

# EU Cross-Sectoral Guidelines on Violence and Harassment at Work

EU Cross Sectoral Social Dialogue project: “Eliminating violence and harassment in the World of Work”

VS/2021/0041



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## INTRODUCTION

These EU Cross-Sectoral Guidelines on Violence and Harassment at Work have been developed within the framework of the UNI Europa project **“Eliminating violence and harassment in the world of work”**. They are the result of an extensive documentary research, and EU-wide survey among trade unions and employers and consultations with the members of the service sectors covering Telecoms, Gaming, Graphical design and Packaging, Finance and Commerce. Those guidelines may be applied and endorsed by other service sectors as well. The project partners engaged in extensive consultations, including webinars with hundreds of participants. Social partners and employers worked together in workshops, and the Guidelines include the views from the European Commission and the EU Commissioner for Equality Ms. Helena Dalli. Interactive sessions with employers and employees were held to reflect their needs and future measures. As such, **these Guidelines are the first tool of its kind**, having involved social partners and employers in the process, the European Trade Union Confederation (ETUC) and included experts on gender equality and have focused on ILO convention.

The social partners condemn any violence and harassment at the workplace. We have come together to tackle violence and harassment for employees across Europe. The Guidelines are specifically focused on **domestic violence** as related to the world of work, **third-party violence**, and **psychosocial risks of telework** and have built on previous similar guidelines in line with international standards, including the **ILO Convention 190** and the **Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence** (the Istanbul Convention).

The proposal of the **Directive of the European Parliament and of the Council on combatting violence against women and domestic violence** contains provision on ensuring a workplace safe from gender-based violence. The social partners will continue to assess the development of this Directive to ensure that it includes: the role of trade unions and social dialogue in preventing and combating violence against women in the world of work and beyond, including through collective bargaining; actions on violence against women in the world of work (offline and online), including a failure to acknowledge the interconnectedness between domestic violence and the world of work; and support for workplace democracy and the crucial role that trade union health and safety representatives play to ensure safer workplaces.

The EU Occupational Safety and Health Framework Directive has a broad scope and covers workers’ safety and health in all aspects of work, however psychosocial risks are not explicitly identified. Therefore, UNI Europa will continue to call urgently for the development of an **EU Directive on Psychosocial risks**.

Inequality between women and men persists in the world of work, encompassing aspects such as promotional prospects, developmental opportunities, and various workplace terms and conditions. Despite the global female labour force participation rate hovering around 50%, women are still more likely to face occupational and sectoral segregation, unequal distribution

of unpaid caregiving and household responsibilities, economic disparities, and lower wages than men for equivalent work. They also endure various forms of violence, both at home and in the workplace, including harassment, sexual misconduct, bullying, and domestic violence, all of which profoundly affect their health and well-being.

The social partners wholeheartedly support all initiatives aimed at eradicating workplace inequalities in all forms, including the persistent gender pay gap in Europe. Achieving true gender equality requires comprehensive policy responses, both within and beyond the labour market.

The social partners recognize that gender pay transparency has been identified as a key priority in the EU Gender Equality Strategy 2020-2025. In April 2023, the Council adopted a new Directive of the European Parliament and of the Council to reinforce the application of the equal pay principle for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms. We are firmly committed to closely monitoring the implementation process.

The steps and proposed actions reflect the nature and consequences of these issues as well as best practices developed in preventing violence and harassment at work within the service sectors. The Guidelines have been structured around three themes: domestic violence, third-party violence and telework that have been presented separately with proposed actions from the point of view of occupational health and safety, social dialogue, and legal aspects.

## **AIM OF THE GUIDELINES**

The aim of these Guidelines is to tackle violence and harassment and specifically target domestic violence in the context of the workplace, third-party violence, and the psychosocial risks associated with telework. To address these issues, there is a need for a strong response from social partners, and joint actions and commitment to achieve a violence and harassment free environment in the service sectors. Workplace health and safety must include strong protection against discrimination, violence and harassment. The aim of these Guidelines is therefore to support action(s) by employers, workers, and their representatives / trade unions to prevent, reduce and mitigate the consequences of DV, TPV and risks of telework. The Guidelines can be implemented and monitored by trade unions and employers.

