

Updated Multi-sectoral guidelines to tackle third-party violence and harassment related to work

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I/ Background, Objectives, Principles

A- Background

1. We, the sectoral social partners signatories of these guidelines, deem work-related Third-Party Violence and Harassment (hereafter TPVH) as unacceptable and recognise its impact on the dignity and confidence of workers' morale, and the working environment. It undermines the attractiveness of jobs and the retention of workers, compromises the quality of work, and ultimately diminishes the quality of services provided. It can also create an environment that is unsafe to the public and service users and therefore has a wide negative social impact.
2. Since their adoption in 2010, the multisectoral guidelines to tackle third-party violence and harassment related to work have seen other sectors join the guidelines. The signatories to the updated guidelines are the following European sectoral social partners: local and regional governments, hospitals and healthcare, education, central governments and hotel, restaurant and cafés. The guidelines complement the cross-sectoral Autonomous Framework Agreement on Harassment and Violence at Work of 26 April 2007.
3. Despite their relevance, the 2010 Guidelines have seen limited implementation at national level. Instances of TPVH have escalated notably during and after the Covid-19 pandemic, and have been exacerbated by emergent risks of cyberviolence. Following the 2021-2023 project funded by the European Commission "The role of social partners in preventing third-party violence and harassment at work", the social partners listed decided to update the guidelines.
4. Third-party violence related to work is of multifaceted nature and needs an integrated approach, where different stakeholders come together to bring part of the solution. These guidelines refer only to matters within the mandate as social partners and in accordance with national law and practices.
5. Related to the above, it appears that digitalisation, alongside increasingly complex procedures and individualised expectations and demands in society, contribute to heightened risks of work-related TPVH.
6. Policies to prevent TPVH contribute to better quality of and access to public, private and not-for-profit services. These policies can be crucial factors in improving recruitment and retention, contributing, especially in some sectors, to addressing labour shortages.
7. Some of our sectors are experiencing skills and labour shortages and an increase in administrative tasks. These aspects, among others, can lead to understaffing, which, in turn, can also contribute to TPVH.
8. Gender-based violence as a part of violence and harassment coupled with an intersectional approach has been institutionally recognised by the ILO Convention 190 (2019) (ONCE ADOPTED: and the EU's Gender-based Violence and Harassment Directive (2024))

9. European data demonstrates that women are more affected than men, with a majority of perpetrators being men. For instance, Eurofound's European Working Conditions Survey (2021 EWCTS) reveals that:
 - 12.5% of workers in the EU experienced some form of adverse social behaviour.
 - The share of women experiencing adverse social behaviour at work reported was higher than that of men, with the most significant discrepancy observed in reporting unwanted sexual attention, where women are more likely to be affected than men (1% and 3%, respectively). Particularly, young women are more likely to report unwanted sexual attention disproportionately targeted (8%).
10. It also appears that underreporting of TPVH is persistent due to various factors: the perception that TPVH is an inherent part of the job, the belief that complaints will not be addressed due to a lack of resources, time or understanding, and the perception that incidents are not severe enough to warrant action. Additionally, work arrangements such as working alone or at night, heavy workloads, fear of reprisals, atypical work situations, and gender stereotypes in certain jobs or sectors further contribute to underreporting.
11. When TPVH is reported, Eurofound has also shown that close to one-third of workers who work regularly with people do not get the necessary support from management, while 16% do not receive support from colleagues.
12. The multi-sectoral social partners recognize that the employers and workers have professional, ethical and legal obligations to third parties as well as to each other. (2010 I 9)

B- Objectives

13. The signatories represent five sectors amongst those most exposed to TPVH, thereby emphasising a vested interest in better addressing TPVH. Concurrently, they recognise that adopting an integrated approach is necessary to combat TPVH effectively.
14. The aim of the Guidelines is to ensure that each workplace has a results-oriented policy which addresses the issue of third-party violence. The objective of the update is to gain a better understanding of the risks associated with TPVH at the workplace to develop both preventive and reactive measures/responses aimed at eradicating TPVH from the workplace. The Guidelines set out the practical steps that can be taken by employers, workers and their representatives /trade unions}. The steps reflect the best practices developed in our sectors and they can be complemented by more specific and/or additional measures. (2010 I 1)
15. Another objective of the updated text is to make the Guidelines more useful, rendering them more accessible, user-friendly, and relevant to improve their implementation at the national level.
16. Furthermore, the text aims to update the Guidelines to incorporate an intersectional approach that underscores principles of gender equality and anti-discrimination, drawing inspiration from the provisions included in the ILO Convention 190.

C- Principles

17. According to EU and national laws, it is the employers' duty to ensure the safety and health of workers in every aspect related to the work, while it is the workers' obligations and interest to comply with OSH according to their training and instructions given by the employer.

