsibility of employers is considered an important factor in preventing and handling violence and harassment in the workplace.

First, in terms of responsibility for prevention, Korean law establishes specific obligations for employers, rather than just encouraging compliance. Accordingly, employers must organize sexual harassment prevention education in the workplace at least once a year and regularly post or arrange educational content in a place where employees can easily access it[20]. Notably, the obligation to educate on sexual harassment prevention in the workplace does not exist as a mere formal requirement but is specified in quite detail in the Enforcement Decree of the Equal Employment Opportunity and Work-Family Balance Assistance Act (currently in force under Presidential Decree No. 36589 dated August 18, 2026, effective from September 18, 2026)[21]. Ac-

[17] INTERNATIONAL LABOUR ORGANIZATION. NORMLEX. Up-to-date Conventions and Protocols Not Ratified by Republic of Korea. C190 - Violence and Harassment Convention, 2019 (No. 190). Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103123. Accessed on: 13 Oct. 2026;
INTERNATIONAL LABOUR ORGANIZATION. NORMLEX. Up-to-date Conventions and Protocols Not Ratified by Viet Nam. C190 - Violence and Harassment Convention, 2019 (No. 190). Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103004. Accessed on: 15 Oct. 2026.

[18] REPUBLIC OF KOREA. *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Originally enacted as the *Sexual Equality Employment Act*, Act No. 3989, 4 Dec. 1987; as amended by Act No. 21476, 17 Mar. 2026, effective 18 Sept. 2026. Available at: https://law.go.kr/LSW/lsInfoR.do?chrClsCd=010202&efYd=20260918&lsiSeq=284457. Accessed on: 15 Oct. 2026.

[19] TRAN, Thi Huyen Trang. Korean Legal Regulations on Sexual Harassment in the Workplace and Some Suggestions for Vietnam. *Vietnam Journal of Social Science Manpower*, n. 7 (122), p. 25-32, 2023.

[20] REPUBLIC OF KOREA. *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Originally enacted as the *Sexual Equality Employment Act*, Act No. 3989, 4 Dec. 1987; as amended by Act No. 21476, 17 Mar. 2026, effective 18 Sept. 2026. Art. 13(1)-(3). Available at: https://law.go.kr/LSW/lsInfoR.do?chrClsCd=010202&efYd=20260918&lsiSeq=284457. Accessed on: 15 Oct. 2026.

[21] REPUBLIC OF KOREA. *Enforcement Decree of the Equal Employment Opportunity and Work-Family Balance Assistance Act*. Presi-

cordingly, the compulsory educational content includes legal provisions on sexual harassment in the workplace, handling procedures and standards for applying measures when violations occur, procedures for counseling and supporting harassed persons, and other necessary content for prevention. At the same time, educational activities must be carried out in a way that ensures that the content is actually communicated to employees, instead of just distributing formal documents or notices (Article 3).

Thus, it can be seen that Korean law does not leave enterprises with the full discretion to decide whether to have sexual harassment prevention training in the workplace and what to train, but establishes this obligation with specific legal requirements. Therefore, training activities are no longer merely an internal communication measure but become part of the labour law compliance mechanism. In order to ensure that this obligation is fulfilled in a substantive way, Korean law also establishes a legal mechanism that links the responsibility for training with the obligation to record and prove the implementation. Article 13-2(4) of the EEO Act stipulates that when preventive education is entrusted to a designated institution, the institution must keep data related to the training process, such as certificates of completion or participant lists, and provide these documents to the employer or the participant when necessary. In addition, employers are obliged to keep for three years statutory documents, including documents proving the implementation of prevention education and documents on disciplinary measures against persons who commit acts of sexual harassment in the workplace[22]. The responsibility for prevention is therefore directly associated with a specific inspection and supervision mechanism, thereby limiting the situation of enterprises organizing perfunctory training or merely meeting legal requirements. However, the fact that the law stipulates the training content in detail also shows that this model is more inclined to establish verifiable compliance criteria, while the effectiveness of prevention in practice still depends significantly on how the enterprise organises and implements training activities in the working environment.

