



Multisectoral public services and telecoms social dialogue project on the role of social partners in preventing third-party violence & harassment at work

Action Plan for adoption on 25 November 2022, Madrid

In Spring 2020, as the COVID-19 pandemic broke out, nine EU social partners in public services and telecoms came together to examine the effectiveness of the Multi-Sectoral Guidelines on prevention of third-party violence and harassment (TPVH) in response to growing reports of violence and harassment at work.

The social partners are EPSU, ETUCE, CESI and ETF, on the trade union side, and on the employers', HOSPEEM, EUPAE, CEMR, UITP and ETNO, covering healthcare, central government including prison services, local and regional government, education, urban transport, and telecoms.

Not all have signed up to the 2010 Guidelines, namely UITP, ETF and ETNO, but their own sectoral instruments have proven very relevant for the project discussions and assessment of the Guidelines.

During the years 2021 and 2022, the project was able to fund extensive research carried out by Dr. Jane Pillinger, six theme-based online webinars and an in-person conference in Madrid attended by more than 100 delegates from 27 European countries, the European Commission, Eurofound and EU-OSHA.

The project has deepened the cooperation between the nine social partners and their determination to establishing a zero-tolerance policy toward violence and harassment at work in all its forms, which covers all workers, users, clients, visitors, contractors, and anyone else who may come in contact with the personnel, physically or virtually. This remains a fundamental starting point.

To maintain the momentum, this Action Plan is endorsed by the project partners and conference delegates who recommend its adoption by the relevant social dialogue committees in the first half of 2023.

Key project findings

The project research is based on a literature and data review, a survey with responses from 165 project partners' national members, six webinar discussions in total, covering gendered violence and domestic violence, prevention and risk assessment, digitalisation, compensation and support for victims and brainstorming on updating and improving the Guidelines.

The project gave the opportunity to discuss the proposed EU Directive on violence against women and domestic violence, which triggered a statement by some of the project partners calling for a much stronger focus on the role of social partners in tackling and preventing gender-based violence (see [here](#)).

It also allowed to reaffirm the importance of the ILO Violence and Harassment Convention No.190 and Recommendation No.206, adopted in 2019, thanks to a women-led transnational campaign, which is yet to be ratified by all EU Member States (to date ratified by Spain, Italy and Greece). 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 provides ample evidence of the outstanding challenges for social partners and public authorities to prevent and better respond to external violence at work against a context of growing income and wage inequalities, austerity measures resulting in under-resourced public services, and a sense of not being in control of a fast-changing world of work, not least related to digitalisation.

It finds that there is still much underreporting of violence and harassment, due to the lack of a visible, effective policy at the workplace to establish complaints systems that workers trust and to implement prevention measures, as well as a persistent perception that violence is part of the job.

Despite underreporting, there is evidence of increasing TPVH including gender-based violence and gender-based cyberviolence/harassment.

Yet, violence and harassment is not inevitable and the social partners can make a crucial difference through the various legal and policy instruments at their disposal related to OSH, gender equality, non-discrimination, labour laws/codes with provisions on harassment and criminal law. Importantly, victims or witnesses of violence need to know that reporting will be effectively tackled and responded to by management and public authorities. Avoiding working alone, management support and compensation for victims/survivors of violence, working towards better and more resources services for citizens, are also essential.

The role of labour inspectors in preventing and detecting risks of TPVH remains critical, as is access to recourse and justice and more actions to enhance the role of prevention.

The Multi-Sectoral Guidelines need a refresh

The Guidelines agreed 12 years ago have proven useful in raising awareness about the role of social partners to tackle external violence, but they have not been updated since then and may risk becoming out of date.

The project survey found that only a small number of social partners at national level know they even exist (30%). The Guidelines have not been implemented in any multisectoral agreement at the national level, with the exception of Denmark in two sectors.

There is, however, better knowledge and awareness of the problem from surveys and practice/experience on the ground, and as the research has found, there are many examples of joint or stand-alone initiatives by the trade unions and the employers via collective bargaining, negotiation of workplace policies, security measures, awareness raising campaigns, practical guidance, and support measures for victims of violence and harassment.