## **Addressing the issue of violence and harassment at work**

### **Gender-based violence (GBV) and its manifestations in the workplace**

Violence and harassment at work are a major and growing problem across the EU most also reflected in psychological violence, which can often be invisible in the workplace. Violence and harassment are both a gender equality issue and an issue of occupational safety and health, with serious implications for workers' health and well-being. According to ILO Convention 190 on violence and harassment, the term "violence and harassment" in the world of work refers

to a range of unacceptable behaviours and practices that are likely to result in physical, psychological, sexual, or economic harm.

“Gender-based violence and harassment” is violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes sexual harassment. Verbal and psychological aggression – ranging from threats, intimidation, verbal abuse, bullying, harassment, mobbing, and psychological violence – constitute the most reported forms of violence and harassment in the EU. Research has shown that 85% of victims of violence and harassment at work are women.

The ILO Convention noted that domestic violence can affect employment, productivity and health and safety, and that governments, employers’ and workers’ organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence. Parties to the Convention need to therefore recognise the effects of domestic violence on the psychology and circumstances of the workers and act to mitigate its effects.

To be able to work safely and in dignity, free from violence and harassment of any kind, is a fundamental human right which no worker must be denied. Although considered a male-dominated sector, male and female workers in the sector both face violence in the workplace.

## **Increase in Domestic Violence, Third Party Violence and telework and how it impacts the workplace.**

Inequality between female and male workers persists in the world of work in many forms, from career prospects and development opportunities to various terms and conditions. The aim of this UNI Europa Equal Opportunities cross-sector project is to end violence and harassment at work and tackle domestic violence, as – with the rising of remote work – the home has become the new workplace.

Before the pandemic, only a fraction of the workforce was working from home occasionally. The coronavirus disease 2019 (COVID-19) pandemic and the public health measures implemented from March 2020 as a response to the pandemic have constituted a key driver of telework across Europe and beyond. The number of people working remotely increased massively almost overnight because of national governments’ advice to work from home

wherever possible to try to contain the spread of the virus. Therefore, large numbers of office workers in the European Union (EU) have been teleworking from their homes for most of the time for more than a year. This has been even more challenging as teleworking in a pandemic can exacerbate isolation and risk of burnout, as individuals often have been unable to leave their homes due to lockdown and curfew rules.

Confirmed by an EESC opinion<sup>1</sup>, the pandemic period has also led to an alarming increase in violence against women, both physically and online, where the victims of the latter are significantly more isolated from potential resources and opportunities for help. Domestic violence has increased by a third during the pandemic. Evidence would also show that remote working has meant that work-related sexual harassment has become more prevalent online. Given the COVID-19 crisis has disproportionately affected women, it has been found that the likelihood of intimate partner violence in heterosexual couples increases when the relative labour market outcomes – and thus the bargaining power – of women worsen.

The signatory social partners recognise that there are gender differences in how employees experience violence at work. They are committed to raise awareness of gender-sensitive approaches, address gender inequalities in working conditions and eliminate all forms of violence against women at work, including sexual harassment and third-party violence.

We also recognise that domestic violence has an impact on the work climate and that employers in association with their trade union partners can integrate appropriate support and safety measures for victims of domestic violence within their policies through collective bargaining.

## EU CROSS-SECTORAL GUIDELINES

### 1. Domestic violence

#### 1.1. General remarks

The EU Cross-Sectoral Guidelines on Violence and Harassment at Work have been developed as part of the UNI Europa project "Eliminating violence and harassment in the world of work." The Guidelines specifically target third-party violence, domestic violence in the context of the workplace, and the psychosocial risks associated with telework.

"While the social partners take into account that the implementation of the following guidelines depends on national legislation, the specificities in the individual member state and the level of maturity of sectors, the persistence of gaps in the implementation of legislation against gender violence requires more concerted efforts moving forward. Social dialogue and collective agreements have a key role to play to level up gender protections on the workplace".

Domestic violence constitutes all acts of physical, sexual, psychological, or economic violence that occur within the family or domestic unit or between former or current spouses or partners. According to research, one in five women (22%) in Europe have experienced physical and/or sexual violence at the hand of their current or previous partner.<sup>2</sup> According to ILO Convention 190, domestic violence can affect employment, productivity and health and safety, and

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<sup>1</sup> "Teleworking and gender equality" —SOC/662, Opinion, European Economic and Social Committee, Teleworking and gender equality – conditions so that teleworking does not exacerbate the unequal distribution of unpaid care and domestic work between women and men and for it to be an engine for promoting gender equality [Exploratory opinion at the request of the Portuguese Presidency, 2021

<sup>2</sup> "Violence against Women: An EU-wide Survey," Fundamental Rights Agency, 2014

governments, employers' and workers' organizations and labour market institutions can help, as part of other measures, to recognize, respond to and address the impacts of domestic violence.