Secondly, regarding the obligation to receive internal reports and complaints about sexual harassment in the workplace, Korean law applies a fairly progressive approach when it does not limit the right to report to only the victim of harassment, but allows anyone who is aware that sexual harassment in the workplace has occurred to report the incident to the employer (Article 14 (1) of the EEO Act). This regulation has similarities with the orientation of Recommendation No. 206 when emphasizing the requirement for a complaint mechanism, investigation, confidentiality, and protection of complainants, victims, witnesses, and whistleblowers from the risk of retaliation[23]. In many cases, the person being harassed is unwilling or unable to take the initiative to report due to concerns about job position, organizational pressure, or the risk of retaliation. The expansion of the right to report thus contributes to reducing the burden of whistleblowing on the person being harassed, and reflects the notion that sexual harassment in the workplace is not just a personal problem but a risk of the working environment that needs to be identified by the organisation.

Not only acknowledging the right to report sexual harassment in the workplace internally, Article 14(2) of the EEO Act also stipulates that upon receipt of a report or upon becoming aware of the incident, the employer must promptly conduct an investigation to verify whether the incident has occurred. It should be emphasized that Korean law does not allow the investigation to depend on the discretion of the enterprise, but establishes this as a mandatory legal obligation, thereby contributing to improving the efficiency of the internal complaint reception and handling mechanism. However, giving the employer a central role in the investigation process also places high requirements on the objectivity and independence of the internal han-

dential Decree No. 36589, 18 Aug. 2026, effective 18 Sept. 2026. Art. 3. Available at: https://www.law.go.kr/lumLsLinkPop.do?lspttninfSeq=71221. Accessed on: 15 Oct. 2026.

[22] REPUBLIC OF KOREA. *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Originally enacted as the *Sexual Equality Employment Act*, Act No. 3989, 4 Dec. 1987; as amended by Act No. 21476, 17 Mar. 2026, effective 18 Sept. 2026. Arts. 13-2(4), 33. Available at: https://law.go.kr/LSW/lsInfoR.do?chrClsCd=010202&efYd=20260918&lsiSeq=284457. Accessed on: 15 Oct. 2026; REPUBLIC OF KOREA. *Enforcement Decree of the Equal Employment Opportunity and Work-Family Balance Assistance Act*. Presidential Decree No. 36589, 18 Aug. 2026, effective 18 Sept. 2026. Art. 19, subparas. 2-3. Available at: https://www.law.go.kr/lumLsLinkPop.do?lspttninfSeq=71221. Accessed on: 15 Oct. 2026.

[23] INTERNATIONAL LABOUR ORGANIZATION. *Violence and Harassment Recommendation, 2019 (No. 206)*. Para. 7(d)-(g). Available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R206. Accessed on: 15 Oct. 2026.

dling mechanism, especially in cases where the accused person holds a managerial position in the organization. In addition, Korean law also stipulates a confidentiality obligation for the person conducting the investigation, the recipient of the results report, and those participating in the investigation process, whereby these persons are not allowed to disclose information learned during the investigation against the will of the affected person, except in cases prescribed by law (Article 14(7)). The requirement of confidentiality is therefore essential in cases of sexual harassment in the workplace, which often involve sensitive information and the private life of the affected person.

In addition, Korean law also expands the responsibility of employers for third-party harassment, especially by customers. Accordingly, when a customer or a person closely connected with the work commits an act that makes the employee feel sexually humiliated or disgusted during the performance of the job and the employee requests assistance in resolving the difficulties that arise, the employer must apply appropriate measures such as changing the place of work, adjusting duties, or taking paid leave. At the same time, employers are not allowed to dismiss or apply adverse measures against employees because they report this behaviour or do not meet the customer's sexual demands (Article 14-2(1) - (2)). This regulation has practical implications for industries where employees are in frequent contact with customers or entities outside the enterprise.