Few national collective agreements deal exclusively with external violence. It is more often integrated in agreements on OSH and/or gender equality or on the specific issue of cyberviolence in relation to digitalisation.

Actions in the very short term

- ✓ Dissemination of the research report enclosing 40 examples of social partner initiatives across the EU as a source of practical tools to address violence and harassment, online and offline, via workplace policies and collective bargaining. The executive summary will be available in 22 languages and the full report in DE, EN, ES, FR, IT, RO (tbc).
- ✓ Communication tools to help national members disseminating the report and easily access the useful, reported national initiatives will be available at the end of 2022 or early 2023.

Actions in the short term

Despite the limited implementation of the Guidelines, taking into account the specificities of TPVH, which became an even greater problem during the COVID-19 pandemic, **there is consensus about the relevance of retaining dedicated Guidelines on TPVH.**

This means ensuring the dynamic nature of the Guidelines in order to provide examples of actions that can be taken in a range of different agreements on OSH, wellbeing at work, gender equality, non-discrimination, labour laws/codes, as well as providing guidance on more detailed practical implementation of agreements/policies at the workplace and sectoral levels.

To remain relevant, the Guidelines need to be updated, as detailed in the recommendations of the project's research report, at least in the following areas:

- ✓ **Gender-based violence:** The Guidelines need to better reflect national legislation and collective agreements and ILO Convention 190 and Recommendation 206 to ensure inclusion of gender-based violence including domestic violence, which became all the more urgent in view of the development of telework. Five countries have already implemented laws which include paid domestic violence leave, as in Italy, Spain and Ireland, and many others are including this issue in jointly negotiated workplace measures. The revised Guidelines can provide a useful common framework to generalize the good practices at national level.
- ✓ A better understanding and focus to gender-responsive approaches to TPVH in line with ILO Convention 190 and Recommendation 206 is also needed.
- ✓ **Occupational health and safety** remains a common entry point to discuss and tackle the prevention of violence and harassment at work. There is a need to better enforce OSH risk assessment, and to include psychosocial risks, such as insufficient staffing, along with better security protocols, support for and compensation of victims. In this regard, it is important to encourage the national implementation of EU-OSHA's Online Interactive Risks Assessment Tools (OiRA) and ensure meaningful involvement of sectoral social partners.
- ✓ **Digitalisation**, especially if not well designed in cooperation with workers and their trade union representatives, can lead to frustrations from service users and a fragmentation/dilution of responsibilities in service provision, which can in turn trigger abuse and violence from third parties. New strategies are needed to tackle the problem in the rapidly changing world of work both to the benefit of workers but also to the quality and availability of public and commercial services.
- ✓ The Guidelines should also reflect a common understanding of the various forms of **cyber-violence**, which, unlike other forms of violence, is often from anonymous perpetrators, and according to the ILO, comes more often from other employees/colleagues/management.

There is also consensus amongst the project partners to find ways to make the Guidelines more effective at the workplace level.

- ✓ Consider whether and how the Guidelines, or a set of principles underpinning the Guidelines, should be binding in national collective agreements and/or EU sector specific agreements.
- ✓ Once the Guidelines have been revised, they should benefit from a high-level launch including a dedicated website, accessible materials and fact sheets and be supported by a communication and dissemination plan to reach out to national members

In the longer term: towards an integrated approach to violence and harassment at work

It is recommended that the cross-sector social partners consider negotiating a legally binding social partner agreement on all forms of violence and harassment including TPVH (updating the 2007 social partner agreement on violence and harassment) to ensure alignment with ILO Convention 190 and national agreements that favour an integrated approach to violence and harassment, covering a gender-responsive approach towards both internal and external violence and harassment.

Process and timing

The project partners commit to submitting the Action Plan for adoption with their respective sectoral social dialogue committees in the first half of 2023.

Should there be endorsement of the Action Plan and the research recommendations to revise the Guidelines, funding from the Commission will be sought to finance the updating and revision of the Guidelines in 2023.

Alternatively, each sectoral social dialogue committee can request funding for negotiating their own sectoral agreement.