

European Agency for Safety and Health at Work

EUROPEAN RISK OBSERVATORY REPORT

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Workplace Violence and Harassment: a European Picture

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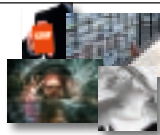


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FOREWORD

Concern about the effects of workplace violence and harassment on the health and safety of workers has been growing over the last decade. Both third-party violence and harassment may have severely negative consequences for the individuals affected and their families, co-workers and organisations, as well as the whole society. Although this growing concern has led to better provision of information, there is still a need to improve awareness, and to encourage better dissemination of the proven tools and procedures to prevent and manage these occupational risks.

The international and national statistics included in this report show that violence at work affects a significant number of European workers. The results of scientific studies on antecedents and consequences of work-related violence are also discussed. A survey of the Agency's Focal Point network suggests that there is still an insufficient level of awareness and recognition of problems with third-party violence and harassment in many EU Member States, even if these issues are sometimes mentioned specifically in national legislation. The report concludes that there is a clear need to promote and disseminate good practice and prevention measures that are sensitive to the national context. Some measures proposed by the European Union, ILO, WHO and national experts are presented in the report.

The Agency would like to thank the members of the Topic Centre for their contribution to this report, as well as our Focal Points for providing national information on violence and harassment at work, and our European Risk Observatory Expert Group and Advisory Group for their valuable comments and suggestions.

Jukka Takala
Director
European Agency for Safety and Health at Work



EXECUTIVE SUMMARY

Context

The problems of violence and harassment at work have created special interest in the last few years, which has resulted in many scientific and popular publications. Social preoccupation has also increased and different political and labour institutions, on a national and international level, have pronounced, through different documents, their concern about this issue.

The aims of the report are to:

- scrutinise differences in EU Member States in terms of the level of occurrence of different forms of violence and harassment at work (key statistics from international and national sources), as well as examples of the use of preventive measures;
- review the methodology and data sources used in different countries to assess the risk, prevalence and consequences of both workplace violence and harassment;
- examine cultural differences — definitions and norms — related to both violence and harassment at work.

Methodology

The focus of the literature survey was on recent European literature. Books, study reports, working papers and (scientific) articles were all covered. In March 2008, a survey on violence and harassment at work was sent to the Focal Points of the European Agency for Safety and Health at Work (EU-OSHA)¹. The purpose of the survey was to get a general idea of the situation across the EU countries in relation to work-related violence and to explore the issues related to violence and harassment at work more deeply. Altogether 19 Focal Points from the EU-27 answered the survey². Answers were also received from Albania, Norway, and Switzerland. Thus, the total number of replies was 22.

Definitions

There is no single uniform definition of what is meant by workplace violence or harassment. Violence is a generic term that covers all kinds of abuse: behaviour that humiliates, degrades or damages a person's well-being, value or dignity.

There is a variety of behaviours which may be covered under the heading of general violence at work, and the perception in different contexts and cultures as to what constitutes violence is diverse. Classifying different forms of violence is difficult and classifications used are often overlapping.

In this report, the phrases 'work-related violence' or 'workplace violence', are used to refer to all kinds of violent incidents at work, including third-party violence and harassment (bullying, mobbing) at work. The phrase 'third-party violence' is used to

1 Focal Points in each EU Member State, as well as in candidate countries and EFTA countries constitute the Agency's main safety and health information network. They are nominated by each government as the Agency's official representative in that country, and they are normally the national authority for safety and health at work. Working with national networks including government, workers' and employers' representatives, the focal points provide information and feedback which help to support Agency initiatives.

2 Belgium, Bulgaria, Czech Republic, Denmark, Germany, Estonia, Ireland, Spain, Italy, Cyprus, Lithuania, Hungary, Netherlands, Austria, Poland, Slovakia, Finland, Sweden, and the United Kingdom.



refer to threats, physical violence, and psychological violence (e.g. verbal violence) by third parties such as customers, clients, or patients receiving goods or services. The word 'harassment' will be used in this report to refer to the phenomenon also called bullying or mobbing, describing repeated, unreasonable behaviour directed towards an employee, or group of employees by a colleague, supervisor or subordinate, aimed at victimising, humiliating, undermining or threatening them.

Awareness

The results of the Focal Point survey showed that harassment is addressed officially (if, for example, an official definition exists for it and/or it is mentioned in legislation) more often than third-party violence. The way harassment and third-party violence are defined in legislation varies between the EU Member States, starting from more general law that covers all aspects of work, without mentioning third-party violence or harassment at work, to more specific definitions where, for example, bullying and harassment are also separated by the law.

The legislation or regulations do not usually define what is meant by violence or harassment or bullying. In some countries legislation concerning harassment or bullying refers, however, to repeated negative acts and to the negative health effects on the target.

The results of the Focal Point survey also showed that in new Member States, the level of acknowledgement of the issues was more often seen to be inappropriate compared to the relevance/significance of the problem.

The main reasons for low acknowledgement of these issues at the country level were:

- lack of awareness;
- no appropriate tools/method for assessing and managing the issue;
- low prioritisation of the issue;
- scientific evidence is limited or lacking; and
- specific regulation on the subject is limited or lacking.

At a European level, raising awareness of this issue with programmes and campaigns was considered important. Provision of appropriate tools/methods for assessing and managing third-party violence in the workplace was mentioned often.

Prevalence of work-related violence

According to the Fourth EWCS, 6 % of workers from the EU-27 report that they have been exposed to threats of physical violence either from fellow workers (2 %) or from others (4 %).

However, there seems to be a higher reported incidence of physical violence, as well as threats of physical violence, in the northern European Member States and a lower reported level of violence in the southern Member States.

A specific feature of third-party violence is that the risk is substantially higher in some occupational sectors such as healthcare and social work, education, commerce, transport, public administration, defence, and hotels and restaurants. Women meet with violence most often in healthcare, education and shops, whereas men encounter it most in police and security work, and transport. In these sectors, many of the features of work and the work environment shown to be risks for violence by third parties are present.



The Fourth EWCS also showed that 5 % of the respondents had been subjected to bullying and/or harassment in the workplace over the past 12 months in 2005. Less than 2 % of those surveyed were exposed to sexual harassment or unwanted sexual attention. However, as in physical violence, there is a wide variation between countries on the level of bullying and/or harassment in workplaces. In some countries, the focus of harassment studies is on sexual harassment and there is no information available on bullying at work.

National statistics and surveys show somewhat different prevalence rates compared with the EWCS showing the difficulties in assessing and comparing statistics or study results about the prevalence or exposure to different forms of third-party violence and harassment between different countries and surveys.

Risk factors and antecedents of work-related violence

Risks factors for third-party violence emerge mainly from features of the work environment but also from a wider context as well as particular situations. Some individual characteristics, gender (male), age (young), work experience (little) seem also to be connected with higher risk for third-party violence.

Targets of bullying are as diverse as people in general and there is no common target profile in terms of personality. Anyone can become a victim; there are no features that are always a risk. Individual or personality factors are not usually the cause of bullying but can, in a certain organisation, circumstances, context, have a meaning.

As a summary of the causes of harassment, it has been suggested that, in most of the cases of bullying, at least three or four of the following can be found:

- problems in work design (e.g. role conflicts);
- incompetent management and leadership;
- a socially exposed position of the target;
- negative or hostile social climate; and
- a culture that permits or rewards harassment in an organisation.

Consequences of work-related violence

Work-related violence is a serious safety and health issue. The individual consequences of third-party violence are both physical (bruising or wounds, even death) and psychological (anxiety and fear, sleeping problems and post-traumatic stress disorder). Psychological consequences can be even more serious than physical wounds. The individual consequences of workplace harassment vary from minor stress reactions to long-term sick leave and displacement from working life, and may sometimes even be a cause of suicide.

Economic losses due to work-related violence are substantial. Organisational consequences vary, for example, from lower job satisfaction and productivity of the subjects of violence and other employees, to increased sickness absence and higher turnover, which can all increase costs.

It is important to keep in mind that all kinds of work-related violence also indirectly affect the families and friends of victims. All in all, the consequences of work-related violence are as wide as the whole framework of risks related to it.

Initiatives for prevention and management of work-related violence

The aims of policy-level actions are most often to increase awareness and recognition of key challenges at different levels, to have an impact on the attitudes both at



organisational and individual level and to encourage, and sometimes also push, organisations to take action.

The current state of the official government policy and the prevention and intervention possibilities in workplace violence vary between countries. In addition to governmental policies, different partners in national, international and sector levels have pronounced their concern on violence in workplaces and have elaborated technical documents about preventing and coping with workplace violence. It has increased training and information material for different groups.

In many countries, codes of conduct and guidelines are drawn up in organisations to support the prevention and management of harassment at work and to deal with cases of harassment. In general, employers are responsible for a preventive policy and taking care of health and security in the organisation. Readiness to tackle workplace violence and harassment also differs between small and big companies. For example, big companies have confidential counsellors or other experts to help those who feel they have been harassed at work; a complaints procedure is more often available in these larger companies. Small and medium-sized companies do not necessarily have the means to afford outside experts and intervention.

The way forward

Even though there is much information available, there still is a need for increased, scientifically sound knowledge, and recognition of the risks and antecedents of violence and harassment at work, of the serious and damaging consequences of verbal and non-verbal violence, and the possible ways and methods to address them. It is also necessary to clarify the terms, definitions and classifications used in relation to different types of work-related violence.



European Agency for Safety and Health at Work

EUROPEAN RISK OBSERVATORY REPORT

1.

INTRODUCTION



1.1. BACKGROUND AND AIMS OF THE REPORT

The problems of violence and harassment (bullying) in the workplace have created special interest in the last few years, which has resulted in many scientific and popular publications. Social preoccupation with the issue has also increased and different political and labour institutions, on a national and international level, have pronounced, through different documents, their concern about workplace violence. The expert forecast (1) on the emerging risks carried out by the European Risk Observatory, indicated violence and harassment as one of the emerging psychosocial risks related to occupational safety and health (OSH).

The data on violence and bullying in European workplaces periodically obtained from the European Working Conditions Surveys (2) indicated that, generally, the level of violence in EU increased slightly during the period 1995–2005, and that there are significant differences in the prevalence of violence and harassment/bullying in different European countries. However, the figures have to be interpreted with caution, as they are also dependent on the level of awareness and cultural norms in particular countries and organisations. Nonetheless, given the serious negative effects that result from violence and harassment, it is of great importance to further scrutinise these differences, since the level of awareness is directly related to both preventive and reactive measures taken in companies.

The aims of the report are to:

- scrutinise differences in Member States in the occurrence of different forms of violence and harassment at work (using key statistics from international and national sources), as well as providing examples of preventive measures;
- review the methodology and data sources used in different countries to assess the risk, prevalence and consequences of both workplace violence and harassment; and
- to examine cultural differences — definitions and norms — related to this issue.

The objectives are to give policymakers and researchers:

- a comprehensive picture of the level of awareness of the problem in EU Member States; and
- a general idea of the current state of control, including some background information on legislative and non-legislative measures (e.g. codes of practice) related to different kinds of violence and harassment at work.



METHODOLOGY

1.2.

1.2.1. Literature review

The focus of the literature survey was on recent European literature. Books, study reports, working papers and (scientific) articles were all covered.

The main keywords used in the literature search were:

- violence, harassment, at work;
- bullying, mobbing, psychological violence;
- harassment, unwanted sexual attention.

Reports for 29 European countries were prepared, including information on definitions, legislation, policies, initiatives and studies for each one. En bloc, these reports describe the situation in the European countries very well. From some countries, a lot of information was available, whereas with others, very little information was available.

The key words were translated, as appropriate, into the language of the authors of some of the country reports. English was used as a search language in the other EU countries.

1.2.2. Focal Point survey

In March 2008, a survey on violence and harassment at work was sent by the European Agency for Safety and Health at Work (EU-OSHA) to its network of Focal Points³. The purpose of the survey was to get a general idea of the situation across the EU countries and to explore the issues related to violence and harassment at work more deeply, since many studies and surveys refer to differences across the EU-27 Member States with regard to definition, interpretation and reporting on these phenomena.

The survey included questions on:

- definitions and terms;
- legislation, policies and initiatives;
- statistics and research;
- acknowledgement of the problem; and
- management of third-party violence and harassment in the workplace (Appendix I).

In the survey, the term 'third-party violence' is used to refer to physical violence, verbal aggression, or the threat of physical violence where the aggressor is not a work colleague, e.g. the person, customer, client or patient receiving goods or services. Harassment is used to refer to 'repeated, unreasonable behaviour directed towards an

³ Focal Points in each EU Member State, as well as in candidate countries and EFTA countries constitute the Agency's main safety and health information network. They are nominated by each government as the Agency's official representative in that country, and they are normally the national authority for safety and health at work. Working with national networks including government, workers' and employers' representatives, the focal points provide information and feedback which help to support Agency initiatives. A full list of the Agency's Focal Points is available online (http://osha.europa.eu/en/about/organisation/focal_points).



employee, or group of employees by a colleague, supervisor or subordinate, aimed at victimising, humiliating, undermining or threatening them' (also sometimes known as bullying, mobbing or psychological violence). Harassment at work may also take form of sexual harassment (*unwanted sexual attention*).