Thirdly, in terms of handling and remedying consequences, Korean law not only recognises the principle but also concretizes the obligations and measures that the employer must take. Accordingly, the employer must apply measures to protect the victim during the investigation period (Article 14(3) of the EEO Act). If it is determined that sexual harassment in the workplace has occurred, the employer must take necessary measures such as changing the workplace, changing duties, or granting paid leave for the victim at their request, and must apply appropriate handling measures to the person who commits the harassment, including discipline or change of workplace. Before deciding on measures against the person who commits the act, the employer must hear from the harassed person about the proposed measure. These obligations were considered directly by the Supreme Court of Korea in its ruling dated 14/11/2024 (2023Da276823), regarding a case where a manager committed sexual assault on an employee, but the enterprise did not take disciplinary action but dismissed the employee. In the case, the Court considered the fulfilment of the obligation to take necessary measures and the obligation to listen to the opinions of the harassed worker under Article 14(5) of the EEO Act[24]. This approach shows that the law is not only aimed at dealing with violators but also focuses on protecting the harassed person and limiting the risk of secondary victimisation. At the same time, Article 14(6) prohibits employers from taking adverse measures against the reporter or the person being harassed, including dismissal, discipline, demotion, restrictions on promotion, and other forms of adverse treatment.

In addition to the internal handling mechanism, since 19 May 2022, Korean law also allows employees to request the Labour Relations Commission to apply remedial measures for the employer's violations. According to Article 26 of the EEO Act, in some cases where an employer fails to take appropriate measures to protect the person being harassed under Article 14(4) or Article 14-2(1), or takes adverse measures prohibited under Article 14(6) and Article 14-2(2), the employee has the right to request the Labour Relations Committee to apply remedial measures[25]. The remedial decision may include termination of the violation, improvement of working conditions, amendment of labour regulations or collective agreement, and appropriate compensation. In case the employer has a clear intentional fault or the violation is repeated, the compensation can be up to three times the actual damages (Article 29-2). The addition of this mechanism is important because it creates an additional protection mechanism outside the enterprise, thereby limiting the complete dependence on the internal reporting and handling process.

In order to improve the efficiency of implementation, Korean law associates the above – mentioned obligations with specific sanctions for employers . According to current law, if the employer itself commits

[24] LEE, DongUk. A Study on Employer's Liability for Workplace Sexual Harassment and the Employer's Duties under Article 14(5) of the Equal Employment Opportunity and Work-Family Balance Assistance Act. *Journal of Social Security Law*, n. 56, p. 315-353, 2025. DOI: 10.22949/kassl.2025.. 56.009.

[25] REPUBLIC OF KOREA. Act No. 18178, 18 May 2021, effective 19 May 2022, amending the *Equal Employment Opportunity and Work-Family Balance Assistance Act* and inserting Arts. 26-29-7. Available at: https://law.go.kr/LSW/lsInfoP.do?efYd=20220519&lsiSeq=232225. Accessed: 15 Oct. 2026; REPUBLIC OF KOREA. *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Art. 26.

sexual harassment in the workplace, the employer may be subject to an administrative fine of up to 10 million won. In the case of failing to organize preventive education, failing to publicise the educational content as prescribed, failing to conduct an investigation when there is a report or when the incident occurs, failing to take appropriate measures under Article 14(4), failing to apply handling measures to the person who commits the act under Article 14(5), or violating the confidentiality obligation under Article 14(7), the employer may be subject to an administrative fine of up to 5 million won. Failure to take appropriate measures against employees who are harassed by customers under Article 14-2(1) may be subject to an administrative fine of up to 3 million won. More severely, if adverse measures are taken against the reporter or the person who is harassed contrary to Article 14(6), the employer can be held criminally liable and sentenced to imprisonment for up to three years or a fine of up to 30 million won under Article 37(2) of the EEO Act.

Notably, the EEO Act will continue to be further amended in 2026. Act No. 21700, dated May 26, 2026, has been promulgated but will only take effect from November 27, 2026. According to this amendment, representative of a legal entity (법인의 대표자) is added to the scope of subjects who commit acts in the definition and the provisions prohibiting sexual harassment in the workplace, and is added to the group of subjects who must participate in prevention education. The scope of subjects who can be subject to administrative fines for sexual harassment is also expanded to legal representatives and some relatives of employers or legal representatives when these subjects are superiors or employees within the establishment[26]. This amendment shows that Korean law continues to adjust the scope of responsible subjects to overcome gaps in the mechanism for handling sexual harassment in the workplace.

