



# Implementation of the ETUC<sup>1</sup>/BUSINESSEUROPE-UEAPME/CEEP Framework agreement on Harassment and Violence at work<sup>2</sup>

Yearly Joint Table  
summarising ongoing social partners activities

**2008<sup>3</sup>**

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<sup>1</sup> Including the Liaison Committee Eurocadres/CEC

<sup>2</sup> Signed on 26 April 2007 by ETUC, BUSINESSEUROPE, UEAPME and CEEP

<sup>3</sup> Adopted by the Social Dialogue Committee on 18 June 2008

Country	Implementation results /initiatives
<b>Austria</b>	<p>The Austrian interprofessional social partners started discussions with the aim to find appropriate measures to implement the agreement.</p> <p>They sorted out the problem of the translation as in the meantime an official translation into German was published.</p> <p>The workers organizations hosted a conference for members of works councils on “Mobbing” on 18<sup>th</sup> of February 2008, with the participation of representatives of the employers.</p>
<b>Belgium</b>	<p>The European autonomous Framework Agreement has not, as such, been transposed, given that a law dealing with these matters already existed in Belgium</p> <p>Since the enactment of the Law of 11 June 2002 on protection from violence and psychological or sexual harassment at work (and the Royal Decree of 11 July 2002), employers have had an obligation to include the protection from violence and harassment at work in their prevention policies.</p> <p>The law was already modified once in June 2007. Since then, violence and psychological or sexual harassment at work have been recognised as an integral part of the psychosocial risks associated with work, and employers must include – in their policies to prevent these risks – appropriate measures against abusive behaviours. Such forms of behaviour are indissolubly linked to the employer's duty of psychosocial care. Thus, employers must deal not only with violent behaviour and harassment but also with any other situations which entail a psychosocial risk (cf. stress, etc.).</p> <p>The principal merit of the existing legislation is that it broke the silence surrounding a set of problems that had been ignored for years. For the first time, these difficult issues, which many victims consider very personal and highly sensitive, can be examined and addressed objectively. <u>In principle</u>, it is now possible to develop awareness raising measures tailored to the situation and needs of individual companies.</p> <p>The employer has an obligation to implement a prevention policy in the company in order to deal with this kind of unacceptable behaviour.</p>

	<p>It is apparent from the implementation of the legislation that the root causes of unacceptable behaviour lie mainly in organisational shortcomings and lack of communication and that only to a lesser extent can they be attributed to individual factors such as the character traits and personality of the people concerned.</p> <p>An analysis of the existing complaints shows that the psychosocial risks associated with work in companies are high. Legislation on harassment and violence is seen by workers as a stopgap measure to resolve conflicts, in the absence of more general company-level policies to prevent psychosocial risks.</p> <p>Effective implementation of the legislation will require further awareness, information and training measures for all stakeholders, including the employers, managerial staff, workers, prevention officers, staff counsellors and trade union representatives. In order to implement the legislation effectively it will also be necessary to develop risk-analysis methods and to make them available to all the parties concerned. With these aims in mind, trade union organisations are striving to increase the awareness of workers' representatives, where appropriate with the help of specialised psychologists in the context of training programmes.</p> <p>The most difficult issues – even after the updating of the law and the additional explanations provided on a number of concepts which required clarification – are the protection of witnesses as well as of the plaintiffs and how to tackle this whole area in SMEs, particularly as regards the role of counsellors. Prevention is a concept that needs to be fine-tuned at sectoral level as well as in legislation.</p> <p>Violence from third parties is a particularly complex issue in the education sector, where teachers must take into account the logic underlying the organisation of teaching activities as well as the logic underlying an employment relation free from violence. Of course, this problem concerns all workers in contact with customers or patients, but the problem of violence from third parties appears to have certain specificities in the education sector.</p> <p>As a general rule, finding appropriate solutions is a more complex task in the case of the civil service, to the extent that any solutions are more difficult to organise and implement in this sector.</p> <p>Trade union organisations are developing procedures to evaluate the implementation of this law while at the same time monitoring the relevant case law.</p>
<b>Bulgaria</b>	