Altogether 22 Focal Points sent replies to survey⁴; 11 from the old EU-15 Member States; eight from new Member States; and the remaining three replies from Albania, Norway, and Switzerland.

1.3. DEFINITIONS FOR VIOLENCE AND HARASSMENT AT WORK

No single, uniform definition for workplace violence so far exists. Different relevant institutions and researchers have suggested several definitions and classifications. The terms used also differ.

Violence is a generic term that covers all kinds of abuse. Most definitions of forms of violence at work include homicide, assault, threats, mobbing and bullying; in effect, all behaviour that humiliates degrades or damages a person's well-being, value and dignity. In addition, the definition of a 'workplace' is elusive as increasing numbers of people earn their living on mobile sites, in home-based offices, and by teleworking (3, 4).

In some definitions, the term 'work-related violence' refers to both physical and psychological violence directed at employees from either outside or inside the workplace. Sometimes violence or physical violence and harassment (bullying) are separated.

In the next chapters, the main definitions and terms used at the European level for different forms of work-related violence are examined.

1.3.1. Work-related violence referring to both physical and psychological violence

An expert meeting, organised by the European Commission in 1994, proposed the following definition for work-related violence that includes both physical and psychological violence: *Incidents where staff are abused, threatened or assaulted in circumstances related to their work, including commuting to and from work, involving an explicit or implicit challenge to their safety, well-being and health* (5). The definition is nowadays widely used by the European Commission and other organisations and researchers.

⁴ Albania, Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Hungary, Ireland, Italy, Lithuania, Netherlands, Norway, Poland, Slovakia, Spain, Sweden, Switzerland, and the United Kingdom.



The definition includes three important aspects that need to be taken into account (4, 6):

- the definition includes different forms of violence, abuse, threatening and physical attacks;
- acts of violence do not have to occur exclusively in the workplace, but in circumstances related to work, including commuting to the workplace or even while at home if the attack towards a person there is because of his work (for example, a police officer);
- violence means a challenge to employees' safety, well-being and health.

Abuse: Behaviours that depart from reasonable conduct and involve the misuse of physical or psychological strength. Abuse covers all forms of harassment, including sexual and racial harassment, bullying and mobbing.

Threats: The menace of death, or the announcement of an intention to harm a person or to damage their property.

Assault: Any attempt at physical injury or attack on a person including actual physical harm.

The framework agreement on harassment and violence at work by the European social partners from 2007 (8) refers both to harassment and violence at work. According to the agreement, violence occurs when one or more workers or managers are assaulted in circumstances relating to work. Harassment occurs when one or more workers or managers are repeatedly and deliberately abused, threatened and/or humiliated in circumstances related to work.

In the introduction of the agreement it states that different forms of harassment and violence can affect workplaces. They can be:

- physical, psychological and/or sexual;
- be one-off incidents or more systematic patterns of behaviour;
- be amongst colleagues, between superiors and subordinates or by third parties such as clients, customers, patients, pupils; and
- range from minor cases of disrespect to more serious acts, including criminal offences, which require the intervention of public authorities.

The framework agreement also states that harassment and violence may be carried out by one or more managers or workers, with the purpose or effect of violating a manager's or worker's dignity, affecting his/her health and/or creating a hostile work environment.

The definition used by the National Institute for Occupational Safety and Health (NIOSH, USA) for violence in the workplace refers to any threat, physical and/or psychological, that is directed toward a person while at work (9). Violence can be physical, sexual, mental or moral. It is a generic term that covers all kinds of abuse: behaviour that humiliates degrades or damages a person's well-being, dignity and value.

1.3.2. Internal and external workplace violence

Beyond the various definitions of violence that have been used, authors and institutions have also suggested other classifications for different types of workplace violence.



The International Labour Organisation (ILO) states that behaviour that can be characterised as violence at work can take a variety of forms, including non-physical or psychological violence: *Violence may also consist of repeated actions which, by themselves may be relatively minor, but which can cumulatively come to constitute serious forms of violence such as sexual harassment, bullying or mobbing* (4, 10).

The ILO makes a distinction between bullying (offensive behaviour) and mobbing. The term 'mobbing' is used to describe situations where someone is negatively treated by a group of people, and the term 'bullying' is used in situations where there is only one perpetrator.

Mobbing and bullying are described as follows: mobbing involves a group of workers ganging up on an employee and subjecting that person to psychological harassment. Mobbing includes behaviours such as making continuous negative remarks or criticism, isolation, spreading gossip or ridiculing the person concerned. Workplace bullying constitutes offensive behaviour through vindictive, cruel, malicious or humiliating attempts to undermine an individual or groups of employees (4).



Artist: Paulina Piorun

Courtesy of the occupational safety poster competition organised by the Central Institute for Labour Protection — National Research Institute, Poland

In the code of practice *Workplace violence in services sectors and measures to combat this phenomenon*, the ILO also makes a distinction between external and internal violence, the origin of the source of violence in relation to the workplace (11), and classifies types of violence as:

- internal workplace violence takes place between workers, including managers and supervisors;
- external workplace violence takes place between workers (and managers and supervisors) and any other person present at the workplace.

Some authors have developed these classifications. Mayhew (12) has proposed three basic categories according to the source of violence:

- external violence, which is perpetrated by persons outside the organisation, such as an armed hold-up in a shop;
- client-initiated violence which is inflicted on workers by their clients, such as patients attacking nurses; and



- internal violence such as between supervisor and employee, or employees and apprentices.

The typology developed by the Californian Occupational Safety and Health Administration (13) is very similar. Three broad categories of workplace violence are identified:

- Type I, planned robberies, where the assailant has no legitimate relationship to the workplace and the main object of the attack is to steal cash or valuable property;
- Type II, events involving assault by someone who is either the recipient of the object of a service provided by the affected workplace or the victim; and
- Type III, incidents involving assault by another employee, a supervisor, or an acquaintance of the worker.

This expansion of the categories has been suggested by the California Division of Occupational Safety and Health Administration (OSHA) (14, 15):

- Type 1: Intrusive violence: criminal intent by strangers, terrorist acts, mental illness or drug-related aggression and protest violence;
- Type 2: Consumer-related violence: consumer/clients/patients (and family) violence against staff, vicarious trauma to staff, staff violence to clients/ consumers;
- Type 3: Relationship violence: staff-on-staff violence and bullying, domestic violence at work;
- Type 4: Organisational violence: organisational violence against staff, organisational violence against consumers/clients/patients.

1.3.3. Other definitions for physical violence

The World Health Organisation (WHO) uses a broader definition and defines workplace violence as 'intentional use of physical force or power, threatened or actual, against oneself, another person or against a group or community that either results in, or has a high likelihood of resulting in, injury, death, psychological harm, wrong development or deprivation' (7).

WHO also provides some basic aspects regarding the definition of workplace violence.

- Violence is intentional; the definition excludes unintentional incidents.
- Violence is related to the health or well-being of individuals. According to WHO, certain behaviours may be regarded by some people as acceptable cultural practices, but are considered violent acts with important health implications for the individual.
- It includes acts arising out of power relations, including threats and intimidation.
- It opens the field of the consequences of violence to results that transcend damage and death and include psychological harm, deprivation and wrong development.
- The definition implicitly includes all acts of violence, public and private, reactive or proactive.

In studies focusing on workplace violence, researchers have used various definitions. This allows authors to establish specific data collection systems and measurements. Definitions can also include examples of the forms of violent assaults.

For example, Lawoko et al. (16) defines violence as 'threatening or aggressive behaviour (verbal), spitting, scratching or pinching, use of physical force such as punching, slapping and kicking, physical threats involving no actual physical violence and use of an object or weapon against the employee'.



Ilkiw-Lavalle (17) gives operational definitions for the purposes of the research: aggression is the overall term that refers to:

- (i) any act of verbal aggression directed towards others irrespective of outcome, for example being loud and demanding, verbal hostility or verbal threats of intent to do harm; and
- (ii) physical aggression (violence) is defined as any act involving the use of physical force onto others, objects, property, or the self, irrespective of outcome.

In the British Crime Survey (BCS), violence at work is defined on the basis of the type of offence (assaults or threats); what the victim was doing at the time of the incident (at work or working); and the relationship between victim and offender (18). The definition of violence at work used by the BCS is 'all assaults or threats, which occurred while the victim was working, that were perpetrated by members of the public'.

- Physical assaults include common assault, wounding, robbery and snatch theft. Threats include both verbal threats, made to or against the respondent and non-verbal intimidation. These are mainly threats to assault the victim, though some threats relate to damaging property or harming others. The term violence is used in the report to refer to both assaults and threats.
- Members of the public are clients or customers who the victim did not know before the incident or people previously known to the victim, including friends, neighbours and local children.
- Excluded are incidents in which there was a domestic relationship between the offender and victim (partners, ex-partners, relatives or household members) and incidents in which the offender was a work colleague. Cases of domestic violence and violence between colleagues have been excluded as these incidents are likely to be very different in nature from those involving members of the public.

1.3.4. Definitions for harassment, bullying and mobbing

The term

Although negative and hostile behaviour is not a new phenomenon, it has been scientifically studied for only about 20 years. No general agreement on the definition or of the terms to be used, of 'harassment' and 'bullying' exists so far between institutions, researchers and practitioners in the field.

Several terms such as bullying (19), mobbing (20), harassment (8, 21), psychological harassment (22), abusive behaviour, emotional abuse (23), and workplace aggression (24) have been used. Sometimes these terms have been used interchangeably; sometimes they mean different things. As indicated previously, the terms 'mobbing' and 'bullying' are also used to differentiate between negative behaviour by groups and negative behaviour by a single person. Nowadays, most researchers in the field use the term bullying, for example in scientific articles written in English.

In different countries, terms other than bullying are used to indicate similar behaviour in the workplace, for example work or employee abuse, mistreatment, bossing, victimisation, intimidation, psychological terrorisation, psycho-terror, psychological violence, inappropriate treatment, or unwanted behaviour.

At a national level, words like harcèlement moral, harcèlement psychologique (French), assédio no local de trabalho, assédio moral (Portuguese), acoso moral, hostigamiento psicológico, psicoterror laboral, and maltrato psicológico (Spanish), tormoz (Bulgarian),



kiusaaminen (Finnish), and mobbing (Sweden) are used in relation to harassment. In Italy, Poland and Germany, the term mobbing has been widely adopted. In the United Kingdom, the term bullying is used.

The definition

Harassment and bullying have mostly been defined by researchers. Carol Brodsky wrote the first book about harassment at work in 1976 (21). She defined harassment as 'repeated and persistent attempts by one person to torment, wear down, frustrate, or get a reaction from another. It is treatment that persistently provokes, pressures, frightens, intimidates, or otherwise discomfits other people'.

Heinz Leymann, the pioneer of the workplace bullying research as it is now, defined psychological terror or mobbing in working life as 'hostile and unethical communication, which is directed in a systematic way by one or a few individuals mainly towards one individual who, due to mobbing, is pushed into a helpless and defenceless position, being held there by means of continuing mobbing activities. These actions occur on a very frequent basis (statistical definition: at least once a week) and over a long period of time (statistical definition: at least six months)' (20).

Ståle Einarsen, the leading modern researcher into bullying, with his colleagues at the University of Bergen, states that 'to label something as bullying, it has to occur repeatedly over a long period of time, and the person confronted has to have difficulties in defending him/herself. It is not bullying if two parties of approximately equal 'strength' are in conflict or the incident is an isolated one' (19).

A definition used, for example, by Hoel & Cooper (25) in the United Kingdom is very similar. Bullying is 'a situation where one or several individuals persistently, over a period of time, perceive themselves to be on the receiving end of negative actions from one or several persons, in a situation where the target of bullying has difficulty in defending him or herself against these actions. We will not refer to a one-off incident as bullying'.

In Germany, Zapf (26) talks about mobbing and defines it as 'harassing, bullying, offending, socially excluding someone or assigning offending work tasks to someone. It is a process in the course of which the person confronted end up in an inferior position'.

Di Martino (27), gives a somewhat different definition for bullying/mobbing, 'a form of psychological harassment consisting of persecution through vindictive, cruel, or malicious attempts to humiliate or undermine an individual or groups of employees, including unjustified, constant negative remarks or criticisms, isolating a person from social contacts and gossiping or spreading false information'.