Thus, it can be seen that Korean law has developed a relatively comprehensive mechanism of employer responsibility for the prevention and control of sexual harassment in the workplace. This model not only includes preventive measures but also establishes a mechanism for receiving reports, investigating, and handling violations, and links those obligations to specific legal sanctions and remedial mechanisms. Compared with ILO Convention No. 190 and Recommendation No. 206, it can be seen that the approach of Korean law has many similarities with the international trend of preventing and combating violence and harassment in the world of work, especially in emphasizing the proactive responsibility of employers in preventing and handling violations.

4.2 Provisions of Vietnamese law on responsibilities of employers for prevention and control of sexual harassment at the workplace and implementation practices

Vietnam's current labour law has initially established a legal framework that holds employers to be responsible for preventing sexual harassment in the workplace. The Labour Code 2019 provides a legal definition of sexual harassment in the workplace for the first time and imposes obligations on employers to build a safe working environment and respect the dignity of employees. At the same time, the law requires employers to specify the contents of sexual harassment prevention in the internal labour regulations or the appendices attached to the internal labour regulations. It can be seen that Vietnamese law chooses a relatively specific approach when focusing on the internal governance mechanisms of the enterprise. This method allows enterprises to concretize regulations in accordance with the conditions of labour organisation, industry-specific characteristics, and the specific working environment[27]. However, the significant reliance on internal labor regulations also gives rise to a notable problem. The effectiveness of the mechanism to prevent and combat sexual harassment in the workplace depends not only on legal regulations, but also on whether the enterprise actually designs, disseminates and implements those internal regulations effectively.

Firstly, with regard to the responsibility for prevention, Vietnamese labour law requires employers to strictly prohibit sexual harassment in the workplace and specify sexual harassment acts in accordance with the

[26] REPUBLIC OF KOREA. *Equal Employment Opportunity and Work-Family Balance Assistance Act*. Originally enacted as the *Sexual Equality Employment Act*, Act No. 3989, 4 Dec. 1987; as amended by Act No. 21476, 17 Mar. 2026, effective 18 Sept. 2026. Arts. 37(2), 39(2)-(4). Available at: https://law.go.kr/LSW/lsInfoR.do?chrClsCd=010202&efYd=20260918&lsiSeq=284457. Accessed on: 15 Oct. 2026.

[27] NGUYEN, Huu Chi; NGUYEN, Van Binh (eds.). Scientific Commentary on the 2019 Labour Code. Hanoi: Justice Publishing House, 2022, p. 341.

nature and characteristics of the job and workplace in the internal labour regulations or appendices attached to the internal labour regulations. At the same time, employers are obliged to organize communication, dissemination, and education on laws and regulations on prevention and control of sexual harassment in the workplace for employees[28]. These regulations provide a basis for employees to recognize prohibited acts and for employers to organize the implementation of prevention and control measures within the enterprise. However, the current law mainly sets requirements for the establishment and dissemination of rules, while it does not specify proactive prevention obligations such as periodic training on the identification of behaviours, development of codes of conduct, assessment of the risk of sexual harassment in the workplace or the application of corresponding risk control measures.

The results of a 2025 survey of 501 workers in the textile and banking sectors show that different types of behaviours of a sexual harassment nature are witnessed or experienced to varying degrees in the work environment. Overall, verbal behaviours or those involving no physical contact are more common than serious physical acts.

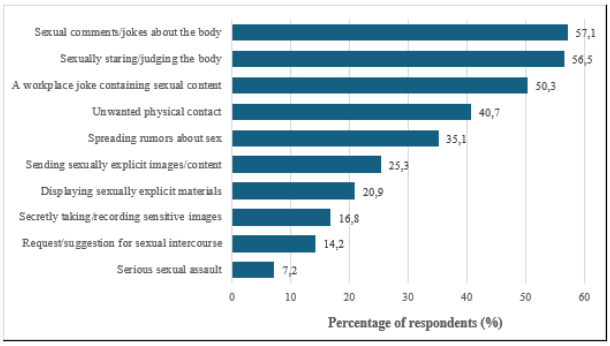


Figure 2. Types of workplace sexual harassment witnessed or experienced by employees

(n = 501)

Source: Author's survey data within the framework of doctoral thesis, 2025.

Note: The survey question generally records respondents "witnessing or experiencing" each type of behavior, so the data does not separate the two cases.