18. Workers and employers can contribute to creating a supportive working environment based on mutual support, trust and respect.
19. Central to the principles is the commitment to uphold the right of every worker and manager to a workplace free of violence, harassment and all forms of discrimination anchored in occupational health and safety.
20. Employers have a TPVH policy in place in consultation with workers and/or trade union representatives and/or in negotiation with trade union representatives in line with national industrial relations systems.
21. The Guidelines adopt a gender-responsive and intersectional approach recognising the specific exposure faced by particular groups within the workforce.
22. Access to workers' rights and promoting collective ethos are critical to the effective implementation of TPVH policies.

moved to background

II/ Definitions

1. Inspired by the ILO Convention 190, the term work-related “**third-party violence and harassment**” refers to a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm perpetrated by third parties.
2. The term **gender-based violence and harassment** means 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.
3. TPVH can also be directed at persons because of **other grounds of discrimination** such as sexual orientation, gender identity, race, colour, ethnic or social origin, genetic features, body images, language, religion or belief, political or any other opinion, membership of a national minority, disability, age.
4. For the purpose of these guidelines, **intersectional approach** means addressing third-party violence and harassment that occur when two or more grounds operate simultaneously and interact in an inseparable manner, producing distinct and specific forms of discrimination.
5. For the purpose of these guidelines, **perpetrators of third-party violence and harassment** refer to third parties, either individuals or groups, meaning clients, customers, patients, service users, students or parents, members of the public, or service providers.
6. In addition, third-party violence and harassment can be caused by mental health disorders and/or motivated by emotional reasons.
7. Work-related third-party violence and harassment occurs in the course of, linked with or arising out of work occurring in any physical and/or virtual public or private environments where they are a place of work or related to the worker's professional duties.
8. In relation to virtual environments, third-party violence and harassment can be perpetrated through the worker's professional communication channels and/or through the worker's private accounts when related to their professional role.

III/ TPVH is not part of the job: prevention, protection, remedies: support to victims and holding perpetrators liable

1. Employers should have a clear policy covering all workers on how to prevent and respond to harassment and violence by third parties. Such a policy should be integrated in occupational health and safety management and structures as well as anchored in gender equality
2. The employers should take measures to ensure that everyone knows that there is a zero tolerance to violence and harassment.
Regular messages to relevant third parties about dignity and appropriate behaviour towards workers should be conveyed including that, where appropriate, legal action will be taken (2010 III 5 a – c)
3. While policies must be tailored to each work environment, occupation, based on our research and collection of good practices, we recommend the following measures to help create safe spaces and ensure it cannot be normalised and deemed part of the job. These measures should complement or go beyond existing workplace, sectoral or cross sectoral collective agreements and relevant legislations.

Measures for a effective policy on TPVH

4. Social dialogue, including collective bargaining between trade unions and employers, as the best way to design and implement policy to prevent and mitigate consequences of TPVH;
5. Clear definitions, objectives and examples of most common forms of third-party violence and harassment
6. Prevention of TPVH as an integrated part of the occupational health and safety risk assessment, an EU legal requirement for each employee below);
7. Training and awareness raising, that is easily accessible and free of cost, for employers, workers, persons with supervisory functions including general safety in relation to work tasks and the working environment and which may include more specific skills such as techniques to manage conflict, (,2010 III 5 e), threats and aggressions, e.g. de-escalation, and how to support workers experiencing domestic violence.
8. Complaints mechanisms that workers trust and contact details of a person to whom to speak to in safe spaces. These should include clear formal reporting procedures through written and verbal reports to line managers/supervisors, and systems for confidential and anonymous reporting, if deemed appropriate.
9. Clear requirements regarding the reporting of incidents by workers and on the measures taken to protect them from possible reprisals and address issues to other public authorities.
10. Access to remedies, psychological and other practical support for workers and witnesses should be available (see below)
11. Systematic collection, recording and review of TPVH incidents to learn from cases, build organisational changes and improve working conditions;
12. For follow-up and evaluation of TPVH policies, it is essential to take account of experience and related developments in legislation, research and technology. When relevant, cooperation agreements with relevant public authorities such as police, justice, health and social services and labour inspectorates are part of an integrated approach (2010, III 5 d)
13. Provision of suitable tools to protect workers e.g. communication channels, monitoring, security measures, etc.

INSERT Occupational Safety and Health (OSH) risk assessment

Carrying out a regular OSH risk assessment in consultation of workers and/or their representatives, is an EU legal requirement and a fundamental prevention tool. When properly designed and

implemented health risks assessments are key to understand and contribute to eradicating the root causes of TPVH.

The European agency EU OSHA provides comprehensive guidance on health risk factors, see here.