In some definitions *intent to cause harm* is also included. For example, Björkqvist, Österman and Lagerspetz (28) define work harassment as 'repeated activities, with the aim of bringing mental (but sometimes also physical) pain and directed towards one or more individuals who, for one reason or another, are not able to defend themselves'. Moreover, in the definition used in the framework agreement on harassment and violence at work, harassment 'occurs when one or more worker or manager are repeatedly and deliberately abused, threatened and/or humiliated in circumstances related to work'. In the definition used by O'Moore et al. (29) in Ireland, enjoyment of the perpetrator is also included: 'only inappropriate aggressive behaviour that is systematic and enjoyed is regarded as bullying'.



Usually, harassment is considered to take place between people, but a situation created by 'faceless bureaucracy', referring to a situation in which an individual feels defenceless against actions of a bureaucratic organisation, has also been called bullying (30).

Escalating nature of harassment

An essential feature of harassment is its escalating nature, the victim can do very little to solve the situation, and as time goes on the target becomes stigmatised — he/she becomes 'the problem'. This process has been described by several researchers. Leymann (31) described a four-stage process. The situation begins with a conflict that triggers a critical incident. The second stage comprises different negative acts, bullying and stigmatising. In the third stage, personnel-administrative actions start, and in the fourth stage the target/victim is displaced from the workplace. Björkqvist (32) has described the process in terms of bullying methods that become increasingly serious with time. The approach also describes the personalisation of the conflict and the collective nature of the process. (See also Section 3.1).



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Forms of negative behaviour

Harassment can be manifested in many forms. These have, for example, been classified as the manipulation of the victim's:

- reputation;
- performance of work tasks;
- communication with co-workers;
- social life; and
- physical assaults, or the threat of physical violence (20).

Single forms of negative acts include: isolation; withholding of necessary information; assignment of tasks with unreasonable or impossible goals or deadlines; devaluation of one's rights and opinions; verbal abuse; slander; practical jokes; and ridicule. Threatening, by its nature, is psychological violence. It is important to notice that the negative behaviour involved in these acts is also the kind of behaviour that is common to everybody in everyday working life. However, this negative behaviour becomes harassment when it is systematically repeated.

Hoel & Cooper (25) have grouped negative acts as follows:

- (i) work-related harassment (e.g. persistent criticism of work an effort, attempts to find fault);



- (ii) personal harassment (e.g. insulting or offensive remarks, spreading of gossip and rumours);
- (iii) organisational harassment (e.g. having key areas of responsibility removed or replaced with more trivial or unpleasant tasks, being given tasks below one's competence); and
- (iv) intimidation (e.g. threats of violence or physical abuse, and behaviour such as finger-pointing, exposure to shouting or spontaneous anger).

The situation in France gives one example of the use and content of the term harassment, and also of institutional harassment. In France, the term harassment encompasses different forms:

- institutional harassment which forms part of a management strategy for all the staff; the violence is not an episodic or individual problem but indeed structural and strategic;
- professional harassment organised against one or several precisely designated employees, intended to get round legal redundancy procedures;
- individual harassment committed gratuitously with the aim of destroying another and exploiting one's own power; and
- moral harassment which is a technique of destruction and not a clinical syndrome.

The perpetrators

Harassment and bullying is, by some researchers, further delimited in to negative acts *inside the workplace*, by workmates, supervisors or managers or subordinates. In many studies, the possible perpetrator could also have been a client, customer or the like. In different kinds of interventions carried out to prevent and manage harassment and bullying, the focus of the interventions have, however, been in situations happening inside the workplace between the staff and not 'external'.

The status of the perpetrator seems to vary between countries. In Norway, the bullies have been shown to be co-workers and supervisors equally often (19), while in Sweden and in Finland the bullies have been reported to be colleagues somewhat more often than supervisors (34, 35, 36). In the United Kingdom and in Ireland, the supervisor or manager is most often perceived as the perpetrator (e.g. 37, 38, 39, 40). However, subordinates, as well as clients, are also reported to be perpetrators to some degree. In the United Kingdom, managers were reported to be the bullies in 75 %, colleagues in 37 %, subordinates in 7 %, and clients in 8 % of the situations (25). In Finland, of all the wage earners, 9 % reported having been subjected to bullying by supervisors, 14 % by co-workers, 1 % by subordinates, and 5 % by clients (41).

Inside the workplace, women are bullied about equally often by other women or men, men are more often bullied by other men than women (e.g. 25, 34). In the case of sexual harassment, women are most often harassed by their male colleague or supervisor, sometimes the harasser is a female colleague or supervisor.

1.3.5. Sexual harassment

In Directive 2002/73/EC of the European Parliament and of the Council (42) 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 sexual harassment at work is mentioned:



- '(8) Harassment related to the sex of a person and sexual harassment is contrary to the principle of equal treatment between women and men; it is therefore appropriate to define such concepts and to prohibit such forms of discrimination. To this end it must be emphasised that these forms of discrimination occur not only in the workplace, but also in the context of access to employment and vocational training, during employment and occupation.'
- '(9) In this context, employers and those responsible for vocational training should be encouraged to take measures to combat all forms of sexual discrimination and, in particular, to take preventive measures against harassment and sexual harassment in the workplace, in accordance with national legislation and practice.'

In the Directive, sexual harassment is defined as a situation 'where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment'.

This can be divided into (a) personal experiences of being subject to sexual harassment at work or (b) awareness of the existence of sexual harassment at the workplace (43).



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The ILO defines sexual harassment thus: 'although a single incident can suffice, sexual harassment often consists of repeated unwelcome, unreciprocated and imposed action which may have a very severe effect on the person. Sexual harassment may include touching, remarks, looks, attitudes, jokes or the use of sexually-oriented language, allusions to a person's private life, references to sexual orientation, innuendos with a sexual connotation, remarks about dress or figure, or the persistent leering at a person or a part of her/his body' (4).

Di Martino (27) defines sexual harassment as 'unwanted conduct that is perceived by the targets as placing conditions of a sexual nature on their employment, or that might, on reasonable grounds, be perceived by the targets as an offence, a humiliation or a threat to their well-being'.

The forms of sexual harassment can be physical (e.g. deliberate and unsolicited physical contact), verbal (e.g. repeated sexually-oriented comments), gestures (e.g. repeated sexually-oriented gestures about a person's body), written, coercive behaviour (e.g. threatening of dismissal if sexual favours are not granted) or a hostile environment (e.g. display of pornographic material) (4).



SUMMARY AND DISCUSSION

1.4.

There is no single uniform definition of what is meant by workplace violence or harassment. The definitions and categorisations of work-related violence differ between institutions and researchers. Di Martino (27) has stated: 'Physical and psychological violence often overlap in practice, making any attempt to categorise different forms of violence very difficult.'

Despite the many definitions, those used for workplace violence have some common features. *Work-related violence* includes all situations related to work and, in addition to physical violence, includes threatening and psychological violence, and involves a challenge to employees' health and well-being. In most of the definitions the word *violence* or *workplace violence* is used of situations where the aggressor is a third party, for example a customer, client, patient, or pupil. Some definitions separate external and internal workplace violence.

The same applies for harassment. Although the definitions used by researchers, experts and institutions about workplace harassment (bullying, mobbing) differ from each other in some points, most of them share some common features. Accordingly harassment involves:

- repeated negative, aggressive or hostile acts;
- a possible variety of negative or hostile acts; and
- the victim having difficulty in defending him/herself.

The perpetrators or aggressors can be co-workers, supervisors or managers or subordinates, or clients. *Third-party violence* refers to situations, where the attacker is a third party, such as a customer, pupil, patient, or patient's relative. In research on workplace bullying, as well as in practical work and in interventions to prevent and manage harassment and bullying at workplaces, harassment is mainly addressed as an internal issue. The fact that healthcare professionals or teachers can also be aggressive or hostile towards patients and pupils is a very delicate issue and, so far, seldom discussed.

Sexual harassment can also manifest itself in many forms; it is always one-sided and unwelcome for the target. A single incident can constitute sexual harassment although it often consists of repeated unwelcome, unreciprocated and imposed actions.

Violence at work can take the form of psychological intimidation, threats or physical violence. Examples of the different forms of psychological violence are calling names, making fun of the employee, and infringement of their rights. Threatening behaviour can constitute gestures or words, swearing, throwing things or threatening with some weapon such as a knife, bottle or gun. Employees can also be frightened by threats to their family. Biting, kicking, pushing, spiting, hitting, shooting are examples of the different forms of physical violence.

External violence can take both the forms of threats and physical violence as well as psychological violence. Internal violence is more often psychological by nature — it is harassment (bullying) but sometimes also more physical in nature, like intimidation.



The variety of terms, definitions and classifications of workplace violence sometimes creates confusion and uncertainty. The question whether the framework agreement of harassment and violence should include third-party violence has provoked discussion and different opinions.

There are also differences in employees' opinions on what constitutes violence. In a study among staff employed in local authority environmental health departments in Northern Ireland (44), all respondents regarded physical assaults as violence, with 93 % regarding threatening behaviour and 84 % regarding verbal abuse as violence. Only 49 % of the respondents regarded sexual harassment in this way, with about 40 % feeling that derogatory/antagonistic or discriminatory comments counted as violence. This means that the different forms of work-related violence should be discussed still more at organisational level.

There are also cultural differences in perceptions of violence. A particular behaviour that, in some cultures, is perceived as ordinary or complimentary can, in other cultures be perceived as inappropriate and insulting. This makes it difficult to define the term violence, and to compare statistics and study results from different countries.

Terminology used in this report

In the next chapters the terms *work-related violence* or *workplace violence* are used to refer to all kinds of violent incidents at work, including third-party violence and harassment (bullying, mobbing) at work.

The term *third-party violence* is used to refer to threats, physical violence, and psychological violence (e.g. verbal violence) by third parties such as customers, clients, patients, etc., receiving goods or services. The word *harassment* will be used, in this report, to refer to the phenomenon also called bullying or mobbing, and describing repeated, unreasonable behaviour directed towards an employee, or group of employees by a colleague, supervisor or subordinate, aimed at victimising, humiliating, undermining or threatening them. However, the words violence, harassment, bullying and mobbing are used when they have been used in the original source such as a scientific article or statistics. Sexual harassment is discussed separately but the causes and consequences of sexual harassment are dealt with in less detail than those of third-party violence and harassment.

In the next chapters, the awareness of work-related violence and then the prevalence of different forms of violence at work are discussed. Chapter 4 discusses the risks and antecedents of third-party violence and harassment at work. Sectors of employment where there is an elevated risk of workplace violence are also discussed here.

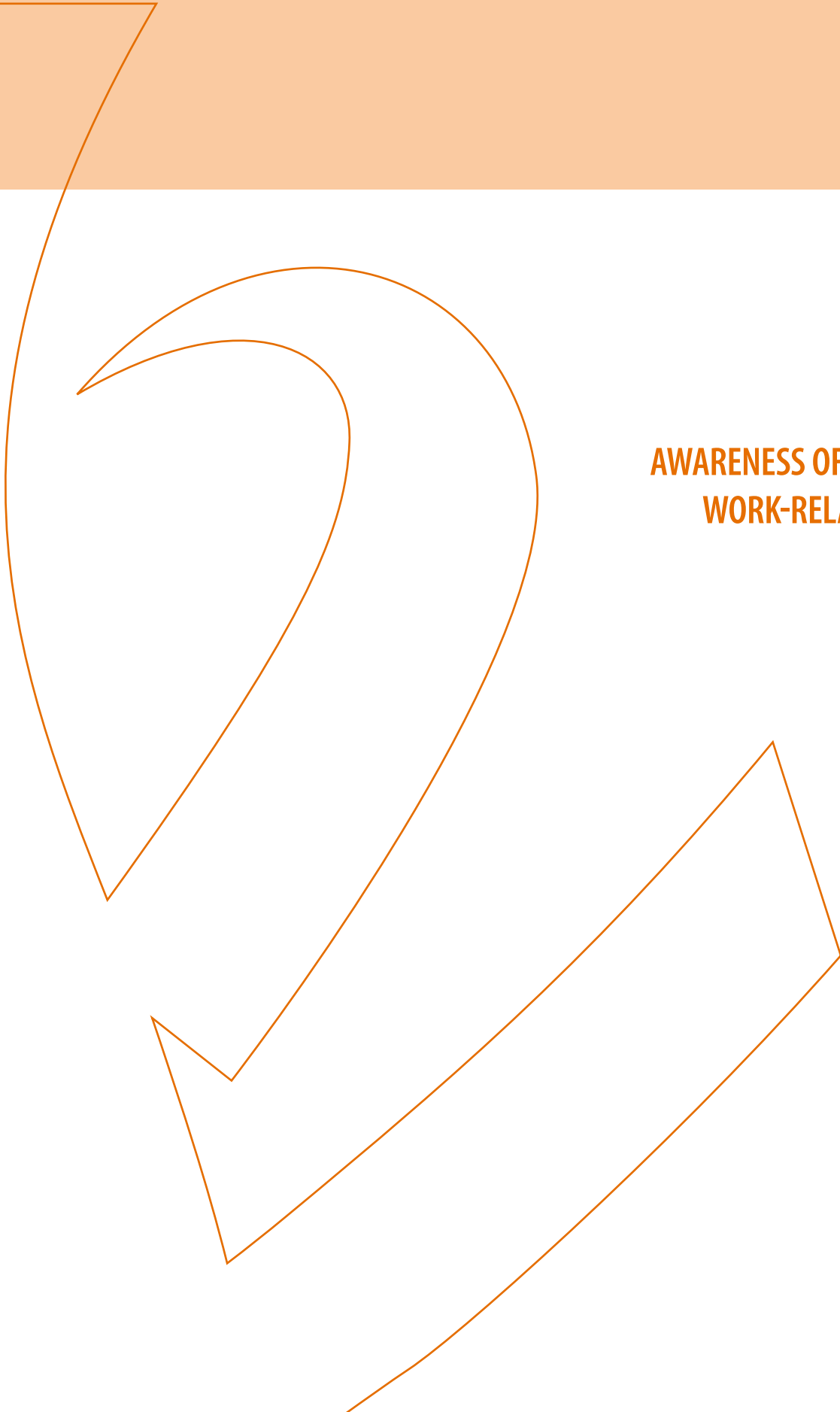
Different levels of the consequences of third-party violence and harassment are discussed in Chapter 5. Chapter 6 presents initiatives and interventions for prevention and management of work-related violence at European and national levels. In each chapter, examples from different countries or studies are presented. Each chapter ends with a short summary and discussion. In Chapter 7, some conclusions are made and the way forward in the prevention and management of work-related violence is discussed.