This result shows that the responsibility of enterprises to prevent cannot be understood only as the recognition of prohibited behaviours in the internal labour regulations. The fact that verbal behaviours or behaviours involving no physical contact are recorded more commonly indicates that the risk of sexual harassment can arise in everyday communication in the workplace and is not always easily identified. Therefore, the requirement to prevent should be transformed from a principled prohibition into specific standards of conduct, helping employees recognize the boundaries of inappropriate behavior and helping employers intervene early. Guidance and training activities, accordingly, are not only aimed at disseminating legal regulations but also serve as a tool to ensure that these standards to be recognized and implemented in the working environment.

Secondly, with regard to the mechanism for receiving complaints, Vietnam's labour law requires employers to stipulate in the internal labour regulations the order and procedures for handling sexual harassment in the workplace. Logically, this process can only be operated when the enterprise establishes a clear mechanism for receiving reports, including the identification of the person or department in charge, the channels for receiving reports, and measures to ensure the safety of the reporter. However, although the law requires enterprises to stipulate competent persons, time limits, order, and procedures for internal handling, and at the same time sets requirements for the protection of confidentiality, honour, dignity, and safety of the persons concerned, the minimum standards for the reporting mechanism have not been fully specified[29]. The law has not unified the designated contact points and channels for receiving reports, time limits for handling reports, as well as the protection of reporters against retaliation. Therefore, the specificity and accessibility of this mechanism still depends significantly on the internal rules and implementation practices of each enterprise.

The survey results show that there is a certain discrepancy between employers' and employees' assessments of the mechanism for receiving and handling sexual ha-

[28] VIETNAM. Government. Decree No. 145/2020/NĐ-CP of 14 Dec. 2020 Detailing and Guiding the Implementation of a Number of Articles of the Labor Code on Working Conditions and Labor Relations. Art. 85(1)(a)-(b); Art. 86(1)(b). Available at: https://chinhphu.vn/default.aspx?docid=201967&pageid=27160. Accessed on: 15 Oct. 2026.

[29] DINH, Tran Ngoc Huyen; NGUYEN, Thanh Phuong; Quach, Phong Phu. Law on Workplace Sexual Harassment: Current Situation and Prevention Experiences in Selected Countries. *Journal of Science and Development Economics*, n. 35, p. 30-40, 2025. Available at: https://jsde.nctu.edu.vn/jsde/article/view/544. Accessed on: 15 Oct. 2026.

rassment reports within the enterprise. This difference is considered in two respects: the process of receiving and handling reports and the designation of individuals or departments responsible for implementing this mechanism.

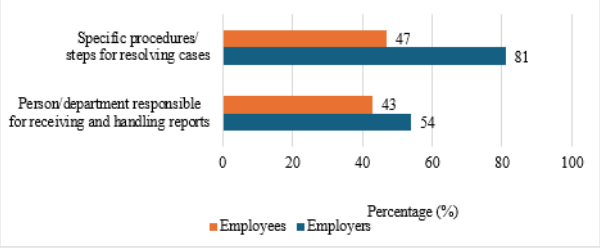


Figure 3. Perceptions of employers and employees regarding internal mechanisms for receiving and handling workplace sexual harassment reports

(n = 65 employers; n = 501 employees).

Source: Author's survey data within the framework of doctoral thesis, 2025.

Note: The two survey groups use different scales. For employees, the ratio of "not yet available/unknown" is compiled from two options "not yet regulated" and "regulated but not detailed, difficult to apply". The two survey samples are independent, so the data are only compared in the direction of description.

It can be noticed that there is a difference in the opinions of the survey groups on the process of handling sexual harassment in the workplace, while the majority of employers think that the enterprise has established a specific process, a significant percentage of employees still do not clearly identify the steps to resolve the case. For the individual or department receiving the report, the difference between the two groups is less clear. This shows that the existence of an internal mechanism does not mean that the mechanism is clearly recognized and accessed by employees. A reporting mechanism is only substantive when employees know where to report, understand how to use it and can access the process conveniently[30]. Therefore, in addition to the requirement to establish the order and procedures in the internal labour regulations, the law needs to pay more attention to the guarantees of transparency, accessibility and operational effectiveness of the reporting mechanism in practice.