A risk assessment which can take into account the various occupations, locations and working practices, allow the identification of potential problems and the design of appropriate responses and practices, for example:

- ✓ Incorporate safer environments into workplace design;
- ✓ Include psychosocial risks relevant to different sectors;
- ✓ Aiming at a fair distribution of workload and safe staffing levels, based on a clear job content.
- ✓ Take into account the specific needs of workers at greater risks of violence or harassment (including of sexual nature), using an intersectional approach
- ✓ Include new risks of cyberviolence and cyber harassment associated with increasing digitalisation.
- ✓ Recognise that domestic violence has work-related consequences/impact
- ✓ Providing clear information regarding the nature and level of service third parties should expect and the provision of procedures for third parties to express dissatisfaction and for such complaints to be investigated

TPVH, including of a gender nature, can be rooted in the job content and initial training due to harmful social norms and stereotypes based on gender and other grounds of discrimination. This risk factor for TPVH should be addressed in training

Finally, everyone should watch for signs that violence and harassment may be occurring, such as rumours, increased absenteeism, decreased motivation, reduced job performance and increased staff turnover. At times of changes such as restructuring, introduction of new technologies, transfers of offices, or pandemics risks of TPVH can also increase.

Insert domestic violence:

In the past, domestic violence was primarily seen as a private matter. The expansion of telework at home following the Covid-19 pandemic and restrictive lockdowns led employers and trade unions to revisit their views on domestic violence. When the place of work is the home and place of harm, employers' responsibilities can be extended to providing preventive and response measures when domestic violence occurs.

While it is important to ensure that telework remain voluntary and reversible and adapted to the worker's circumstances, labour laws or collective agreements in many countries have increasingly taken the effects of domestic violence on workers' well-being as well as productivity/performance into account. Some of these measures include paid leave and protective measures from any adverse treatment at the workplace for workers who are victims of domestic violence as well as providing confidential counselling or referral services.

Domestic violence can have severe and long-lasting impacts on the safety, health and wellbeing of workers and their capacity to remain in work and to work to their full potential. While it is recognised that it is the State that has the primary responsibility to tackle domestic violence, and while employers are not responsible for it, they are in a position to act as allies to address it and to reduce risks insofar as they are in the work setting. Surveys consistently find that survivors of domestic violence face safety and security issues at work or travelling to and from work, higher

levels of sick leave/time off and lateness, presenteeism/productivity issues, and not being able to take up training and career progression opportunities

Therefore, as part of their risk health and safety policies, workplaces must shall include,

- as preventive measure for domestic violence, the notion that employers and workplaces can act as allies and play a preventive and responsive role for victims and, in particular, ensure that telework remains voluntary and reversible and adapted to the worker's circumstances.
- As support measures, at least part of the following non-exhaustive list, based on existing practices across Europe:
 - o A list of referrals and locally available resources (NGOs, shelters, hotlines..)
 - o A paid leave equivalent to at least 80 hours of work, to be used for administrative, medical, legal procedures, to be treated confidentially
 - o A confidential legal and administrative support to the workers via the employers' legal departments (if applicable) and if requested by the victim, to understand procedures.

Remedies: support to victims and holding perpetrator(s) liable

It is important to express support to the victims for their own and their colleagues' sake, in a non-blaming atmosphere.

Depending on the circumstances, such support is provided at different levels, including:

- Information on a transparent and effective procedure to monitor and investigate any allegations of harassment and/or violence from third-parties, and to inform the victims of the progress of any relevant investigation and action. (2010 III 5 f)
- Health support, including both physical and psychological, and related sick leave
- legal, practical and/or financial support (e.g. additional insurance cover which goes beyond statutory obligations) (2010 III 5g)

As part of the victims' recovery, perpetrators of TPVH must be held accountable, this is part of the victim's recovery and commitment to ensure a safe and healthy workplace.

It must be clear to all when it is appropriate to file complaints, report a crime or share information regarding perpetrators of TPVH with other employers and public authorities, respecting personal integrity, confidentiality, legal obligations and data protection principles. (2010 III 5i)

There should be clear requirements regarding the reporting of incidents by workers and on the measures taken to protect them from possible reprisals and address issues to public authorities e.g. police, health and safety agencies, etc, within national practices and procedures. (2010 III 5 h)

IV- Application, review and further information

The signatories agree that:

1) The signatories will disseminate and promote the implementation of the guidelines with their national members through joint and/or separate actions. More specifically, the signatories strongly encourage the respective national members to integrate the principles in section XXX in future national collective agreements.

2) The signatories will promote the Guidelines at all appropriate levels, and report in the relevant sectoral social dialogue committees every two years on the progress made.

3) Recognising the importance of this issue, they will also distribute this document to relevant stakeholders at European and national levels.

4) At EU level, the signatories will further consider promoting with their respective cross-sectoral social partners the possibility of revising their cross-sectoral agreement on harassment and violence at work (2007), taking into account the present guidelines.

5) The present guidelines will undergo a comprehensive evaluation within six years from the date of adoption. This evaluation will assess their effectiveness and relevance and identify whether revisions are necessary to integrate possible legal developments and address emerging challenges in preventing and managing third-party violence and harassment.

6) Examples of collective agreements and relevant legislation related to third-party violence and harassment will be regularly updated and available on the joint website, thirdpartyviolence.com, which is financed and run by all signatories. The website will serve as a central repository of knowledge and resources, facilitating the sharing of best practices and legislative developments among signatories and other stakeholders.