<b>Cyprus</b>	
<b>Czech Republic</b>	<p>The agreement was jointly translated by the social partners in April 2007 and no difficulties were encountered during this process.</p> <p>The translated text was sent to the affiliates of the social partners' organisations. It was also published in social partners' information bulletins and periodicals and put on the social partners' web sites.</p> <p>The agreement forms also a part of the practical information brochure concerning the autonomous agreements of European social partners containing also all the joint translations of the agreements. This brochure was produced within a social partners' joint project on social dialogue in the summer of 2007.</p> <p>As for the actual implementation, the agreement has not been implemented yet.</p> <p>The social partners think about proposing amendments implementing the agreement into the Labour Code during the next round of its amendments which is envisaged for this year. The decision about that might become a topic for a bipartite agreement.</p> <p>A lot of attention to the agreement is paid by the public sector, especially health services. For instance the Trade Union of Health Service was a partner in an international project dealing with the issue of violence at workplace.</p> <p>CMKOS, the Czech ETUC affiliate, adopted a recommendation to take the framework agreement on harassment and violence at work into account during the collective bargaining at the branch level. Enterprise based organizations were advised to apply, where possible, the framework agreements' articles to the company conditions. The employers take the problem of violence and harassment at work place very seriously and are interested in a deeper debate on this emerging phenomenon. The awareness is however still very low. The agreement is focusing particularly on the violence and harassment directly at the workplace among colleagues, superiors and subordinates, but it gives a space for any extension or additional agreement in certain sectors affected by violence evocated by a third party. For this reason, the Confederation of Industry of the Czech Republic has decided to co-operate closely with the Association of Hospitals and with the Association of Trade and Tourism to improve the implementation of the existing agreement on harassment and violence, to identify the potential risks and analyse the situation.</p>
<b>Denmark</b>	<p><b>(Joint report concerning the public sector only)</b></p> <p><b>Local, Regional &amp; State sector</b></p>

In accordance with the Danish model for collective bargaining, the Associations of Local Government Employees' Organisation (KTO) and Local Government Denmark concluded an agreement in 2008 that implemented the framework agreement on harassment and violence at work by collective agreement. A corresponding agreement in the regional sector has been concluded between KTO and Danish Regions. Specifically, the framework agreement was implemented by new agreements on cooperation and cooperation committees at local and regional sector workplaces. Besides from implementing the European Agreement in 2008, the parties agreed that the cooperation committees have to work out guidelines for the workplace' overall measures in relation to identify, handle and prevent harassment and violence at work. The agreement includes measures to take care of third part violence.

Accordingly, discussions of harassment and violence at work and dealing with it at the workplace will be a natural part of the ongoing work in the cooperation committees.

Furthermore, the parties agreed upon producing a guidance concerning measures to avoid violence and harassment in the work place.

As part of the collective bargaining 2008, the social partners – the State Employer's Authority and the Confederation of Danish State Employees' Organisations – have agreed to incorporate the following text in the Agreement on Cooperation and Joint Consultation Committees in State Sector Enterprises and Institutions ("The Cooperation Agreement"):

*"Article 5, 10: Harassment and violence*

*The Cooperation Committee shall lay down guidelines that ensure a working environment where employees are not exposed to mobbing, (sexual) harassment or violence from colleagues, management or a 3rd party. The Cooperation Committee must continuously oversee that the guidelines fulfill their purpose. (Unauthorized translation)"*

It is not the first time that the social partners have implemented EU regulations via their Cooperation Agreement. This instrument has formerly been used to implement the two anti-discrimination directives (2000/78/EC and 2000/43/EC), the directive establishing a general framework for informing and consulting employees in the European Community (2002/14/EC) and the European cross-sector agreement on work related stress from 2004. The preamble contains clear references to the EU directives and European agreements that have been incorporated into the Cooperation

	Agreement.
<b>Estonia</b>	
<b>Finland</b>	The Confederation of Finnish Industries EK, the Central Organisation of Finnish Trade Unions SAK, the Finnish Confederation of Salaried Employees STTK and the Confederation of Unions for Professional and Managerial Staff AKAVA agreed on a joint translation of the EU agreement in the spring of 2008. There is now an ongoing discussion concerning the next steps of implementation.
<b>France</b>	
<b>Germany</b>	<p><u>Joint initiatives/actions</u></p> <p>The interprofessional social partners BDA and DGB agreed on 4 April 2008 upon a German translation of the European framework agreement.</p> <p><u>Initiatives/actions by the employers' organisations</u></p> <ul style="list-style-type: none"> <li>• BDA informed their members during the whole process of negotiations and about the result of the negotiations to ensure a fast implementation of the framework agreement by their members.</li> <li>• BDA is planning a brochure with comprehensive information about the content of the framework agreement and best practice examples from their members. BDA has proposed to DGB to publish the brochure together.</li> </ul> <p><u>Initiatives/actions by the trade union organisations</u></p> <p>Following a debate on 4 June 2008 at the DGB-Committee for workers participation and works councils, it was decided that no further activity to implement the European agreement is foreseen so far as the renewed Non-discrimination law (Allgemeines Gleichbehandlungsgesetz) covers all issues of the European agreement, including sexual harassment and violence. Also several works council agreements in big companies offer a protection/regulation beyond the one foreseen in the European agreement. Nevertheless, some affiliates are ready to check if the text of the European agreement can be used as a starting point to initiate the revision and improvement of existing works council agreements on non-discrimination and partnership at the work place including fighting harassment and violence.</p>