Surveys carried out across the world on domestic violence at work show consistent findings, notably that, on average, one-third of workers report that they experienced domestic violence at some point in their lives and that around half of victims of domestic violence felt that their job performance was negatively affected. The workplace can be a place of danger if a victim is harassed, threatened, or stalked at work. This can have a significant impact on her capacity to get to work, to work effectively and to stay in her job. We believe that employers, in collaboration with their trade union partners, can play a pivotal role in integrating appropriate support, duty of care and safety measures for victims of domestic violence through collective bargaining.

The signatory parties are increasingly concerned about the issue of domestic violence and how it affects the workers, especially with the increase of telework. We would therefore like to ensure that domestic violence at work is integrated into occupational safety and health policies and procedures, including risk assessments. While an employer cannot prevent

domestic violence, there are steps they can take to support victims of domestic violence and help keep them safe at work.

## **1.2. Issues and steps to identifying, preventing and mitigating domestic violence as related to work**

### *1.2.1 Health and Safety actions*

The undersigned parties, in line with the national and international obligations to protect the workers and mitigate the effects of domestic violence, would like to commit to:

- Provide safety and support for survivors of domestic violence, whether it takes place inside or outside of the workplace.
- Provide clear statements about our commitment to support the employees affected by domestic violence, ensuring confidentially and non-judgemental approach.
- Ensure that if a worker discloses to their employer that they are at risk of domestic violence, the employer should consider making a workplace risk assessment to ensure that the potential risk to the employee and work colleagues is minimised.
- Establish that if there is a reason to consider that the perpetrator presents a risk to other employees, the employer should also consider what measures need to be taken to protect other employees.
- Ensure that if the worker declines to work remotely in cases of domestic violence where the victims may feel safer in the workplace than at home, the worker should have the right to do so within reason and feasibility.

- Consider the steps necessary to ensure the employee remains safe whether in the workplace or if they are working remotely. If they are working remotely, the employer should ensure that they are in a daily contact with a colleague.
- Provide the possibility to a worker survivor of domestic violence to be able to change work location, work patterns and work tasks, such as temporarily shifting from a customer-facing to a back-office position.
- Ensure that the abused employee does not have to work alone or in an isolated area, that the reception and security staff is notified that if the abuser is likely to come to the workplace; security around the worksite is improved; and keep a record of any abusive incidents, e.g. persistent phone calls.
- Enable workers who are victims of domestic violence the right for a flexible leave paid /unpaid as appropriate.
- Ensure that employers should keep confidential, approachable and non-judgemental meetings with a designated support person.
- Where applicable, and namely in the finance sector to support the clients who are victims of violence and may need more favourable terms to access credit, loan repayment etc. and giving women option to have separate bank account, not only joint one shared with (potentially abusive) partner.
- Ensure that information about domestic violence, its forms and consequences, how it impacts the workplace, as well as available support is easily available and provided to all workers.
- Collect anonymized gender disaggregated data on domestic violence (of survivors and perpetrators) and the workplace impacts.
- Provide information about and referral to specialist services.

### *1.2.2 Social dialogue*

Social partners agree to:

- Engage in constructive social dialogue with our employees and trade unions. Seek expert guidance from specialists in domestic violence to ensure that we develop appropriate workplace responses to support survivors effectively. We understand that unions play a crucial role in negotiating robust collective agreements with employers at all levels to address the issue of domestic violence.
- Implement a policy that addresses domestic violence and its impact on the workplace. This could be a stand-alone policy on domestic violence, or it could be integrated into a policy on all forms of violence and harassment in the world of work, including sexual harassment.
- **Address Economic Violence:** We are committed to raising awareness about economic violence and identifying best practices on how companies can support individuals affected by economic abuse. This commitment aligns with the principles of ILO Convention 190.