The Focal Point survey results are presented in relevant chapters. In the survey, questions were asked particularly about third-party violence and harassment, and these terms are used.



2.

AWARENESS OF PROBLEMS OF WORK-RELATED VIOLENCE



2.1. NATIONAL DEFINITIONS

According to the Focal Point survey (n = 22), there is an official definition (including generally used definitions, e.g. by the national organisations) for third-party violence in 15 European countries and an official definition for harassment at work in 21 countries. However, in some countries the word harassment refers only to sexual harassment, and does not cover all aspects of the problem.

The existence of a national definition and legislation against violence and/or harassment can be seen to express the state of awareness of the issues in national levels.



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2.2. LEGAL STATUS OF WORK-RELATED VIOLENCE IN EUROPEAN COUNTRIES

According to the Focal Point survey and the country reports, the legal status of workplace violence does not differ between old EU-15 and the new Member States.

Even though a generally used definition for third-party violence exists in many countries it is not mentioned in the national legislation as often. The term *third-party violence* is mentioned in the national legislation of only 10 countries. Of those countries which have no separate legislation, only the Czech Republic and Italy have plans to develop such legislation.

Harassment is mentioned in the national legislation of 17 European countries. However, in many countries, legislation covers only sexual harassment, and is often based on the laws of equal treatment. Sexual harassment has an official definition, for example, in Bulgaria, France, and Romania. In some countries, like France, Finland, and Sweden, there is a special law, or special sections, in the law about harassment/



bullying. Of those countries which have no separate legislation, only Italy plans to develop such legislation.

Even though, in many countries, there is no specific legislation on workplace violence, there is usually a more general law on safety and health or equal treatment that covers the different aspects of work, both physical and psychosocial work environment.

Below, some examples of the different kinds of legislation against work-related violence are presented. For a more comprehensive overview covering all EU-27 countries, Albania, Norway and Switzerland see Appendix II.

A specific legal framework exists in France concerning harassment at work and sexual harassment. The law is multiform and only the basic principles of it are presented here.

Example: France

The Labour Code states: 'that no employee must be subjected to repeated deeds of moral harassment aimed at or leading to a deterioration of working conditions likely to detract from the rights of employees and their dignity, to undermine their physical or mental health or to compromise their professional future' (Article L1152-1, Article L1152-4, 1.5.2008).

The Labour Code stipulates an obligation, for the director of the enterprise, to prevent moral harassment at work by making 'all the necessary provisions aimed at preventing activities constituting moral harassment' ('general obligation of safety', Article L4121-1, 1.5.2008). Harassment at work can be also referenced to the principle of non-discrimination (Article L.1132-1, 27.5.2008). The 'Hygiene, Safety and Working Conditions Committee' (CHSCT), present in all the companies employing at least 50 people, has the role of contributing to the protection of health, safety, and to the improvement of working conditions of employees. It has to prevent risks of sexual and moral harassment.

Concerning sexual harassment, the Labour Code lays down that: 'activities of harassment on the part of any person aimed at obtaining sexual favours for self or for a third party are prohibited.' (Article L1153-1, 1.5.2008). It also lays down an obligation to prevent sexual harassment (L1153-5) for the director of the enterprise, who must make 'all the necessary provisions with a view to preventing activities constituting sexual harassment'. The Criminal Code (Article 222-33) clamps down on the crime of sexual harassment. This offence is broadly based on the existence of a relationship of authority. Contrary to the case of moral harassment, the perpetrator of sexual harassment can only be a hierarchical superior. In civil terms, sexual harassment is punished by law (Law No 2008-496, 27.5.2008).

In Finland, the Occupational Safety and Health Act No 738/2002 includes specific sections both on the threat of violence, which is preventive by nature, and on harassment, which is reactive by nature.



Example: Finland

Section 27 — Threat of violence

'The work and work conditions in jobs entailing an evident threat of violence shall be so arranged that the threat of violence and incidents of violence are prevented as far as possible. Accordingly, appropriate safety arrangements and equipment needed for preventing or restricting violence and an opportunity to summon help shall be provided at the workplace.'

Section 28 — Harassment

'If harassment or other inappropriate treatment of an employee occurs at work and causes hazards or risks to the employee's health, the employer, after becoming aware of the matter, shall make available the means and measures for remedying this situation (harassment or other inappropriate treatment).'

The law also obliges employees: 'Employees shall avoid such harassment and inappropriate treatment of other employees at the workplace which causes hazards or risks to their safety or health.'

In Norway harassment is covered by the Working Environment Act. The imbalance in the strength between the target and the violator is mentioned in defining harassment.

Example: Norway

The Working Environment Act, Section 4-3, states: '(3) Employees shall not be subjected to harassment or other improper conduct.'

Harassment relates to situations where a person experiences actions or the omission of actions as negative, unreasonable and offending. It is harassment when one or several individuals repeatedly over time are exposed to negative actions. In addition, there has to be an imbalance in the relative strength: the subject being harassed must be in a psychologically weaker position than the person who is harassing.

Example: Sweden

The law requires the employer to prevent victimisation as far as possible and to make clear that victimisation cannot be accepted. Furthermore, the employer must have a system in place for detecting and correcting 'unsatisfactory working conditions, problems of work organisation or deficiencies of cooperation,' which could lead to victimisation. The employer must take counter-measures upon detecting signs of victimisation, including conducting a 'special investigation ... to ascertain whether the causes of shortcomings of cooperation are to be found in the way in which work is organised.' Finally, the employer must have procedures for helping and supporting employees who are subjected to victimisation.



The laws on harassment sometimes mention both the *duration* and *repetition* of the act.

Example: Belgium

The Belgian Law of Well-being (2007) uses the words 'moral harassment'. The definition of moral harassment is framed in a broader definition of psychosocial aspects and covers the duration and the multiplicity of abusive conduct. This sort of conduct hurts people, damages the social environment, and endangers the stability of employment. In the case of sexual harassment, or violence (which can be psychological or physical), it is not necessary for it to take place over time, or to be repeated to be defined as such. For workers, the law allows them to address complaints via an internal procedure which involves a confidential advisor or psychological counsellor.

Third-party violence has to be dealt with by the employer, who has to organise psychological support. If the in-company procedure fails, external procedures (e.g. a labour court) exist to settle the issue.

In some countries *harassment*, sexual harassment, and *third-party violence* are separated by the law.

Example: Germany

There is a legal definition on harassment and sexual harassment in Section 3 Abs. 3 and 4 AGG (Allgemeines Gleichbehandlungsgesetz) also covering violence and third-party violence in accordance with Section 12 Abs. 4 AGG.

Section 3 AGG

(3) Harassment shall be deemed to be discrimination when unwanted conduct, in connection with any of the grounds referred to under Section 1, takes place with the purpose or effect of violating the dignity of the person concerned and of creating an intimidating, hostile, degrading, humiliating or offensive environment.

(4) Sexual harassment shall be deemed to be discrimination in relation to Section 2(1) Nos 1 to 4, when an unwanted conduct of a sexual nature, including unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images, takes place with the purpose or effect of violating the dignity of the person concerned, in particular where it creates an intimidating, hostile, degrading, humiliating or offensive environment.

Section 12 AGG

(4) Where employees are discriminated against in the pursuance of their profession by third persons within the meaning of Section 7(1), the employer shall take suitable, necessary and appropriate measures, tailored to a given case, to protect the employee in question.



Sometimes, as in Poland, harassment at work is covered by the Labour Code.

Example: Poland

Mobbing is also addressed in the Polish Labour Code, which defines it as: 'action or behaviour concerning an employee or directed against an employee which consists in a persistent and long-lasting harassment of or threats to the employee and which results in a reduced self-assessment of his or her professional abilities and which cause, or are aimed at, humiliating or ridiculing the employee, isolating or eliminating him or her from their group of co-workers' (Division IV, Article 94, Section 2).

In some countries, workplace violence is understood more generally as an occupational health and safety risk.

Example: Cyprus

For third-party violence, the Safety and Health at Work Law of 1996 (Law 89(I)/1996, as amended) safeguards the safety, health and welfare of persons at work in all branches of economic activity and for the protection of any other person against risks to safety and health in connection with the activities of persons at work. In this Law, the expression 'Health in relation to work' means not only absence of disease or infirmity but includes those physical, mental and psychological elements affecting health which are directly related to safety and hygiene at work.

In some countries, third-party violence at work is covered by other laws such as national criminal laws.

Example: Ireland

The criminal offence of violence comes within the national criminal law as to bodily harm, grievous bodily harm and assault. In Ireland, the Criminal Justice Act covers cases of third-party violence.



In some countries, harassment at work is covered by other laws such as sex equality legislation.

Example: Slovakia

The Anti-discrimination Act 365/2004 Section 6 contains the principle of equal treatment in employment and other similar legal relations. It prohibits discrimination on the grounds of gender, religion or beliefs, race, nationality or ethnicity, disability, age, sexual orientation, marital or family status, colour of skin, language, politics, or other opinions, national or social origin, property. It covers:

- (a) access to employment, occupation, other gainful activities or functions ('employment' hereinafter), including recruitment requirements and selection criteria and modalities;
- (b) employment and conditions of work including remuneration, promotion and dismissal;
- (c) access to vocational training, professional upgrading and participation in the active labour market policy programmes (including access to vocational guidance services) ('vocational training' hereinafter); or
- (d) membership and activity in employees' organisations, employers' organisations and organisations associating persons of certain occupations, including the benefits that these organisations provide to their members.

Act No 311/2001 Coll. Labour Code as amended Section 13 Prohibition of discrimination.

In an EU project, under the Daphne programme (45), an overview of the European legislation on harassment, bullying and mobbing at work was prepared.



2.3. USABILITY OF LEGISLATION

One of the goals of the Psychosocial Risk Management — European Framework (PRIMA-EF) policy project (see Section 6.2) was to study the development, implementation and/or evaluation of policy interventions at the national, European and international level in relation to psychosocial risk management. The development of legislation and policy, and the signing of stakeholder agreements, were regarded as forms of policy level interventions.

One of the findings was that only a few studies on evaluating policy interventions, primarily legislation, have been conducted (46). This lack of evaluation can be attributed to the fact that many policy-level initiatives are still quite new. However, there are a couple of examples of the evaluation of the regulations: on the Swedish statutory regulations against workplace bullying assessed by Hoel (47, 48) and of the Finnish Safety and Health Act (49).

The qualitative study of the Swedish Ordinance of Victimization found that the legislation had not been as effective as had been hoped. The study revealed several shortcomings including the ordinance itself, and the problems that subjects of violence faced when seeking redress as well as the responses of the employers, trade unions and labour inspectorates (48). It was suggested that the law was introduced too early, in a situation when the level of awareness, recognition and knowledge of the issue was not adequate. It was suggested that, 'such situations might lead to resistance and difficulties, especially if employers were aware (due to the regulation) of what they should do but did not know how'. The regulation, however, made the problem of harassment more visible and increased awareness (47).