<b>Greece</b>	
<b>Hungary</b>	
<b>Iceland</b>	<p>The European framework agreement has been translated into Icelandic jointly by SA and ASI. Both parties have made clear in their respective publications that harassment and violence at work should not be tolerated.</p> <p>As for the dissemination and implementation of the agreement, in Iceland there is a regulation, No 1000 from 2004, on measures against harassment at work. The regulation describes e.g. the term harassment, stipulates that employers shall state clearly that harassment and other unacceptable behavior at the workplace is forbidden and prescribes which procedures shall be followed where cases arise. The Icelandic social partners have considered that the regulation covers the scope of the European framework agreement. Though, SA (employers' side) and ASI (trade union side) are now comparing the text of the regulation and the European framework agreement to be able to assess whether the agreement demands further legislative initiatives either in form of an agreement or a revision of the regulation. According to the schedule this work should be finished at the end of September.</p>
<b>Ireland</b>	
<b>Italy</b>	<p><u>Implementation of Framework Agreement on Harassment and Violence at work in the Italian public sector:</u></p> <p>With reference to the subject underlined in the Framework Agreement on harassment and violence at work, Italy welcomes a European formalization of this agreement that will raise public awareness on this very important problem that is spreading like wildfire.</p> <p>Concerning this problem, it is important to stress that, for several years, it has been the social partners rather than the Italian government that has focused on this issue.</p> <p>For these reasons, specific regulations have been introduced into the collective bargaining. These are intended to discourage harassment and violence in the workplace and are also in line with the procedures suggested in the Framework Agreement.</p> <p>In particular, in all Italian public employment contracts, different solutions can be found.</p> <p>On the one hand, there are new "joint committees" whose objectives are:</p>

- a) collection of relative data about the quantitative and qualitative aspects of the phenomenon;
- b) organisational and managerial location of the possible causes of the phenomenon. Concerning this point, the focus is on checking if there are job conditions that may determine persecutory situations or moral violence;
- c) drawing up of proposals for positive actions aimed at the prevention and repression of critical situations;
- d) drawing up of proposals to define a “code of behaviour”.

On the other hand, the disciplinary code is to be integrated with new disciplinary measures (disciplinary suspension without wages or, in more serious situations, dismissal without notice) to penalize workers when they carry out:

- e) actions, behaviours or harassment, also of sexual character, that can be damaging to a person’s dignity;
- f) aggressive, hostile or denigrating behaviour, that can lead to moral violence or psychological persecution of other employees.

Implementation of Framework Agreement on Harassment and Violence at work in Poste Italiane:

Poste Italiane devotes particular attention to the fulfilment of work activities in a friendly environment.

For such reason, coherently with orientations indicated in the Framework Agreement of the European Social Partners regarding Harassment and Violence at work, Poste Italiane has included in the National Collective Labour Agreement, signed on 11<sup>th</sup> July 2007, a specific provision for the protection of the rights and dignity of workers.

In particular, the signatories of the National Collective Agreement intended to stress out the need to guarantee that business relations would be carried out in an environment suitable for a peaceful fulfilment of job assignments, in order to avoid all those behaviours, of any nature, capable of causing psychological and moral inconveniences and which are, in any case, detrimental to personal dignity.

Such principles have been confirmed by the following Memorandum of Understanding on Corporate Social Responsibility, signed on 31<sup>st</sup> July 2007, through which Poste Italiane has started a process oriented towards Corporate Social Responsibility issues, with the main objective of defining and sharing tools and actions focused on the psycho-physical wellbeing of workforce, also with reference to harassment and violence at work.