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- **Promote Gender Equality:** We recognize the importance of involving women in decision-making processes and promoting women's leadership within our organizations.
- Strive to provide practical guidance, resources and training through online webinars and discussion, to equip managers with the skills and capacity to recognize and respond with support for an employee affected by domestic violence. Ensure that this is prioritized in all communications with managers and ensure that managers are supported and guided in these roles.
- An important part of a policy is to ensure that victims of domestic violence who have taken sick or other leave have time-limited protection from dismissal, as it exists for pregnant workers, for example.
- Promote social dialogue in the design, implementation, and review of policies, including through the negotiation of collective bargaining agreements, as provided for in ILO Convention 190 and Recommendation 206.

### *1.2.3. Legal framework*

National legislations play an enabling role both in protecting victims at work and in putting obligations on employers to ensure that women are safe in remaining in employment or when they return to work after a period of leave. The undersigned parties would like to commit to working to establish the following legal measures to ensure that the corpus of European Union legislation and in particular the Proposal for a directive on combating violence against women and domestic violence<sup>3</sup> include the recommendations contained in the ILO Violence and Harassment Convention, 2019 (No. 190) notably:

- the effective recognition of the right to collective bargaining at all levels as a means of preventing and addressing violence and harassment and, to the extent possible, mitigating the impact of domestic violence in the world of work.
- Paid leave for victims of domestic violence, flexible work arrangements and protection, and temporary protection against dismissal for victims of domestic violence.
- Employers and trade unions should also ensure that domestic violence is included in workplace risk assessments.
- Social partners should take proactive steps to raise awareness among their employees about the availability of specialised support measures for individuals impacted by domestic violence. Raising awareness about the effects of domestic violence.
- The undersigned parties will work towards ensuring that all EU member states ratify the ILO convention, the ILO Violence and Harassment Convention, 2019 (No. 190).

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<sup>3</sup> Proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence -COM/2022/105

## 2. Third-party violence

### 2.1. General remarks

Third-party (or external) violence and harassment is a form of workplace violence and harassment that arises from an interaction with members of the public, customers, clients, patients, or students in the provision of services. It can involve physical, psychological, verbal and/or sexual forms of violence and harassment and constitutes one-off incidents or more systematic patterns of behaviour.

According to the results of the membership survey part of this project,<sup>4</sup> and covering the question of third-party violence, 64% of respondents reported that third party violence was a fairly serious, very serious and an extremely serious, issue affecting their sector. Also, the most prevalent forms of gender third party violence as identified by survey respondents are Psychosocial violence (50%), Discrimination (25%) and verbal abuse and threats (57%) and physical violence (14%).

The signatory social partners are increasingly concerned about the impact of third-party violence on employees because it not only undermines an individual's health and dignity, but also has a very real economic impact in terms of absences from the workplace, moral and staff turnover. In return, it creates an environment that is unsafe with a wide negative social impact.

### 2.2. Issues and steps to identifying, preventing and mitigating third-party violence

#### 2.2.1. Health and Safety actions

Social partners wanted to reiterate their commitment to ensure that:

- As part of the range of compulsory health and safety measures aligned with OSH EU regulations gender-based risk assessments are carried out which can take into account the various occupations, locations and working practices, allowing the identification of potential problems and the design of appropriate responses.
- Appropriate training for management and employees is conducted which will include general safety in relation to work tasks and the working environment addressing conflict related to third party violence and gender.
- Procedures are in place to monitor and investigate allegations of third-party violence based on gender, and to inform the victims of the progress of any relevant investigation and action.
- Clear policies are articulated on the support to be provided to employees who are exposed to harassment and/or violence by third parties in relation with gender.
- Transparent and effective procedures are laid out for recording facts and figures for monitoring and ensuring follow up of the policies put in place.<sup>5</sup>

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<sup>4</sup>Membership survey – UniEuropa - Final EU Cross Sectoral Social Dialogue project: “Eliminating violence and harassment in the World of Work- VS/2021/0041”

<sup>5</sup> Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work (2010)

### 2.2.2. Social dialogue

The multi-sectoral guidelines against third-party violence adopted by social partners in 2010 were a first step in framing the joint commitment of different sectors, including local governments as employers, healthcare workers, public service providers, educators, security providers and retailers<sup>6</sup>.

The undersigned parties call for a broader suitable policy framework to be put into place by employers ensuring that a **gender-responsive approach** is integrated in the following OSH procedures and policies regarding third party violence.