Thirdly, with regard to the responsibility to handle and remedy the consequences, Vietnam's labour law requires employers to prescribe disciplinary actions against persons who commit acts of sexual harassment in the workplace and persons who make false accusations, commensurate with the nature and severity of the acts, and at the same time stipulate compensation for damages to victims and remedial measures[31]. When complaints and denunciations arise about acts of sexual harassment in the workplace, the employer is also responsible for promptly preventing, handling, and implementing measures to protect the dignity, honour and safety of the harassed person, the complainant or denunciator, and the person subject to complaints and denunciations[32]. These regulations show that the responsibility of enterprises after harassment occurs is not only aimed at handling violators but also includes overcoming adverse consequences for the harassed person. Recent adjudication practice shows that the internal regulations and handling processes of enterprises are not only meaningful in workplace governance but also become an important basis for the Court to assess the legality of handling measures for sexual harassment. In the first-instance Judgment No. 01/2026/LD-ST dated May 22, 2026, the People's Court of Region 7 - Bac Ninh determined that there were sufficient grounds for sexual harassment and that the disciplinary dismissal of the enterprise was in accordance with regulations after reviewing evidence on conduct, labour regulations, and the process of verification, dialogue, and organization of disciplinary meetings[33]. The case shows that the responsibility of the enterprise is only of substantive significance when the prohibited act is clearly stipulated in the internal regulations and the enterprise can prove that the handling process has been carried out correctly.

However, the implementation practice shows that the concretization of responsibility for handling and remediation in internal regulations of enterprises is not

[30] TÜRKE, Mariana Aparecida Vilmondes. Business and Human Rights in Brazil: Exploring Human Rights Due Diligence and Operational-Level Grievance Mechanisms in the Case of Kinross Paracatu Gold Mine. *Revista de Direito Internacional / Brazilian Journal of International Law*, v. 15, n. 2, p. 221-241, 2018, esp. p. 231-232, 238-239. DOI: 10.5102/rdi.v15i2.5357.

[31] VIETNAM. Government. *Decree No. 145/2020/ND-CP of 14 Dec. 2020 Detailing and Guiding the Implementation of a Number of Articles of the Labor Code on Working Conditions and Labor Relations*. Art. 85(1)(d)-(dd). Available at: https://chinhphu.vn/default.aspx?docid=201967&pageid=27160. Accessed on: 15 Oct. 2026.

[32] VIETNAM. Government. *Decree No. 145/2020/ND-CP of 14 Dec. 2020 Detailing and Guiding the Implementation of a Number of Articles of the Labor Code on Working Conditions and Labor Relations*. Art. 85(1)(a)-(b); Art. 86(1)(b). Available at: https://chinhphu.vn/default.aspx?docid=201967&pageid=27160. Accessed on: 15 Oct. 2026.

[33] VIETNAM. People's Court of Region 7 - Bac Ninh. Judgment No. 01/2026/LD-ST, dated 22 May 2026, on a dispute over disciplinary dismissal.

fully consistent. The survey of 501 employees showed differences in their assessment of the specificity of internal regulations related to sanctions for those who commit acts of sexual harassment in the workplace and compensation for damages to those who are harassed.

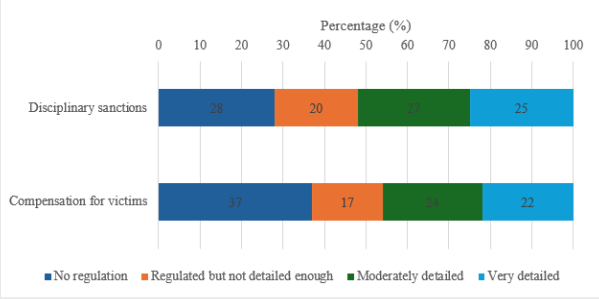


Figure 4. Employees' assessment of the specificity of internal regulations on disciplinary sanctions and compensation for workplace sexual harassment (n = 501). Source: Author's survey data within the framework of doctoral thesis, 2025.