The coherence of Poste Italiane’s policies on the matter through the national and EC legislation, the implementation of



	<p>best practices and communication campaigns are the main tools towards the implementation of what is provided for in the National Collective Labour Agreement.</p> <p>In coherence with such a model, the Joint National and Regional Bodies of the company (Equal Opportunity Committee, Bilateral Body for Training and Retraining, Joint Committee for on-the-job health and safety), as well as the Joint Observatory on Corporate Social Responsibility, are considered to be the most appropriate bodies for the development of initiatives on this specific subject.</p>
<p><b>Latvia</b></p>	<p>The Free Trade Union Confederation of Latvia (LBAS) and the Employers' Confederation of Latvia (LDDK) have concluded on the 11<sup>th</sup> of February 2008 an agreement on the implementation of the European framework agreement on harassment and violence at work.</p> <p>The European framework agreement on harassment and violence at work is translated into Latvian by "United translation stock" and appended to the agreement on the implementation.</p> <p>Whereas the social partners' efforts in the area of the working environment are very important, as regards employers and trade unions to ensure that the legislation protecting workers and managers is duly implemented.</p> <p><b>Activities on implementation:</b></p> <p>The signatory parties to this agreement on the implementation of the Framework agreement on harassment and violence at workplaces, will carry out the following actions:</p> <ol style="list-style-type: none"> <li>1. Dissemination of information to the members of employers' and employees' organizations, society as a whole and different institutions;</li> <li>2. Organization of information campaigns, round table discussions on regional and local level;</li> <li>3. Promotion of the conditions and aims of the agreement into the collective agreements on local and sectoral level.</li> </ol> <p><b>Other initiatives that will be taken:</b></p> <p>The agreement underlines the vital role of the social partners, empowered under national legislation and required to engage in social dialogue, and it points out that the culture of prevention must also be strengthened by increasing the</p>

	<p>integration of occupational health and safety issues into basic education, apprenticeship programmes and further education.</p> <p>The agreement is to be regarded as an action-oriented framework to identify, prevent and manage problems of harassment and violence at workplaces, and which emphasize joint actions to eliminate discrimination, in particular sexual harassment and other forms of discrimination.</p> <p>Therefore, the Free Trade Union Confederation of Latvia and Employers' Confederation of Latvia welcome governmental and non-governmental organizations to be aware and support the social partners initiatives. Consultations with relevant NGO's have been started and the enlargement of National Tripartite Cooperation Councils' Sub-council for Social Security of Ministry of Welfare to involve also the Ministry of Children and Family Affairs and the Secretariat of the Special Assignment Minister for social integration is in process.</p>
<b>Lithuania</b>	
<b>Luxemburg</b>	<p>Given that the social partners in Luxembourg [i.e. Fedil-Business Federation of Luxembourg (which is a member of BUSINESSEUROPE), the Fédération des Artisans, and the Chambre des Métiers (both of which are members of UEAPME), on the employers' side; and the CGT-L (OGBL/FNCTTFEL) and LCGB, affiliated to ETUC, on the workers' side] have only just started negotiations on the implementation of the framework agreement on harassment and violence at work, the progress made so far can be described very briefly.</p> <p>The agreement has not yet been disseminated because we only have the English version of the text. We require, as a matter of priority, a French translation and, in due course, also the German and Portuguese versions.</p> <p>Since the required translations will most probably be carried out in the countries concerned (Germany, Belgium, France and Portugal), we have not made any arrangements for the agreement to be translated. However, we have been told that a French version of the agreement already exists and we are currently trying to obtain a copy.</p> <p>The social partners have only recently engaged in the negotiations on the implementation of the agreement on harassment and violence at work, and they have done so in a spirit of cooperation and good will, so there are no difficulties to report at this stage.</p>
<b>Malta</b>	