The study on the implementation of the Finnish Occupational Health and Safety Act (49) suggested that the level of implementation has varied between workplaces. It indicated that, along with its new content, the Act has reinforced the safety and health work at workplaces by providing new tools. Most workplaces have carried out risk analyses and risk assessments, obliged by the Law. The Law has activated work against third-party violence particularly in high-risk sectors. The new section on harassment was recognised in most workplaces and, in many workplaces, anti-bullying policies and guidelines for prevention and management of harassment have been drawn up.

In addition, an analysis of the French legislation on harassment has been written by Bukspan (50) in which she deals with the two approaches of the law for the private and the public sector. In the article, she discusses the different situations in the private and public sectors; the legislation gives more means for the employees in the private sector to fight against bullying in the workplace.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth commissioned a comprehensive study (51) on experiences with the law in Germany on the protection of employees against sexual harassment in the workplace. This law became effective on 1 September 1994. The overall impression was that most people, in companies and in the courts, have little knowledge regarding the law. Furthermore, 41.9 % of the trade union legal protection offices reported that they didn't know about the law.



However, legislation and other statutory requirements have been seen as essential to support the management of work-related violence, and harassment. According to Maria Helena André, Deputy General Secretary of the ETUC (Grégoire, 2007), the biggest net benefit of the agreement on harassment and violence at work is having it. She adds that the European social partner agreements can help to improve working conditions and protection of workers at work. Although some European countries already have specific legislation and collective agreements on psychosocial risks, work-related stress and harassment and violence at work, most of them have little beyond the general legal basis of the 1989 EC Council framework directive. She expects that the agreement on harassment and violence at work will force the national social partners to meet, admit that risk exists within organisations, and work out joint solutions to roll out systems for preventing and dealing with the problems when they arise in the workplace (46).

The implementation of the framework agreement on harassment and violence at work will be monitored for three years from 2008 to 2010 when the final report will be published⁵.

The main achievement by the EU Member States in relation to the implementation of the work-related stress agreement in 2006 and in 2007 was the agreement's translation into the national languages of the Member States, and its use as an awareness-raising tool. However, it seems that additional activities took place mainly in those countries where there is already a high awareness in relation to the issue of work-related stress, such as the Netherlands, Finland, Sweden, and the United Kingdom (46).

The Netherlands are an example of how national legislation has been realised at the organisational level.

Example: The Netherlands

The responsibilities of the employer

According to Article 1.3e of the Working Conditions Act, each employer has to ensure that psychosocial aspects such as sexual harassment, bullying, and violence do not cause harm to the workers. The employer must set up a preventive policy in the company and develop a plan of how to approach these risks. The policy has to be part of a global prevention policy in the company. The psychosocial risks are inventoried in the risk analysis of the company. If it is not possible to completely prevent these risks, the employer has to strive to reduce these risks as much as possible. Employers have to inform workers about the risks and procedures in case of aggression and violence.

If incidents of aggression and violence in the company lead to a stay in hospital, the employer must register the incident. Employers working together have to agree on their prevention policy, including how they will deal with aggression and intimidation. A person has to be nominated to tell workers about the risks and prevention measures.

⁵ More information on the status of the implementation of the Social Agreement on harassment and violence at work can be obtained online (<http://ec.europa.eu/social/main.jsp?catId=521&langId=en>).



Safety and health policies need to be evaluated continuously.

The law does not describe in detail how company policies should be designed, but states that companies should strive for the best available practices and guidance/consultancy. At a sector level, social partners should collaborate with employers to set up a specific branch policy on the issues.

Civil legislation is also mentioned in the case of violence, aggression and intimidation. The law of equal treatment implies that bullying/intimidation based on race, sexual orientation, civil state, religion, beliefs, duration of work, age, sex, disability or chronic illness, political affinities, nationality and work contract is not acceptable. Sexual intimidation is also prohibited and laid out in the Equal Treatment for Men and Women Act.

The Dutch Civil Code contains regulations on how a good employer should behave. This also implies the prevention of unwanted conduct and harassment.

A Labour Inspectorate supervises compliance with the regulations and can penalise infringements.

Investigation of complaints

A special commission deals with complaints from individual employees on bullying, aggression and violence at work. This commission deals only with workers' complaints and evaluates the admissibility of the complaint. In case of a positive evaluation, the commission examines whether the complaint is well founded.

The investigation is prepared according to specific rules.

Procedure and tasks

There are two levels of procedures and tasks: internal (in the company) and external. The internal procedures define tasks and responsibilities for employer, employee, confidential counsellor, and complaints committee. The specific tasks of the confidential counsellor are defined.

If the internal procedure does not lead to a solution, the worker can submit a complaint about the employer to the Commission of Equal Treatment. If the person subjected to harassment wants to accuse the 'perpetrator' in court, he/she can. Sexual intimidations have to be reported to the police.

Legal position of plaintiff and witnesses

The position of employees involved in the procedure cannot be compromised in any way. If the commission finds that the complaint is false, disciplinary measures can be taken against the plaintiff.



ACKNOWLEDGEMENT OF THE PROBLEM

2.4.

In the Focal Point survey, the respondents were asked to evaluate if the level of acknowledgement of work-related violence is appropriate in their country, compared to the relevance/significance of the problem. Only seven respondents reported that the level is appropriate in their country concerning third-party violence and harassment, 14 said that the level of acknowledgment concerning third-party violence is not appropriate and 13 said it is not appropriate concerning harassment.

The answers differed between the old and new EU Member States (Tables 1 and 2).

Table 1: Is the level of acknowledgement of third-party violence appropriate in your country?

(n = 20, EU Member States)

	Old EU-15 Member States	New EU Member States
Yes	5	1
No	6	8

Table 2: Is the level of acknowledgement of harassment appropriate in your country?

(n = 20, EU Member States)

	Old EU-15 Member States	New EU Member States
Yes	5	1
No	5	8

If the level of acknowledgement of violence issues was not appropriate, the Focal Points were asked to name four main reasons for this. On the issue of third-party violence, the main reasons were lack of awareness, low prioritisation of the issue, limited or lacking specific regulation on the subject and no appropriate tools/method for assessing and managing the issue (Table 3).



Table 3: Selected main reasons why the level of acknowledgement of third-party violence is not at the appropriate level (n = 22, all Focal Point answers)

Reason	Number of selected as one of the reasons
Lack of awareness	10
Low prioritisation of the issue	8
Specific regulation on the subject is limited or lacking	7
There are no appropriate tools/method for assessing and managing the issue	6
Scientific evidence is limited or lacking	5
Extra-occupational factors are considered to be the main causes of the issue	5
Other	3
Lack of tripartite agreement	2

Other reasons mentioned were that there is not yet a widespread recognition that verbal abuse and threats towards staff should be treated as acts of violence, but also that there is no information available.

On the issue of harassment, the main reasons were lack of awareness, no appropriate tools/method for assessing and managing the issue, limited or lacking scientific evidence and low prioritisation of the issue (Table 4).

Table 4: Selected main reasons why the level of acknowledgement of harassment is not in the appropriate level (n = 22, all Focal Point answers)

Reason	Number of selected as one of the reasons
Lack of awareness	9
There are no appropriate tools/method for assessing and managing the issue	9
Scientific evidence is limited or lacking	8
Low prioritisation of the issue	7
Specific regulation on the subject is limited or lacking	6
Lack of tripartite agreement	6
Extra-occupational factors are considered to be the main causes of the issue	2
Other	2

In the PRIMA-EF stakeholder survey (52), awareness of the problems was also approached by asking if the respondent thought that workplace violence, bullying and mobbing represented important occupational health concerns in their country. The results (Table 5) revealed a big difference between the old and new EU Member States and between different stakeholders. The majority of stakeholders considered psychosocial problems, work-related stress, mobbing, bullying and workplace violence as major issues in occupational health in their own country, as already shown by the survey conducted by ISPESL in 2004 (53).



Table 5: Do you think that workplace violence, bullying and mobbing represent important occupational health concerns in your country? (n = 75)

	Countries			Stakeholders		
	TOTAL %	EU-15 Countries %	New EU-27 Countries %	Employers' associations %	Trade Unions %	Government %
Yes	65	74	53	43	74	69
No	28	26	31	43	22	25
Don't know	7	0	16	14	4	6

Media publicity

The media is one way to increase awareness and it can, on occasions, act as a powerful catalyst for social action and reform. It can, for example, lead to the development of guidelines and widespread awareness of the problem, sometimes even beyond national borders.

Example: Awareness raising (Poland)

For many years the term 'mobbing' in Poland was familiar only to a small circle of experts, and the problem of psychological violence in the workplace seemed to be non-existent. It has all changed after one of the biggest Polish daily newspapers, *Gazeta Wyborcza*, published a series of articles on this subject in March 2002. As a consequence, nationwide social discussion on psychological violence at work has begun. The widespread character of the issue was stressed, as well as the fact that the situation on the labour market (high unemployment rate) made it impossible for a subject of harassment to leave the workplace.



Example: School shooting (Germany)

A well-known case in Germany, widely discussed in media, is the case of the Erfurt school shooting in 2002, where an expelled pupil shot 13 members of the school staff, two pupils and one policeman.

Lessons learnt from this case were:

- guidelines on how to manage critical incidents involving many injured or affected people were developed by the German Statutory Accident Association (DGUV);
- accident insurance firms prepared emergency plans;
- the police adapted their tactics to deal with similar situations,
- sensitivity to the problem increased; announcements, for example, on the Internet, by people planning such actions are taken seriously by the police.

References:

http://en.wikipedia.org/wiki/Erfurt_school_shooting and http://de.wikipedia.org/wiki/Amoklauf_von_Erfurt

These websites also give a number of additional links and publications.

In relation to harassment at work, the general interest and awareness towards the issue came, at first, really from books, for example the British book *Bullying at work: How to confront and overcome it*, by Andrea Adams (1992) and the French book *Le harcèlement moral. La violence perverse au quotidien*, by Marie-France Hirigoyen (2000), which has been translated into several languages.

2.5. SUMMARY AND DISCUSSION

Legislation

The results of the Focal Point survey showed that harassment seems to be addressed officially (an official definition and/or mentioned in legislation) more often than third-party violence. The way harassment and third-party violence are defined in legislation varies between the EU Member States, from more general law that covers all aspects of work without mentioning third-party violence or harassment at work to more specific definitions where violence, psychological harassment and sexual harassment are also separated by law.

The legislation or regulations seldom define the phenomena of violence or harassment or bullying. In some countries, legislation concerning harassment or bullying refers, however, to repeated negative acts and the negative health effects for the target.



One example of legislation where harassment is defined in more detail is the French law that lists the following acts as constituting moral harassment:

- repeated deeds: one act alone, therefore, does not characterise harassment;
- regardless of whether the harasser achieved his or her aim, the behaviour alone is enough to characterise the crime;
- an absence of the need for a hierarchical link or power between the author of the deeds and the target(s).

The question of whether harassment should be defined more precisely in regulations is a difficult and conflicting issue that may have both positive and negative effects.

It seems that experts have different views also about the necessity of specific legislation or regulations covering harassment. Hoel and Einarsen (48) say: 'The effectiveness of a regulatory approach to combating harassment at work is still unknown. In order to be successful, legal interventions must be accompanied by well-informed, trained and motivated employers and trade unions who, in collaboration, are willing to deal with the problem proactively on an organisational level, as well as responding to individual cases when they occur, supported by an enforcement agency or inspectorate which is equipped and geared up for its role.'

The existence of regulation and legislation has many advantages: it makes the problems of violence and harassment at work more visible; increases the awareness and recognition of the problems; and encourages and increases discussion in organisations. Law also increases the workers' feeling of security. Laws are a force that obliges organisations to take action to prevent and handle the violence problems but they give also a justification to different kinds of activities in the workplaces. They also give authorities a tool to oblige organisations to take the first step in the process of taking action against harassment and violence.



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Based on the findings of the PRIMA-EF (46) project it seems that, although in many countries occupational health and safety legislation, environmental legislation, or specific legislation against harassment and violence exists, it is essential to develop such legislation in countries where such legislation is still lacking, particularly in some new Member States. Experts from some countries hoped for special legislation against harassment, while some experts saw that harassment and violence problems can be covered by the general health and safety legislation.



As experts interviewed in the PRIMA-EF project emphasised, legislation can never be the only solution. Other activities including, perhaps, new systems and stakeholders, are also needed to combat harassment, particularly in countries with old and outdated systems which might be ineffective in dealing with psychosocial issues.

It was also hoped that the framework agreement on harassment and violence at work would activate measures to stamp out this problem. One difficulty at the EU policy level, highlighted by the experts in PRIMA-EF was, however, how to adapt the EU Directives in the new Member States. This was summed up in a quote from one of the interviewees: "The problem is that when you put these directives in place, it is always said that they should be adapted to national habits and customs, but this is not always possible. We have very different situations in 27 different Member States. The situation in Romania and Bulgaria is not the same as in Finland and Sweden. So you need to look for adaptations. You can have a directive that sets the standard across all 27 but then how do you adapt it in each country, all with their different structures, different traditions of social dialogue ... it is going to be difficult."