Social dialogue partners also encourage their members to build on existing workplace policies and collective agreements which exist at European and national levels, and which have developed a focus on third-party violence and harassment.

Collective bargaining has been a particularly important tool in setting out the framework for such policies and in raising awareness about the issue in a range of sectors. Promising practices in policies and guidance on third-party violence and harassment have been identified by the “Handbook Addressing Violence and Harassment against women in the World of Work” UN Women, ILO, 2019. Recommendations issued included:

- Disseminating the prohibition of third-party violence and harassment, which can include posting of signs on prohibited behavior in areas accessed by third parties, such as buses, railway stations, hospital or waiting rooms, bars, and restaurants.
- Assessing and reviewing prevention measures, such as carrying out regular and specific risk assessments, reviewing past incidents to inform new prevention measures and implement organizational change.
- Reducing isolation at work as a way of diffusing potential violence and harassment from third parties.
- Training managers and workers, including techniques to avoid or manage conflicts.
- Providing support for affected workers and witnesses, including access to support inside and outside the workplace, including legal, medical, and financial support.
- Establishing and respecting monitoring and investigation procedures, carrying out regular risk assessment and data collection on previous incidents and informing victims of progress made during investigations.<sup>7</sup>
- Providing clear formal and informal reporting procedures, written and verbal reports to line managers/supervisors and systems for confidential and anonymous reporting, and providing protection from possible reprisals.

<sup>6</sup> Multi-Sectoral Guidelines to Tackle Third-Party Violence and Harassment Related to Work (2010)

<sup>7</sup> Handbook Addressing Violence and Harassment against women in the World of Work” UN Women, ILO, 2019

Social partners encourage their members to exchange best practices at sectoral and intersectoral levels to strengthen existing collective agreements on third party violence as they affect gender.

### *2.2.3. Legal framework*

Social partners reaffirm the importance of the ILO Violence and Harassment Convention No.190 and Recommendation No.206, adopted in 2019, which is yet to be ratified by all EU Member States. The instruments provide a framework, as reflected in a number of national

initiatives and collective agreements, for an integrated, gender-based and intersectional approach to violence and harassment in the world of work, encompassing both internal and external violence at work.

The research studies have provided ample evidence of the outstanding challenges for social partners to prevent and better respond to external violence at work.

Social partners are committed to ensure that the European Union regulatory framework related to non-discrimination, violence and harassment is fully implemented.<sup>8</sup>

Social partners call for the adoption of legislative initiative put forward by the European Commission in December 2022 that aims at strengthening equality bodies by setting minimum standards for their functioning. The proposal aims at ensuring a better application and enforcement of EU anti-discrimination rules. They lay down standards for equality bodies to ensure that people in all Member States enjoy a common minimum level of protection against discrimination. They cover the mandate, independence, resources, tasks, and powers of equality bodies to (1) engage in the prevention of discrimination and awareness raising activities (2) deal with cases of discrimination/assist victims<sup>9</sup>.

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<sup>8</sup> Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin;- Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation;- Directive 2002/73/EC of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions;- Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work

<sup>9</sup> Proposal for a Council Directive on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation; and Proposal for a Directive of the European Parliament and of the Council on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and deleting Article 20 of Directive 2006/54/EC and Article 11 of Directive 2010/41/EU Role of equality bodies and labour inspectors

### 3. Psychosocial risks, gender-based violence and telework

#### 3.1. General remarks

Although violence and harassment at work are not new issues in the workplace, there are a range of dynamics that over the last years have led to increasing attention being given to violence and harassment as both a gender equality issue and an occupational safety and health issue, particularly in relation to rising levels of psychosocial forms of violence at work alongside with the issue of telework.

Social partners should take proactive steps to raise awareness among their employees about the availability of specialised support measures for individuals impacted by domestic violence

- **The COVID-19 pandemic, telework and its gendered impact.**

The coronavirus disease 2019 (COVID-19) pandemic and the public health measures implemented from March 2020 as a response to the pandemic have constituted a key driver of telework across Europe and beyond. Research has also revealed that it has placed a huge strain on everyone's mental health and well-being, which has led to an increase of work-related psychosocial risks and higher rates of stress, anxiety and depression.