<p><b>Netherlands</b></p>	<p><u>As for the private sector:</u></p> <p>The Labour Foundation, which is a private consultative and cooperative body incorporating the main employers' federations (VNO-NCVW, MKB and LTO) and the main trade unions (FNV, CNV and MHP) has recently started the actual implementation of the agreement. To that end, social partners have joined forces in an ad hoc working group for the preparation of a brochure which aims to support sectoral social partners, management of companies, work councils and local trade union representatives with the design of policies and measures preventing violence and harassment at work. Probably, the brochure will contain a number of examples clarifying the agreement.</p> <p>The Dutch translation of the European agreement will be included in this publication.</p> <p>The Labour Foundation is planning the distribution of the brochure at the end of the summer holidays of 2008.</p> <p>There has been discussion in the (bipartite) working group about the scope of the agreement. The question raised was whether or not the agreement also takes in account violence caused by third parties. The group decided to concentrate on violence at the working place caused by employers and employees. However, the brochure will also give hints to deal with violence caused by third parties.</p> <p><u>As for the public sector,</u> the following could be highlighted:</p> <p>Implementation of the framework agreement has been realized in many parts of the Dutch public sector through so-called "<i>ARBO convenanten</i>" (an extensive document in Dutch mapping all these ARBO convenanten which cover aspects of harassment and violence was annexed to the joint report).</p> <p>In the Central Government sector, the Health on the workplace-catalogue will pay much attention to the issues of the agreement. This guiding document will be finished early 2009. The Minister of the Interior and Kingdom relations will mid 2008 present in the framework of the "<i>Veilige Publieke Taak</i>"-programme ("Safe Public Service" –programme; a summary in English of the main features and objectives of this programme were send in annex to the joint report) a standard operating procedure on Harassment and violence to be integrated in the catalogue. In general, the central Government authorities are running a large project aiming at results similar to the ones prescribed in the Agreement.</p> <p>The Labour inspection in the Netherlands adopted harassment &amp; violence as one of her key points in her activities.</p>
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	<p>As for the dissemination of the agreement, it has been distributed through the 13 sector employers organisations in the Netherlands. Sector employers and unions signed the zero tolerance declaration.</p> <p>As a consequence of this declaration, the Ministers of the Interior and Justice reshaped their policies towards the executive services by requesting them to give priority to this subject, stimulate making declarations on infringements, to inform victims on their rights, always register complaints and declarations to secure follow up.</p> <p>The Minister of the Interior paid attention to organising the response by employers and employees towards the prevention, limitation and follow-up.</p> <p>As for the difficulties encountered during the different processes, the impression is that the issues in the framework agreement had different velocities in development. In some parts of the Dutch public sector (only recently the central government joined CEEP), the years 2008/2009 will prove important. However they are clearly undertaking several actions:</p> <ul style="list-style-type: none"> <li>a) Concerning external violence against public servants, five pilots started with an obligatory registration of violent acts to secure follow-up: the Labour-inspectorates, Tax services, Public Prosecution services, Legal public relations services, Prison services. In general, the social partners in central Government, Provinces and municipalities tasked the "A&amp;O" fund in organising common activities in the field of registration.</li> <li>b) Networks on Violence and aggression in Central government were created, planning all sorts of activities.</li> <li>c) On harassment, the Tax-Directorate manufactured films to enhance sensitivity around truly occurred situations within the service, and its consequences in terms of sickness absence etc.</li> <li>d) Model code of conducts &amp; Integrity policy was made obligatory for all central government public employers, in which framework new elements can be introduced.</li> </ul>
<p><b>Norway</b></p>	<p>A joint report from: The Norwegian Confederation of Trade Unions (LO), Confederation of Unions for professionals (Unio), Confederation of Vocational Trade Unions (YS), Confederation of Norwegian Enterprises (NHO), the Employer's Association Spekter, The Norwegian Association of Local and Regional Authorities (KS) and The federation of trade and service enterprises (in Norway) (HSH)</p> <p><u>Status</u> Activities implemented in Norway since the agreement was signed are:</p>

- Translation of the agreement into Norwegian and signed by all nine main social partner organisations (employers/workers) in Norway, also by those not being members of the European umbrella organisations.
- The agreement was presented by LO-Norway and the Confederation of Norwegian Enterprise (NHO), in cooperation, at a national conference on bullying and harassment in November 2007.
- The agreement was presented by LO-Norway and NHO, in cooperation, at the council meeting of the Norwegian Labour Inspection Authority in December 2007. The Labour Inspection Authority was invited and has accepted to participate in a national tripartite working group on the implementation of the agreement.
- A national working group which consists of all the national social partners, including the employers for state employees, was established. The working group also includes the Federation of Norwegian Professional Associations (Akademikerne) and the Norwegian Labour Inspection Authority. The working group held its first meeting in April 11th this year.

#### Legislation and regulations

The Norwegian Working Environment Act contains separate provisions that protect workers from harassment and violence at work and threats from a third party. The employer has an independent responsibility for arranging work in such a way that the integrity and the dignity of the worker are attended to. The Working Environment Act also contains basic provisions on preventive and systematic OSH work in relation to the psychosocial working environment and the physical working environment, co-determination, roles and responsibilities and cooperation between the parties. The Norwegian Gender equality act has also a separate section on gender-based harassment and sexual harassment.

#### Agreements

The Basic Agreement between LO-Norway and NHO contains a separate supplementary agreement on basic training in working environment issues for safety delegates. The system for practicing this agreement was amended in 2005. The requirements with regard to the content of the training was in that connection amended to ensuring more focus on the psychosocial working environment, harassment and violence at work included.

#### Sound OSH practice

Norway has long-standing and good traditions with regard to participation and cooperation between the parties, both at the national, sectoral and enterprise levels. This cooperation is either based on legislation or agreements, and we call it "workplace democracy". OSH issues constitute an important part of this cooperation.