Acknowledgement

The results of the Focal Point survey showed that the level of acknowledgement of work-related violence was judged as inappropriate, particularly in the new EU Member States compared to the relevance/significance of the problem.

The main reasons for low acknowledgement of these issues were:

- lack of awareness;
- no appropriate tools/method for assessing and managing the issue;
- low prioritisation of the issue;
- limited or lacking scientific evidence; and
- limited or lacking specific regulation on the subject.

Furthermore, in the expert interviews carried out in the PRIMA-EF project, it was found that awareness and recognition regarding violence and particularly harassment/bullying at work differ between countries and between organisations. Even in countries where harassment has been discussed and studied for many years, there are organisations where awareness and knowledge about harassment is still quite low.

Raising awareness and knowledge about violence and harassment at national and organisational levels with programmes and campaigns is therefore important. In organisations, there is also a need for appropriate tools/methods for assessing and managing third-party violence and harassment.



3.

PREVALENCE OF WORK-RELATED VIOLENCE



It is difficult to compare statistics or study results about the prevalence or exposure to different forms of third-party violence and harassment between different countries. This is due to:

- the use of different definitions and classifications to delimit the concepts;
- different methodologies for collecting and processing information, including quantitative and qualitative researches, case studies, different ways of reporting a case of violence;
- the accuracy used to measure the nature of the incident, e.g. physical attack/biting, hitting;
- different time limits used;
- different criteria used for assessing harassment/bullying;
- different focus of data collection including national studies, sector specific studies, studies focusing on specific organisations; and
- cultural differences in experiencing violence and harassment.

Even the same researchers have used varied methodologies or terms in different times. For example, the European Working Conditions Survey asked about the experiences of violence in the 1995/96 and 2000 surveys in different ways. The terms used about harassment have also varied in different times.

Studies have shown that different ways to measure the prevalence of bullying give different results (54, 55). In studies, two different methods to assess the prevalence of bullying have mainly been used. The 'subjective' method requests the respondent to indicate, on the basis of a given definition, whether or not he or she feels exposed to such bullying. The 'operational' method measures the frequency with which respondents have been subjected to various types of negative acts during the defined period of time (usually six months). The subjective, self-reporting method leads to lower prevalence figures than the operational method.

The most widely used method to assess the different forms of negative acts in research nowadays is the Negative Acts Questionnaire (NAQ) developed at the University of Bergen (56, 54) and translated into several languages. The LIPT (Leymann Inventory of Psychological Terrorisation) is also used but to a lesser degree. It has also been translated into several languages.

The Psychosocial Work Inventory by Björkqvist and Österman (57) defines work harassment and divides it into three levels describing the escalating nature of the phenomenon.

- Level I: Typical behaviours appearing at this level are: belittling and degrading comments; rumours; backbiting; and the beginning of the exposed individual's isolation.
- Level II: The degrading behaviour gets more severe, and overt, perhaps public, humiliation occurs. The exposed individual becomes more psychologically isolated from others, who do not want to talk to him/her. It is typical at this level that the exposed individual is described — untruthfully — as having 'difficulty in cooperating'.
- Level III: The dehumanising process directed towards the exposed person is brought to a level when (s)he is not regarded as having the same human value as others, and it is acceptable to say almost anything about him/her. (S)he is now totally isolated, gets suggestions to seek another job, and is often regarded — untruthfully — to be 'mentally disturbed'.



In studying the prevalence of harassment, sometimes third parties, sometimes only co-workers, supervisors/managers and subordinates are mentioned as potential perpetrators.

Methods to assess different forms of third-party violence, for example in healthcare (58) and retail (59) have been developed and used. The Violent Incident Form (VIF) (58) is designed for implementation in high-risk workplaces in the healthcare sector. A checklist summarises key aspects of a violent incident, identifying the circumstances, perpetrator, event, and consequences. The form measures all levels of violent behaviour, including the events that do not result in any physical harm, and also reports the violent incidents by staff members.

Despite these difficulties, there is more and more data available from different sources (European Surveys, National Surveys, sector-specific studies) that mark the trends in this area, increasingly recognising the nature of the phenomenon of work-related violence and its severity.

EU-OSHA's European Survey of Enterprises on New and Emerging Risks (ESENER)⁶ asks both managers and workers' safety and health representatives about the way safety and health risks are managed in their workplace, with a particular focus on psychosocial risks, i.e. work-related stress, violence and harassment. In spring 2009, a total of 28 649 managers and 7 226 health and safety representatives were interviewed in the 31 countries covered: the EU-27 and Croatia, Norway, Switzerland and Turkey (185).

AVAILABILITY OF STATISTICAL INFORMATION

3.1.

According to the Focal Point survey, statistical information on third-party violence is available in 10 European countries. Most of the negative answers came from the representatives of new EU Member States (Table 6).

⁶ Developed with the support of governments and social partners at European level, ESENER aims to assist workplaces across Europe to deal more effectively with safety and health and to provide policymakers with cross-nationally comparable information relevant for the design and implementation of new policies. As well as looking at management practices, ESENER explores in detail how workers are involved in the management of safety and health at work, which is an important factor in the successful implementation of preventive measures at workplace level. Detailed results are available online (<http://www.esener.eu>) and the ESENER dataset is accessible online via the UK Data Archive (UKDA) of the University of Essex (<http://www.data-archive.ac.uk/Introduction.asp>). Further analyses will be carried out throughout 2010 and will be published in 2011.



Table 6: Availability of statistical information on third-party violence (n = 20, EU Member States)

	Old EU-15 Member States	New EU Member States
Yes	7	2
No	2	7

The situation concerning statistical information available on harassment is a little better; information on harassment is available in 12 but lacking in six countries. The new EU Member States have little information available (Table 7).

Table 7: Availability of statistical information on harassment (n = 20, EU Member States)

	Old EU-15 Member States	New EU Member States
Yes	8	4
No	1	5

When comparing these results to the results of the PRIMA-EF stakeholder survey (52), it seems that statistical information is lacking mainly from the new EU Member States. In the stakeholder survey, 67 % of the participants in the old EU-15 Member States answered that there are national surveys in their country specifying the proportion of employees affected by chronic stress at work, when the portion was only 34 % among the participants from the new EU-27 Member States.

3.2. SITUATION IN THE EU MEMBER STATES

In the following two chapters, the situation in different EU Member States is reviewed using the results of the European Working Condition Survey (EWCS), some other international studies, and also by using examples of studies carried out at national level.

3.2.1. European Working Conditions Survey (EWCS)

The European Working Conditions Surveys (EWCS) by the European Foundation for the Improvement of Living and Working Conditions are the only surveys that have systematically measured the prevalence of different forms of work-related violence across all EU countries at different points of time.

Physical violence

The results of the Fourth EWCS (43) revealed that 5 % of workers report having been personally subjected to violence either from fellow workers or from others. The results



also show that physical violence either from people within or outside workplace increased slightly from 1995 to 2005 (from 4 % to 6 %) (Table 8).

Table 8: Prevalence of violence at work (%) (Source: EWCS 2007)

Over the past 12 months, have you or have you not been personally subjected at work to:	1995 EU-15	2000 EU-15	2005 EU-15	2005 EU-25	2001 NMS	2005 NMS	2001 AC2	2005 AC2
Threats of physical violence	—	—	6	6	—	5	—	4
Physical violence								
■ from people within workplace	4*	2	2	2	1	1	1	1
■ from people outside workplace	—	4	5	4	3	4	3	3
Physical violence either from people within or outside workplace **	4	5	6	5	3	4	4	4

* The two sub-questions were combined in 1995.

** A combined variable based on those answering 'Yes' to either Q29b or Q29c.

EU-15: the 15 EU Member States prior to enlargement in 2004.

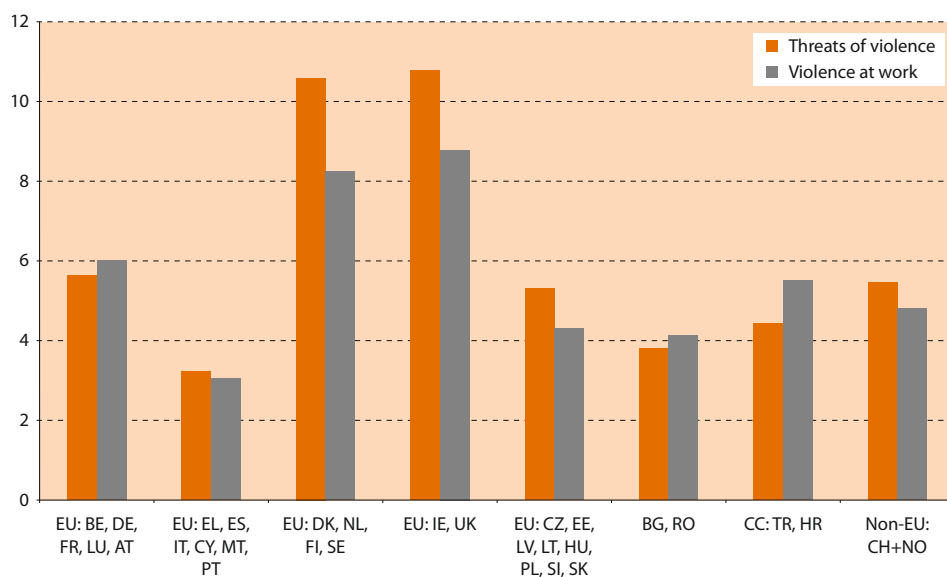
NMS: the 10 new Member States that joined the EU in 2004.

AC2: the two countries that joined the EU in 2007 — Bulgaria and Romania.

There are, however, differences between the EU Member States (Figure 1). In general, there is a higher reported incidence of exposure to violence, as well as to threats of violence, in the northern European Member States and a lower reported incidence in the southern Member States. Higher-than-average levels were reported in the Netherlands (10 %), France and the United Kingdom (both 9 %) and Ireland (8 %).

There has been an increase in physical violence over the period 1995–2005 (from 4 % to 6 %) in the EU-15, which is consistent with findings at national levels (60).

Figure 1: Workers subjected to violence or threats of violence, by country group (%)

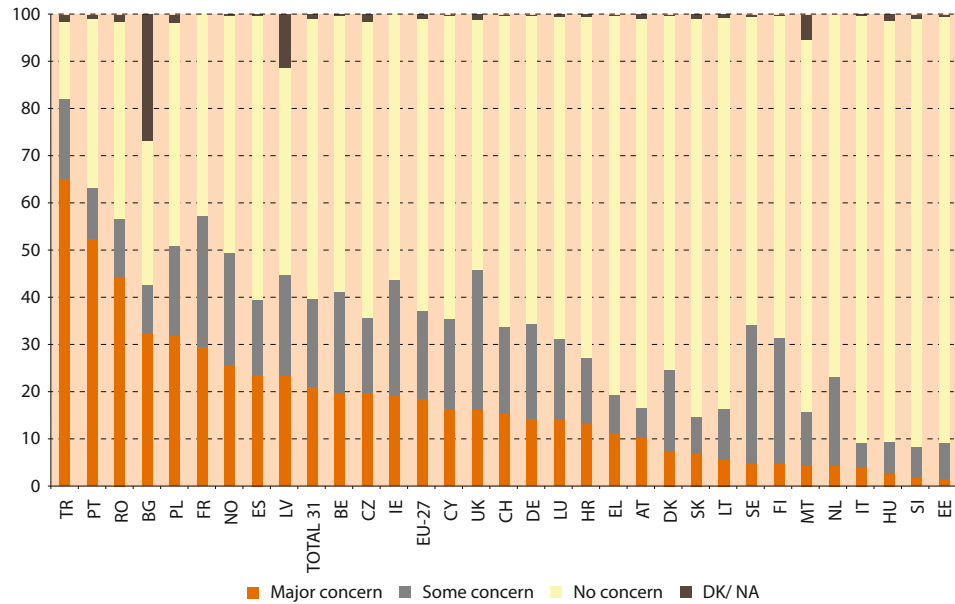


Source: EWCS 2007



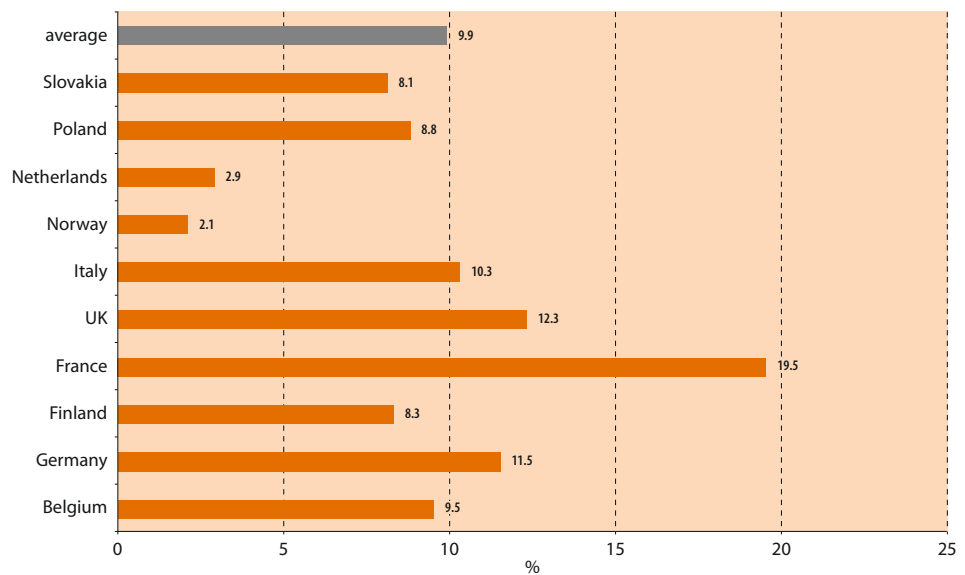
EU-OSHA's European Survey of Enterprises on New and Emerging Risks (ESENER) revealed that Turkey, Portugal, Romania, and Bulgaria show the highest level of concern for violence or threat of violence. The lowest concern was observed in Italy, Hungary, Slovenia, and Estonia (see Figure 2).