Notably, 37% of employees surveyed said that the enterprise did not have regulations on compensation for damages to the harassed person, while the rate of giving the same assessment for the sanction applied to the person who committed the act was 28%. This difference shows that the internal mechanism still tends to focus on controlling and handling violations rather than remedying the consequences for the harassed person. However, if the sanction is to ensure discipline and order in labour relations, the responsibility of the enterprise must also be directed towards restoring the rights and interests of the harassed person after the act occurs. Therefore, handling violators and remedying consequences should be considered as two cohesive parts of the same responsibility mechanism, instead of focusing mainly on sanctioning violators.

In summary, Vietnamese law has established the basic elements of employers' responsibilities in the prevention and control of sexual harassment in the workplace. However, current obligations still focus significantly on the establishment of internal regulations, while the requirements to ensure the substantive recognition, accessibility, and operation of mechanisms for prevention, reception of reports, handling, and remediation have not been adequately concretized.

5 Discussion

5.1 Gap between international standards and Korean and Vietnamese laws on the responsibility of enterprises in preventing and combating sexual harassment in the workplace

The results of the study show that the gap between international standards and Korean and Vietnamese laws in regulating the responsibilities of enterprises in preventing and combating sexual harassment in the workplace is not only reflected in the level of recognition of the obligations of enterprises, but also in the way these obligations are concretized and ensured. In international standards, the responsibility of enterprises is associated with the requirement to proactively prevent, receive reports, handle cases, and remedy adverse impacts of violence and harassment in the working environment.. Meanwhile, the laws of Korea and Vietnam show different levels of concretization for this responsibility.

It is the difference in the way responsibilities are concretized that leads to a notable problem when legal obligations may exist in writing but have not yet created corresponding changes in practice. The comparison between Korea and Vietnam clearly shows that. While Korean law links the responsibility of employers to many specific verifiable actions, Vietnamese law gives enterprises a significant scope to concretize the content and method of implementation through internal labour regulations and internal governance mechanisms. As a result, the effectiveness of employee protection depends not only on legal regulations but also on the level of concretization, dissemination and implementation of each enterprise.

The survey results in this study also show that there is a mismatch between the assessment of employers and employees on the mechanism for receiving and processing reports, with the difference is more evident in the aspect of the processing process. This discrepancy shows that the obligations of enterprises have not always been implemented in a way that employees can recognize and use in practice. Thereby, it can be seen that the problem lies not only in the presence or absence of regulations, but also in how those obligations are

transformed into conditions to ensure implementation in the working environment.

From this, it can be seen that the gap between international standards and Korean and Vietnamese laws is not only the gap in the level of recognition of obligations, but also the gap in how to concretize and ensure the implementation of the responsibilities of enterprises. When this responsibility is mainly implemented through the promulgation of internal regulations, the effectiveness of implementation can significantly depend on the level of initiative of each enterprise. On the contrary, when the responsibility of enterprises is associated with specific obligations, which can be verified and monitored, the ability to move from procedural compliance to substantive compliance will be clearer[34].

5.2 Legal implications of the responsibility of enterprises in the prevention and control of sexual harassment in the workplace

From the results of the analysis of international standards, Korean law and Vietnamese legal practice, it is possible to draw some legal implications for the design of the responsibility of enterprises in the prevention and control of sexual harassment in the workplace. Accordingly, the responsibilities of enterprises need to be concretized in association with each content of the process of preventing and combating sexual harassment in the workplace, on the basis of a combination of minimum legal requirements, practical conditions and comparative legislative experience.

Firstly, for the responsibility to prevent, it is necessary to establish clear legal obligations to require enterprises to actively identify and control the risks of sexual harassment in the workplace. Specifically, in addition to the requirement to promulgate internal labour regulations, the law should stipulate the obligation to organize periodic training on sexual harassment identification and prevention, associated with the requirement to store documents make them available for inspection. At the same time, it is necessary to determine the responsibility of enterprises in developing and disseminating specific standards of conduct in the working environment. The addition of the obligation to periodically train and disseminate standards of conduct in enterprises is not only aimed at raising awareness, but also contributes to the formation of predictable standards of behaviour in the working environment. When employees can clearly identify which behaviors are unacceptable, the risk of sexual harassment in the workplace will be limited from the beginning, instead of only being dealt with after it occurs. It is worth noting that these obligations do not significantly increase the operating costs of the enterprise, because they can be integrated into the existing internal training programs of the enterprise. On the contrary, the benefit achieved is the minimisation of legal risks and dispute settlement costs incurred later. The implementation of these obligations can be implemented through the addition of mandatory content in the internal labour regulations or implementation guiding documents.