Information, awareness promotion and skills are important preconditions for ensuring a sound OSH practice at the workplace. The parties at national level therefore regularly carry through various types of projects, campaigns,

	<p>conferences etc. in relation to different topics. The past three years, the Labour Inspection Authority, in cooperation with the social partners, have carried through a national project on bullying and harassment. The project has developed new methods to be used in the workplace, methods which we may link directly to this agreement.</p>
<p><b>Poland</b></p>	<p>In the first weeks after the European Social Partners have signed their autonomous framework agreement, the information note together with the draft translation of the agreement were presented to the members of Executive Board of NSZZ “Solidarnosc” and published on the Solidarnosc webpage. The press release was also sent out to major Polish daily newspapers. As a result three of them published information about the agreement and interviews with experts of NSZZ “Solidarnosc”.</p> <p>Representatives of the Polish employers’ organizations forming part of the BusinessEurope (PKPP Lewiatan) and UEAPME (Polish Craft Association) delegation in the Social Dialogue Committee have also presented the European framework agreement on harassment and violence to the statutory bodies and experts of their home organizations.</p> <p>Next, the draft translation was sent out to all representative social partners and the final version is now forming part of a consultation process. In the meantime the translation, marked as “provisional” is still published on the Solidarnosc website.</p> <p>In recognition of the importance of the autonomous social dialogue and in view of the fact that there is no permanent platform of bi-partite negotiations in Poland, “Solidarnosc” took the initiative to start the implementation process and submitted a project application to the European Commission. Within the framework of this project, Solidarnosc intends to invite participants from four Member States to exchange good practice on the implementation of European Framework Agreements, especially the one on harassment and violence. Participation in such a project will also be the opportunity to meet with national social partners and plan next joint steps. This initiative has been supported by the other representative social partners organizations in Poland.</p> <p>(Joint report by NSZZ Solidarnosc (ETUC), OPZZ (ETUC), KPP (Confederation of Polish Employers) (CEEP), ZRP (Polish Craft Association) (UEAPME) and PKPP Lewiatan (Polish Confederation of Private Employers) (BusinessEurope)</p>

<p><b>Portugal</b></p>	<p><b>A) Legal Framework</b></p> <p>As far as violence at work is concerned, although the Portuguese legal system does not establish any special regime, directly applicable to violence at work, the issue may be framed in the general principles of several law branches.</p> <p>The Constitutional Law foresees imperatives such as “... <i>the right to personal identity, to the development of personality..., to the good name and reputation, to image and to protection against any form of discrimination</i>” and “...<i>every worker, without making any distinction related to age, sex, race, citizenship or ideology has the right to labour organisation in socially dignifying conditions...</i>” as well as the right “...<i>to work in health and safety conditions;</i>”.</p> <p>In the Portuguese Labour Code, approved by Law N. 99/2003 of August 27, although there is a lack of specific dispositions on violence at work, there are several provisions that regulate this issue, namely those concerning equality and non-discrimination principles, personality rights, from which we underline the right to physical and moral integrity or other dispositions enclosing situations with a negative incidence on labour conditions, working with no health or safety conditions.</p> <p>Regarding other legal regimes, we must also mention, in this context, the Portuguese Penal Code, which typifies crimes of offence to physical integrity, crimes of insults and offence to both honour and public moral with application in case of violence at work.</p> <p>Specifically concerning harassment, the Portuguese Labour Code establishes, in the subsection on Equality and non-discrimination, a special provision on the matter, - article 24 - whose violation constitutes a very serious infraction according to article 642 of the above mentioned legal diploma.</p> <p><b>B) Social Partners' Initiatives</b></p> <p>Social partners have come to an agreement regarding the translation of the Framework Agreement on Harassment and Violence at Work and they intend to promote information and dissemination actions to their member entities.</p> <p>UGT considers that collective bargaining is the main instrument to consecrate rules for prevention and protection of workers who are victims of violence acts at the workplace. Therefore, we have been raising awareness in our unions to the need to introduce clauses concerning harassment and violence at work in collective agreements.</p>
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	<p>In this context, we can not help mentioning a clause on violence at work, which has been negotiated by SINTAP – Public Administration Workers’ Trade Union for the Hospitals EPE Labour Collective Agreement, which constitutes a thematic innovation regarding this matter.</p> <p>UGT’s Women Commission, through its action, constitutes also reinforcement to dissemination and awareness raising of trade union organisations to these themes, through its specific action. In this sense the Commission has already held a plenary session especially dedicated to this theme.</p> <p>CGTP-IN will disseminate the Agreement either to the affiliated organisations or directly to the represented workers namely through meetings and through its website. The application of the Agreement will be scheduled in a meeting with Federations and with national trade unions intervening on collective bargaining, to be held next May. Likewise, the “Equality between men and women” and “Equality and fight against discriminations” departments of CGTP will analyse the application means of the Agreement.</p> <p>CIP disseminated the Agreement to all its member associations and companies and wrote articles on the subjects that were published in some associations’ newspapers.</p> <p>“AIDA – Associação Industrial do Distrito de Aveiro” (employers association), member of CIP, as drawn up a project pilot, which <b>expects</b> to get financial public support, to be implemented within the equality plans in companies, where it will use a diagnostic tool which aims to analyse potential situations of inequality, namely the violence at work.</p> <p>The mentioned project foresees a range of activities of consultancy to eliminate inequality conflicts within the company and the realization of a seminar and a study on equality plans and best practices.</p> <p>APOCEEP disseminated the Agreement to all its member associations and supported its activities.</p> <p>(Joint report by: UGT (General Union of Workers) and CGTP-IN (General Confederation of Portuguese Workers), members of ETUC (European Trade Union Confederation) and CIP (Confederation of Portuguese Industry), member of BUSINESSEUROPE and APOCEEP (CEEP Portuguese Association)</p>
<b>Romania</b>	