Figure 2: Concern regarding violence or threat of violence, by country (% establishments) (185)



There are also studies focusing on the healthcare sector at a European level. The European project NEXT on premature departure from the nursing profession (61) involves 10 EU countries. The results (62) showed that exposure to frequent violent events was highest amongst nurses from France (39 %), the United Kingdom (29 %), and Germany (28 %). In Norway (9 %) and the Netherlands (10 %), nurses were less exposed to frequent violent events. The results were similar when violence from patients/their relatives was examined (Figure 3).

Figure 3: Nurses who often (at least once a week) encounter violence from patients or their relatives (%)



Harassment and unwanted sexual attention at work

In the Fourth EWCS (43), 5 % of the respondents reported being subjected to bullying and/or harassment in the workplace over the past 12 months in 2005. In earlier surveys, the term intimidation was used and, therefore, it is not possible to say whether any change in the experience of becoming bullied or harassed has occurred. Less than 2 % of the European workers were exposed to sexual harassment or unwanted sexual attention (Table 9).

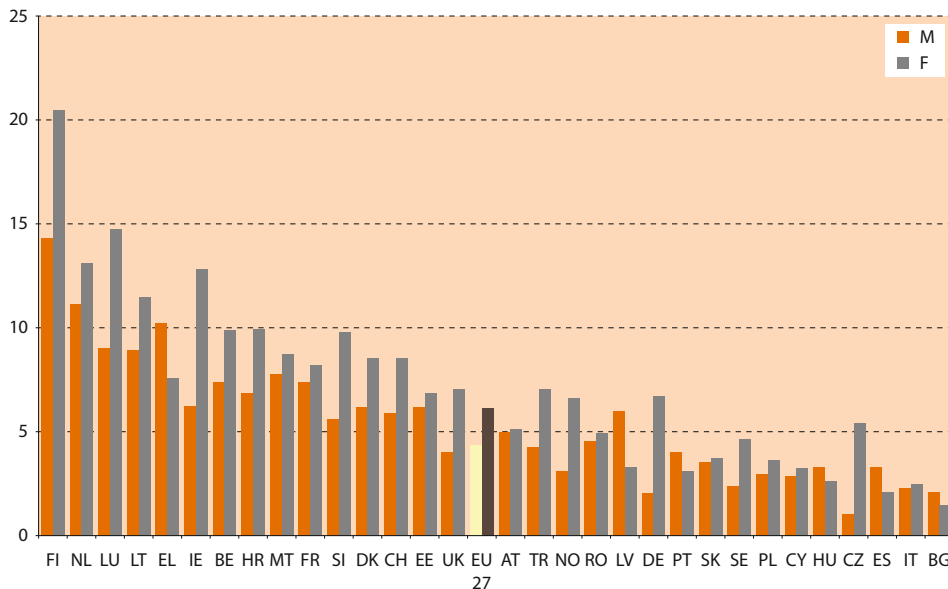
Table 9: Incidence of harassment at work (%) (Source: EWCS 2007)

Over the past 12 months, have you or have you not been personally subjected at work to:	1995 EU-15	2000 EU-15	2005 EU-15	2005 EU-25	2001 NMS	2005 NMS	2001 AC2	2005 AC2
Bullying and/or harassment	—	—	5	5	—	4	—	4
Intimidation	8	9	—	—	7	—	7	—
Unwanted sexual attention	2	2	2	2	2	2	2	1

EU-15: the 15 EU Member States prior to enlargement in 2004.
 NMS: the 10 new Member States that joined the EU in 2004.
 AC2: the two countries that joined the EU in 2007 — Bulgaria and Romania.

However, there is a wide variation between countries (Figure 4) ranging from 17 % in Finland and 12 % in the Netherlands to 2 % in Italy and Bulgaria. Such differences may reflect different levels of cultural awareness of, and sensitivity to, the issue as much as differences in actual incidence (43, 6).

Figure 4: Workers reporting bullying and harassment, by sex and country (%)

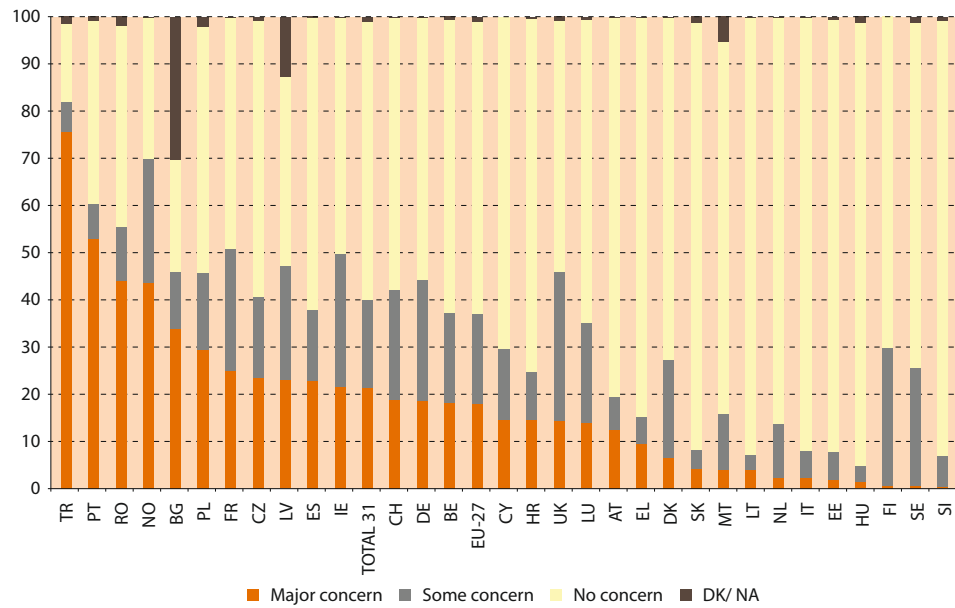


Source: EWSC 2007

EU-OSHA's ESENER showed that, similarly, the highest levels of concern regarding bullying or harassment were observed in Turkey, Portugal, Romania, and Norway, and lowest concern was observed in countries such as Italy, Estonia, and Hungary (see Figure 5).

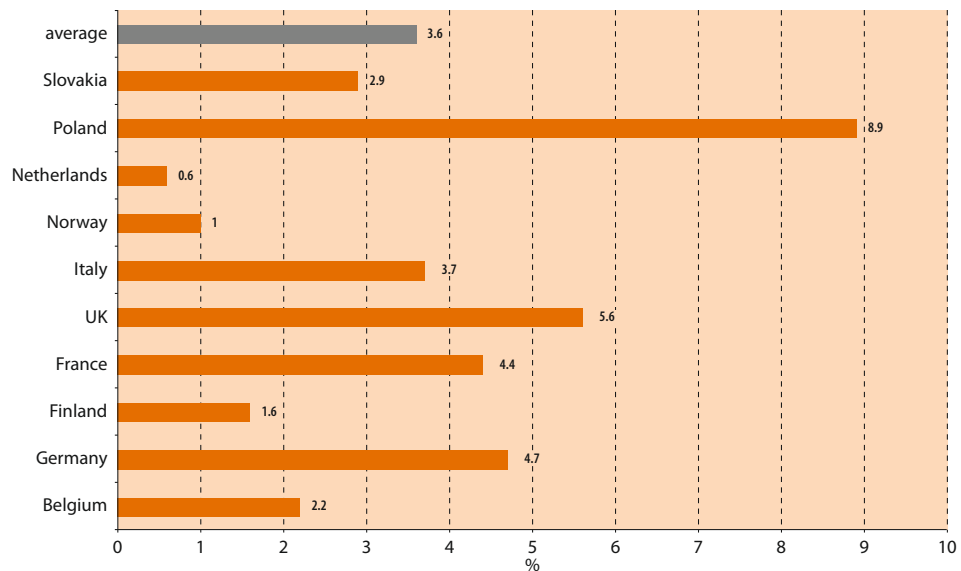


Figure 5: Concern regarding bullying or harassment, by country (% establishments) (185)



Research carried out within the framework of the NEXT project (61) showed that 8.9 % of nurses in Poland are exposed to bullying by their superiors, which is much more often than their counterparts in other European Union countries (average 3.6 %). The lowest risk of experiencing mobbing from the management was found in the Scandinavian countries, namely Finland and Norway, as well as the Netherlands and Belgium (Figure 6).

Figure 6: Harassment of nurses by their superiors — nurses who often (at least once a week) are subjected to bullying by their superiors (%)



Source: NEXT Study, 2003–05



3.2.2. Examples at national levels

Third-party violence

Exposure to third-party violence is mainly measured with simple questions asking if the respondent has been subjected to violence or a threat of violence at work. Sometimes the questions deal with violence and the threat of violence separately and sometimes the matters are dealt with in one question. The time limit is often one year. The multiple-choice questions measure the frequency of violent attacks, for example daily/almost daily, weekly, couple of times a month, more seldom.

The data of the 'werkbaarheidsmonitor' (WBM) 2004 (63) from SERV (Socio-Economic Council of Flanders) in **Belgium** shows that 5.5 % of the workers had faced physical violence (from time to time or often or always) in the last 12 months. The data also showed that older workers tended to suffer less from physical violence at work than younger workers.

In the survey on the psychological working environment from the National Research Centre for the Working Environment in **Denmark** (64) 8 % of all wage earners, corresponding to between 200 000 and 240 000 employees had been exposed to violence on the job during the year.

In **France**, the 2005 survey conducted by Darès (French research, studies and statistics executive), published by the Ministry of the Economy, Industry and Employment, and by the Ministry of Labour, Social Relations, Family and Solidarity, shows that 42 % of employees in contact with members of the public indicated having experienced situations of tension 'often or sufficiently to disturb the work' (75).

In **Finland**, several studies during the past decades have shown an increase in third-party violence at work, particularly against women. The target studies of the National Research Institute of Legal Policy in Finland have shown that the amount of third-party violence at work has increased systematically from 1980s (65) in Finland. The increase has applied particularly to women (in 1980, less than 40 000 cases, in 1997 about 100 000 cases, in 2003 over 140 000 cases). However, the last study from 2006 suggests that the trend has stopped increasing.

Furthermore, studies by Statistics Finland (41) have shown similar increases in the prevalence of violence or the threat of violence against women from the 1990s. In 1990, 2 % of women reported violence or threatening behaviour at least a couple of times a month and 13 % more seldom (overall, 15 %). In 2008, the corresponding figures were 3 % and 23 %, making 26 % in all. Among men, the experience of violence or threats of violence has remained at about same level. The percentages were 2 % and 11 % accordingly in 2008.

In the Work and Health survey (66) by the Finnish Institute of Occupational Health in 2006, 5 % of all workers, 7 % of women and 4 % of men, reported that they had been subjected to violence or threatening behaviour at work or on the way to or from work during the past 12 months. In 2003, the corresponding figures were 4 % of all workers, 5 % of women and 3 % of men. So the experience of violence and threats had increased. An increase could be seen especially in healthcare and social services where the experience of violence had increased from 10 % to 17 %.

Swedish victim surveys (67) show also an increase in exposure to threats and violence at work. This increase related primarily to violence, and not to threats, against women, and in particular, those working in some form of care provision. It was also found that the propensity to report crime is diminishing. Acts of violence against persons



employed in the health sector, schools, and in care provision are less likely to be reported to the police than violence against other workers. Thus, as care workers come to account for an increasing proportion of both violent incidents and the targets of violence, the aggregate propensity to report such incidents decreases. When the focus is limited to those individuals working in the care sector who have themselves been exposed to violence, there are no signs of a reduction in their propensity to report it.