Eurobarometer surveys also highlighted the severe economic impact of the Covid-19 pandemic on women. Four out of ten respondents (38%) say the pandemic has diminished women's income, while affecting their work-life balance (44%) and the amount of time they allocate to paid work (21%).

The coronavirus pandemic has affected women and men differently. The pressure of balancing work and family life has taken a severe toll on women's wellbeing, with more women than men reporting suffering from anxiety because of Covid-19. Women's informal care role during the pandemic also had considerable effects on their mental health, with women reporting increased anxiety and worry about their family wellbeing and finances. Women with younger children have been disproportionately affected. Work is not the only thing that has been affected. About 31% of women and 22% of men who are teleworking full-time, with small children at home, said that their work prevented them from giving the time they wanted to their family.

Surveys have documented that during the Covid-19 pandemic and the **massive uptake of remote work** have increased the problem of domestic violence, and those must be addressed as a work-related issue. Higher incidences of violence, and particularly intimate-partner violence, have not merely increased but also caused a greater number of women victims than men victims. This has been denominated by experts and policymakers as the 'Shadow Pandemic,' as violence has tended to intensify alongside the COVID-19 crisis.

Also, the unprecedented levels of people working remotely has alternatively meant that traditional VAW and harassment in the workplace shifted to an online modality as well. There exists evidence to believe that telework could have worsened online-based violence during the

pandemic, as apparent anonymity could facilitate hate speech and harassment from aggressors.

- **Psychosocial risks and telework**

According to OSHA surveys, psychosocial risks are the most prevalent health risks associated with teleworking and may result in negative psychological, physical, and social outcomes and working conditions that lead to psychological and sexual harassment, and third-party violence.

There are still many unknown implications that deserve extra research when it comes to gender. It would be useful to explore its impacts and prerequisites under conditions not dominated by the pandemic and considering longer-term developments in different sectors of the economy and society.

Social partners also recognise that member States do not have the same legally binding common standards and principles for psychosocial risks, which leads to de facto unequal legal protections for female workers in particular.

### **3.2. Issues and steps to identifying, preventing and mitigating psychosocial risks of telework**

#### *3.2.1. Health and Safety actions*

- Social partners reaffirm that psychosocial risks and their management are among employers' responsibilities as stipulated in the *Framework Directive 89/391/EEC on Safety and Health of Workers at Work* as it obliges employers to address and manage all types of risks in a preventive manner and to establish health and safety procedures and systems to do so.
- Even though the Directive asks employers to ensure workers' health and safety in every aspect related to work, "addressing all types of risk at source," it does not include the terms "psychosocial risk" or "work-related stress."
- Social partners wish to broadly highlight that the current measures to encourage improvements in the health and safety of workers are not sufficiently addressed, especially as far as the assessment and management of psychosocial risks is concerned.
- In line with the European Parliament resolution of 5 July 2022 on mental health in the digital world of work (2021/2098(INI)), social partners call for EU legislative initiatives and measures to effectively prevent psychosocial risks in the workplace and notably those with gendered impact.
- The new EU strategic framework on health and safety at work for 2021-2027 noted the need for changes to the working environment to tackle hazards to psychosocial well-being. Social partners insist on the need to address management of psychosocial risks and well-being at work including online and **welcome in this regard the intention of the European Commission to put forward an initiative on mental health in 2023.**

- As already called for by social partners and based on the results of a survey carried out as part of this project, the undersigned reiterate their call for a **proposal of a Directive on psychosocial risks**.
- Occupational health and workplace health promotion measures can contribute to improving the mental health and well-being of women and men at work and mitigating the possible impact of gender violence. This implies an occupational health practice that involves protecting workers' health through psychosocial risk assessment and management for the prevention of work-related stress and work-related mental diseases including while working online.
- In this context, social partners wish to highlight the need to **carrying specific risk assessments focused on mental health impact and psychosocial risks** while
- working remotely so to build an appropriate framework preventing gender violence.