<b>Slovakia</b>	
<b>Slovenia</b>	
<b>Spain</b>	
<b>Sweden</b>	<p>(Joint report by BUSINESSEUROPE's Swedish member organisation (The Confederation of Swedish Enterprise), CEEP's Swedish member organisation ( The National Section of CEEP in Sweden - members of the section are SALAR; SAGE, KFS, Fastigo and Pacta) and ETUC's Swedish member organizations (The Swedish Trade Union Confederation (LO), The Swedish Confederation of Professional Employees (TCO), The Swedish Confederation of Professional Associations (SACO))</p> <p><u>Joint Actions taken</u> The Swedish social dialogue partners have translated the autonomous agreement and will distribute the Swedish version during spring 2008.</p> <p>The social partners in the private sector (Confederation of Swedish Enterprise (<i>Svenskt Näringsliv</i>), The Swedish Trade Union Confederation (LO), The Swedish Confederation of Professional Employees (TCO), The Swedish Confederation of Professional Associations (SACO) have reached an agreement on the implementation of the EU agreement concerning harassment and violence at the workplace. The organizations declare that they support the EU agreement and have expressed the joint opinion that the agreement gives guiding principles when initiatives are to be taken to identify and prevent or deal with problems concerning harassment and violence at the workplace.</p> <p>During recent years the social partners in Sweden have conducted several joint projects, primarily in the area of third-party violence, in a variety of branches.</p> <p><u>Actions taken by CEEP's Swedish member organizations</u> The social partners in the municipal sector (SALAR and PACTA) signed a collective agreement in April 2005 about cooperation and work environment (so-called "FAS 05") in which the implementation of EU autonomous agreements is included as an issue for future commitment. The social partners collaborated in "<i>Sunt liv</i>" (Healthy Life) a nationwide program which began in 2002. Material concerning harassment and violence were made available on the associated website <a href="http://www.suntliv.nu">www.suntliv.nu</a> . The social partners also initiated a research and development project focusing upon the topic of work-related violence. The harassment and violence agreement is a topic on the program for Swedish and annual Nordic work environment conferences organized jointly by the social partners in the municipal sector.</p>

	<p>The Swedish Organisation for Local Enterprises (KFS) has implemented the EU agreement concerning harassment and violence at work. KFS has within a joint collaboration project with six unions worked out a system for constructive conflict solving which supports robust cooperation cultures. Five KFS members representing different branches built their own adaptable and flexible system for conflict solving with consulting support within the project. The two-year project will conclude in the summer of 2008. In June 2007, Fastigo reached an agreement with its union counterparts on a collective agreement regarding co-operation in the companies. While the collective bargaining agreement deals mainly with negotiation issues between parties, it also contains a section on the working environment where matters on violence, threats and harassment in the workplace are included. The business organization SABO, which many of Fastigo's member companies are also part of, carried out a project which has resulted in a handbook on security and safety for employees in housing companies.</p>
<b>United Kingdom</b>	
<b>Candidate countries</b>	
<b>Croatia</b>	
<b>Turkey</b>	
<b>EU interprofessional social partners</b>	Implementation results /initiatives
	<p>On 21 November 2007, the EP's Committee on Women's Rights and Gender Equality organised a public hearing on "sexual harassment in the workplace". Apart from expert presentations by amongst others the Commission, the Dublin Foundation and the Bilbao Agency, representatives of the EU social partners jointly presented the EU autonomous framework agreement at this hearing.</p> <p>Representatives of the EU social partners also presented the framework agreement at a seminar of the European Academy of Law (ERA – Trier – Germany) on "Developments in European Labour Law" (3 May 2007). The public consisted of lawyers interested and/or specialised in labour law and stemming from a large number of EU/EEA member states and representing private law firms, trade union and employers' organisations and public institutions (Ministries, judiciary, etc.).</p> <p>A considerable part of these activities were realised under the framework of the European Social Partners' Integrated Programme, and specifically under the section devoted to social dialogue capacity building. In this context, a series of activities dealing directly or indirectly with the content and objectives of the European framework agreement on work related stress were carried out.</p>