Secondly, for the mechanism for receiving reports, it is necessary to shift from a formal approach to establishing minimum legal standards to ensure accessibility and use in practice. Accordingly, the law needs to require enterprises to clearly identify the subject or department receiving the complaint, disclose contact information, and ensure the principle of confidentiality and the obligation to respond within a certain period of time. When employees know who to report to, in what way and can expect a specific response, the complaint mechanism is able to operate effectively.

This requirement is especially necessary in the context of sexual harassment in the workplace, which is often associated with fear of stigma or retaliation, causing many victims to choose to remain silent. In that case, a clearly designed and reliable reception process will become an effective protection channel, helping victims to speak up and be protected in terms of rights, honour and dignity, thereby contributing to maintaining a safe and healthy working environment.

Notably, the establishment of these requirements does not necessarily give rise to a new organizational structure, but mainly clarifies responsibilities and processes within the existing organizational framework. Therefore, the additional costs for the business are relatively limited, while the benefit achieved is an increased the ability to detect violations early and handle them in a timely manner.

[34] NOLAN, Justine. Hardening Soft Law: Are the Emerging Corporate Social Disclosure and Due Diligence Laws Capable of Generating Substantive Compliance with Human Rights Norms? *Brazilian Journal of International Law*, v. 15, n. 2, p. 64-83, 2018. DOI: 10.5102/rdi.v15i2.5355.

Third, for the regulation on handling and remediation, the focus is not only on identifying and handling violations, but also on protecting the rights of victims of sexual harassment in the workplace and the ability to restore a stable state of the working environment after the incident occurs. If the handling is limited to disciplining the violator, the negative impacts on victims and the workforce may still be long-lasting, thereby undermining confidence in the protection mechanism.

Therefore, the responsibility of enterprises in this period needs to be oriented towards ensuring the restoration of a stable working environment, rather than just stopping at handling violations. This requires businesses not only to stop violations, but also to proactively eliminate factors that may continue to be detrimental to victims in the working environment. Accordingly, the law needs to clarify the obligation of enterprises to ensure that the harassed person's job position, income, or career opportunities are not adversely affected, and at the same time that they can continue to work in safe conditions after the incident occurs. In addition, enterprises need to be responsible for adjusting the working environment or reorganizing work when necessary to limit the risk of recurrence of violations. This approach helps to clearly distinguish handling activities from the previous stages, and at the same time contributes to maintaining the stability of labour relations in the long term. While the implementation may incur certain organizational costs, it is a reasonable expense to limit the long-term consequences and minimize the risk of future disputes.

6 Conclusion

Sexual harassment in the workplace requires a review of corporate responsibilities not only as a compliance obligation, but as a factor associated with ensuring safe working conditions and respecting the dignity of workers. This study shows that the core issue in legal regulation lies not only in establishing prohibited behaviours, but also in how to define and concretize corporate responsibilities in the working environment.

The results of the study reinforce the hypothesis that the effectiveness of sexual harassment prevention and control depends significantly on the ability of enterprises to transform their responsibilities from principled requirements into specific obligations, which can be recognised, accessed, and verified in practice. Therefore, the difference between legal models lies not only in the number or level of detail of regulations, but also in the way in which the law organizes the entire chain of responsibilities from prevention, receipt of reports to handling and remediation of consequences. The survey data also show that the existence of internal regulations or mechanisms does not mean that employees can recognize and use them effectively. This gap shows that the essence of corporate responsibility is only ensured when internal mechanisms are not only established but also capable of operating and being accessed in practice.

From that perspective, the contribution of the study lies not only in the systematisation of legal norms and legislative experience, but also in clarifying the responsibilities of enterprises according to three groups of interrelated obligations, including prevention, receipt of reports, handling, and remediation of consequences. This approach allows the responsibility of enterprises to be seen as part of the risk management mechanism in the working environment, rather than just a legal response after harassment has occurred. On this basis, the study suggests the need to further concretize the obligations of enterprises and strengthen the conditions to ensure that these obligations can be fulfilled in a substantive way in the working environment.

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