### 3.2.2. *Social dialogue*

- As already recognized by the social partners European framework agreement on violence and harassment adopted in 2007, mutual respect for the dignity of others at all levels within the workplace is one of the key characteristics of successful organizations. That is why harassment and violence are unacceptable<sup>10</sup>.
- At home as well as in the working environment, women are still more likely to report exposure to adverse social behaviours and violence. Social partners are committed to promoting wider knowledge of the phenomenon to prevent any form of violence against women and the promotion of a gender-sensitive culture, by raising awareness and by collecting and sharing good practice.
- Social partners reiterate that the 2007 European framework agreement of the social partners on harassment and violence at work represents an instrument to guarantee a workplace free from harassment and violence, to be applied everywhere in Europe and in any workplace.
- Social partners wish to underline the importance of preventing, identifying, and managing problems of harassment and violence through raising awareness and appropriate training of managers and workers can reduce the likelihood of harassment and violence at work as it impacts gender.
- As highlighted by the framework agreement, enterprises also need to have a clear statement outlining that harassment and violence will not be tolerated. This statement should contain procedures to be followed where cases arise.
- Social partners agree also in this context on the need to consider ways to strengthen the implementation of the existing corpus of European and national framework agreements on violence and harassment, work related stress and consider the introduction of specific clauses related to psychosocial risks and telework related to gender in those agreements.

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<sup>10</sup> Framework agreement on telework (2002); Framework agreement on work-related stress (2004); Framework agreement on violence and harassment (2007)



- As part of those guidelines, social partners reiterate the need to ensure that equal opportunities and non-discrimination are constantly mainstreamed as an integral part of the corporate environment culture.

#### 4. Conclusion and next steps

We, Social Partners, believe that respectful, tolerant, and inclusive workplaces are key for employee satisfaction, engagement, and empowerment and for the sector's growth, success, innovativeness, creativity, and sustainability. We reiterate our commitment to encouraging diversity, inclusion, and non-discrimination and to promoting these values at cross sectoral sectors, notably through the various social dialogue structures at all levels.

The signatory social partners recognise and acknowledge that gender-based violence and harassment, particularly against women workers, is a complex issue rooted in power dynamics and gender inequalities. Organizational culture plays a crucial role in addressing sexual harassment, and we emphasize the importance of transformative approaches in ending violence and harassment against women.

Therefore, the signatory social partners commit to adhere and promote the afore Guidelines and the measures thereof, and we further commit to encourage a gender transformative approach within our own organisational structure and those of our affiliates. The next steps we propose are:

- **Operational Strategy:** To address gender-based violence effectively, we propose the development of a gender-based violence operational strategy, implemented and monitored by the social partners.
- **Gender Balance in Leadership:** We commit to promote gender balance by appointing an equal number of women senior executives within the governing structures of trade unions and employers' organizations.
- **Sharing Best Practices:** We will facilitate the regular exchange of best practices, including collective agreements that address gender violence.
- **Awareness and Training:** Raising awareness and providing training for managers and individuals in positions of authority will be a key focus.
- **Codes of Conduct:** We suggest creating codes of conduct or specific charters related to the prevention of gender violence.
- **Corporate Culture Shift:** We emphasize the importance of developing an inclusive, comprehensive corporate strategy to transform company culture into one that fosters trust, support and protection. This includes promoting a zero-tolerance culture towards all forms of violence and harassment.

**Social partners welcome the approval by the Council on 1<sup>st</sup> of June 2023 of the EU's accession to the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).**



Social partners also note that the Council and European Parliament are currently discussing the adoption of an **EU directive on combatting violence against women and domestic violence**<sup>11</sup> and they will closely follow developments in this regard.

**They further call the EU to better ensure that violence and harassment issues on the workplace are part of the proposal under review building on the ILO Convention 190 of 2019 on violence and harassment** which should also be ratified and enforced by all EU member states as well as by the European Union.

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<sup>11</sup> Proposal for a Directive of the European Parliament and of the Council on combating violence against women and domestic violence COM/2022/105 final

**The undersigned parties would like to reiterate their commitment once again to:**

1. Continue to assess the development of the Directive for domestic violence.
2. Continue to call urgently for the Directive on psychosocial risks.
3. Support the transposition, implementation, and monitoring of national legislation regarding the pay transparency directive.

**Implementation of the guidelines**

The social partners unequivocally denounce any form of workplace violence and harassment. Our collective effort is dedicated to addressing these issues for employees throughout Europe. The guidelines primarily target domestic violence in the context of the workplace, third-party violence, and the psychosocial risks associated with telework. As these guidelines originate from a cross-sectoral project, the signatory parties are fully committed to actively promoting their implementation and ensuring periodic reviews, which will occur every 2 years from the date of signature.

**Signatories:**

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