1) Mentoring programme: this programme is available for national employers' and trade union organisations and individuals wanting to strengthen their knowledge and content and procedures of the European social dialogue. The programme was managed with a different approach from the trade union and the employers' side respectively. On the trade union side, via so-called Seminars on "Training and mentoring on European social dialogue" around 40 trade unionists from EU member states and the candidate countries, with a working knowledge of English but little knowledge of the European social dialogue mechanisms, were introduced to the content and background of a number of European social dialogue results, with a view to further developing their negotiation skills. With specific regard to the framework agreement on work-related stress, its content was described and the main points relevant from a trade union perspective outlined. As a result, participants became acquainted with the objectives of the European agreement and could share their experiences in terms of the transposition as well as the implementation of it. Moreover, the impact of this cross-industry agreement was extended with the experiences that have been developing at sectoral level through interventions made by representatives of European Industry Federations. On the Employers' side, the training was not conducted in collective sessions, but towards tailor-made programmes for individual members of BUSINESSEUROPE, CEEP and UEAPME who applied for the mentoring programme.

2) Translation Fund: In order to promote full implementation of EU social dialogue texts throughout Europe, a fund has been created for translating texts negotiated through the EU social dialogue into languages of EU member states as well as candidate countries. The fund is jointly managed by ETUC and BUSINESSEUROPE (on behalf of the European employers' organisations) and their respective affiliated member organisations may use it. To date, the European framework agreement on work-related stress has been translated into the following languages through this fund: Croatian and Danish. These translations have been made available in the EU Employers' and ETUC Resource Centre websites (see below).

3) ETUC Resource Centre website and Employers' Resource Centre website: The ETUC as well as the European Employers' organisations have published on their respective resource centre websites the original version of the agreement on work related stress together with all the translations into the EU languages available (realised through the translation fund or other EC funded projects). In addition, other documents published either by the European Commission and/or by the European social partners that accompany the implementation of this framework agreement have been published on line (i.e. implementation reports, ETUC interpretation guide, etc.). See: <http://resourcecentre.etuc.org/> and [www.erc-online.eu](http://www.erc-online.eu)

	<p>In addition to those joint activities, there have been unilateral initiatives from the European social partners' organisations. We would like to mention, amongst others:</p> <p>The ETUC second level training "Developing a common understanding of European social dialogue instruments and their impact at the various levels". Between September 2007 and June 2008, the ETUC organised three two-day seminars involving trade unions confederations from the new EU Member States. These seminars aimed to further develop the skills and knowledge of trade unionists from the new EU Member States in order to help them to contribute effectively to the implementation of the European social dialogue at national level. In line with this objective, country representatives had to describe the process and main challenges in transposing the agreement on work related stress. Each presentation was followed by a debate where participants could share not only the results achieved but also common issues of concern. In addition, representatives from the ETUC secretariat and the ETUI-REHS enriched the discussion by presenting other national examples and comparing and contrasting the different situations.</p> <p>Moreover, between March and June 2008, trade unions confederations based in new EU Member States were given the opportunity to organise national seminars on issues related to the European social dialogue. The ETUC provided a budget (through EC funding) to run one-day national seminars and helped find European experts to contribute at the events. Trade unions based in seven different EU member states took advantage of this possibility and decided to devote part of their respective events to the agreement on work-related stress.</p> <p>Finally, in order to assist its member organisations as effectively as possible in the actual implementation of the European framework agreement, the ETUC also ran a specific project, with the financial support of the European Commission, which foresaw different but complementary actions, such as the elaboration of an ETUC interpretation guide on the agreement (and made available in several languages), a specific section on the ETUC website relating to the agreement and its implementation (<a href="http://www.etuc.org/a/3574">http://www.etuc.org/a/3574</a> ), three regional information meetings, etc.</p>
<p><b>European sectoral social dialogue</b></p>	<p>Implementation results /initiatives</p>