In the **United Kingdom**, several statistical studies are regularly carried out; in RIDDOR reports (68) by the Health & Safety Executive, the major injuries (as defined in a specific list) and injuries which cause the target to be off work for more than three days are recorded. Violence is one possible cause which an employer can select. British businesses are legally required to report a specified list of workplace injuries under the RIDDOR regulations. This yields continuously updated datasets. In 2005/06 there were 6 624 RIDDOR-reported injuries caused by violence at work, comprising one fatal injury, 978 major injuries and 5 645 injuries which kept the people experiencing violence out of work for more than three days. The trend over recent years has been stable.

The *British Crime Survey* is commissioned by the Home Office and produced jointly by the Health & Safety Executive and the Home Office. The surveys are completed on an approximately annual basis (69). The survey defines violence as assaults or threats. Only work-related violence is covered, meaning that the incident must have occurred while the target was at work or working, and excludes domestic violence. In this large, nationally representative survey, the respondents are asked whether, and how often, they have been subject to violence as defined above, how much they worry about violence and what impact it has upon them. The results are annually reported. In 2006/07 there were an estimated 684 000 incidents of violence at work in England and Wales, of which 288 000 were assaults and 397 000 were threats. The trend over recent years has been stable.

The *Fit3 employee survey* (70) is a national survey of 6 000 workplaces. In the survey, employees are asked to report whether they have experienced work-related violence in the last three months; the nature of this violence; and what, if anything, they did in terms of reporting the incident(s). Violence is defined according to the HSE definition — any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. Estimates from the 2006 Fit3 employee survey suggest that 16 % of workers had been subject to abuse or violence in the last three months. For 67 % of these targets, this happened more than once, and 66 % of targets knew the person who was abusive or violent towards them. Amongst those reporting having suffered from abuse or violence, 87 % report having been verbally abused while the next most frequent types of abuse or violence were grabbing/pushing and hitting/punching.

Harassment (bullying, mobbing)

The prevalence of harassment or bullying has been measured either by national institutions or by researchers in EU countries and, indeed, globally. These studies have found that the prevalence of bullying seems to differ between countries, between studies in specific countries, and between organisations in specific countries. Comparison between the results is difficult for many reasons (see Section 3.1).

Below some examples of study results on the prevalence of harassment/bullying from different countries are presented.



In **Belgium**, the data from the WBM 2004 (63) showed that 14.4 % of the workers faced bullying at work at some point in time during the last 12 months. This number lay well above the EU average. However, another Belgian study (71) found similar results showing that 13 % of workers are bullied sometimes and 2 % often or always. The trend analysis of WBM also showed that there is a slight increase in the number of people experiencing violence and bullying at work.

In **Finland**, the Work and Health Survey, which is carried out every third year (1997, 2000, 2003, and 2006), shows that the amount of perceived bullying at work has remained at about the same level. Some differences between different points in time have been found but no systematic trend upwards or downwards can be seen. In 1997, 3.8 %, in 2000, 4.6 %, in 2003, 3.1 %, and in 2006, 5 %, of the respondents reported being bullied at the time of the survey (72, 66). The results from the studies by t Statistics Finland have been very similar: in 1997, 3 %, in 2003, 4 %, and in 2008, 4 %, of the respondents experienced bullying at work at the time of the survey. In 2008, 13 % reported that they had been bullied at this workplace before, and 8 % had been bullied before in another workplace (41). In both of these surveys, the subjective method to assess the prevalence of workplace bullying, was used (see Section 3.1).

A research project carried out by the Confederation of Independent **Bulgarian** Trade Unions in 2000 sought to determine the causes and the extent of harassment in the workplace in the healthcare sector (73). According to this joint OIT/CII/OMS/ISP study (published in Bulgarian in 2001 and in English in 2003), harassment is the second highest form of violence in the workplace in Bulgaria (after verbal insults). Covering 508 people between the ages of 20 and 60, the study showed, for example, that 38.1 % of the nurses questioned had experienced one form of harassment.

In **Sweden**, 3.5 % of the employees representing the workforce were subjected to workplace bullying when the criterion of at least once a week and over six months was used (34). In the **United Kingdom**, 1.4 % of respondents from 70 organisations within the private, public and voluntary sectors reported being bullied at work at least weekly during the last six months. In addition, 10.6 % were bullied less frequently than weekly (38).

In **France**, a survey carried out in 2005 among over 7 000 employees of the Provence-Côte-d'Azur region (by way of a network of 143 occupational physicians) looking at psychological violence (in the sense of Leymann, 1996), showed a prevalence of 10 % over the preceding 12 months (74).

In **Norway**, in the 1990s, 8.6 % of respondents from a variety of sectors reported being bullied, 4.5 % perceived vigorous bullying (19). In 2005, the corresponding figures were 5 % and 2 %. The studies suggest that bullying at work has decreased substantially (76).

In **Ireland**, the Economic and Social Research Institute (ESRI) (77) has carried out two national surveys to determine the incidence of workplace bullying involving employed and self-employed people in the public and private sectors. The findings show that in the last six months, 7.9 % of those at work report having experienced bullying in the workplace — this is not a significant increase since a similar survey in 2001 when the reporting rate was 7 % (78).

In 2002 the Public Opinion Research Centre in **Poland** carried out research entitled 'Harassment in the workplace', with the participation of a representative random-address sample of 1 047 adults (79). Among them, 17 % claimed to have been persecuted by a superior during the last five years: 12 % claimed that it had happened rarely and 5 % frequently. Fewer respondents, 6 %, claimed to have been persecuted



by co-workers and among them 4 % saying it happened rarely, with 2 % saying it was frequent.

A very high prevalence, 33.5 %, of workplace bullying has been found in **Portugal** (37, 140). High levels of bullying have also been found in **Turkey**. In a study of private sector employees, 47 % of the respondents labelled themselves as bullied, with about 2 % saying they were bullied several times a week or almost daily (80).

In two studies using the Work Harassment Scale (81, 82) the prevalence of harassment was measured in Finland, Poland and Spain. In the first study (81), perceived bullying was more common in Poland (Level I: 20 % in Poland, 10 % in Finland; Level II: 1 % in Poland, 4 % in Finland; Level III: 3 % in Poland, 0 % in Finland). In the other study in the municipal sector in Finland and Spain (82), no statistically significant differences were found in perceived harassment (Level I: 5 % in Finland, 2 % in Spain; Level II: 0 % in Finland, 1 % in Spain; Level III: 1 % in Finland, 0 % in Spain).

Sexual harassment

According to EWCS in 2005, 2 % of employees suffer from sexual harassment in **Bulgaria**. This figure should be considered in relation of the recent law on discrimination, and difficulties in having problems recognised and lodging complaints. However, a survey conducted by BGRF in 1999 among 500 women less than 40 years of age showed that this problem occurs in both private and public enterprises. It indicated that the problem was particularly serious for small towns where it is difficult to find employment. It also emerged that the women most often subjected to sexual harassment were mainly employees in subordinate positions: secretaries, waitresses, and sales assistants. Of those who had been the subject of passive sexual violence, over half had heard rather crude jokes, cynical allusions or had been touched up and even molested. Seventy-three women stated that they had been the subject of direct harassment and had been obliged to leave their jobs (83).

In **Cyprus**, according to the Fourth Survey on Working Conditions, less than 1 % of cases of workers being subjected to sexual harassment (43) were reported. However, a 1997 survey on sexual harassment, conducted by the Research and Development Centre at Intercollege showed that about 85 % of Cypriots who responded stated that sexual harassment has been a serious social problem. Furthermore, 40 % of the respondents knew (former) targets of sexual harassment (84).

In the Work and Health Survey (66) in **Finland** in 2003, 2 % of women and 1 % of men reported that they had been subjected to sexual harassment at work during the past 12 months. The corresponding figures in 2006 were 3 % of women and 0 % of men.

In 2001, the Ministry for Social Policy and the APPOGG (National Social Welfare Agency for Children and Families in Need) in **Malta** carried out a survey on the prevalence and workers' perception about sexual behaviour in the workplace (unwanted nature of sexual conduct) (85). From a random sample of 6 000 workers (government, private, self-employed), all in all, 1 344 respondents (24 % response rate, 60 % women, 34.1 % within the 16–25 age range, 54.5 % married, 42.3 % single) answered a questionnaire, which investigated the perception and the prevalence of verbal, non-verbal, physical and quid pro quo sexual conduct at work. Both females and males were exposed to verbal, non-verbal and physical sexual behaviour, but females were more likely to consider that sexual behaviour as offensive. In comparison to verbal, non-verbal and physical sexual behaviour, quid pro quo sexual harassment existed to a much lesser degree, whereas workmates were more likely to carry out the sexual conduct.



Nevertheless, the participants perceived sexual conduct by the superior and/or clients as more offensive.

In 2001/02, the Gender Equality Act and the Employment Regulations Act was in the process of being enacted and mechanisms were necessary for its enforcement (85). Therefore, it was recommended that services should be set up to deal with cases of sexual harassment. Furthermore, information campaigns, training measures, and further research regarding sexual harassment were recommended. Since the study was carried out in 2001/02, many recommendations have been implemented and some of these actions are described in the following chapters.

In **Romania**, two surveys on sexual harassment in the workplace have been carried out by the Marketing and Surveys Institute (86). The first aimed to measure the public perception of this issue, to identify practical solutions used to manage these situations, and to evaluate the level of knowledge of the legislation in this area. It was based on a questionnaire of seven questions, carried out between 9 and 16 November 2006, and concerned 479 people from 36 big and medium-sized towns. The results showed that 12.3 % of respondents declared that they had experienced, or had information about, sexual harassment in the workplace. As for practical solutions to manage sexual harassment situations, 15 % of targets had been obliged to leave the workplace and 25 % had sent complaints to the management of the company, trade unions or authorities. Fifty-five per cent of respondents declared that they had information and know the legislation in this field.

The second survey (87) aimed to measure the effects on public perception of the national campaign against sexual harassment in the workplace perception. It was based on a questionnaire survey in 2007 with 661 people from four big towns. The result showed that 80 % of the respondents considered that sexual harassment negatively influenced their work. Forty-three per cent of the respondents said they would complain to government authorities if subjected to sexual harassment at work.

In **Slovakia**, a survey found that 66.4 % of respondents (n = 1 041) had at least one experience of sexual harassment in the workplace, 36.7 % had personal experience of such harassment and 55.5 % had indirect experience. Women experienced aspects of sexual harassment twice as often as men. Three most commonly mentioned indicators of sexual harassment were sexual jokes, comments and remarks of a sexual nature, and the inappropriate addressing of individuals (88, 89).

SECTORS AND OCCUPATIONS AT RISK OF WORK-RELATED VIOLENCE

3.3.

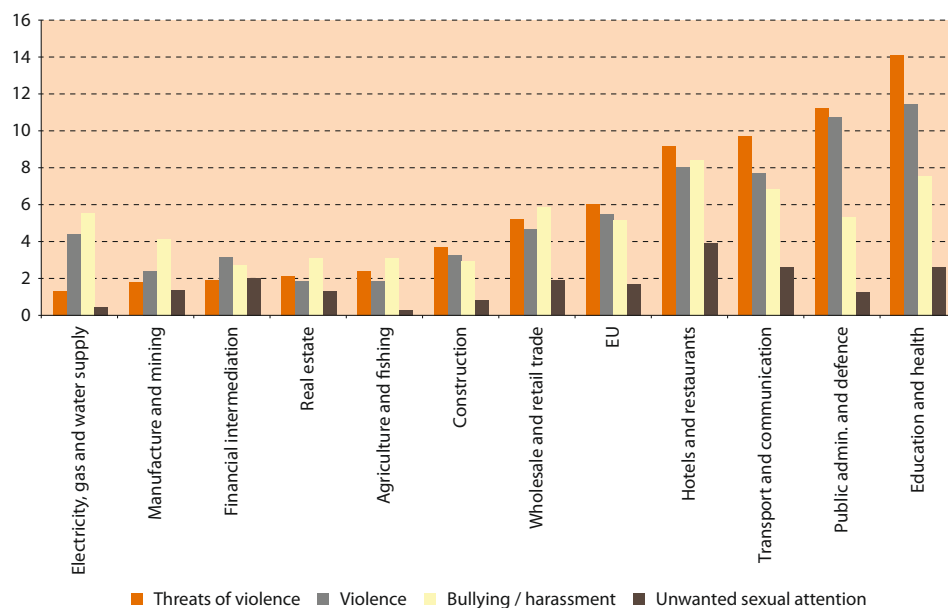
3.3.1. Third-party violence

A typical feature for third-party violence is that the risk is higher in some particular sectors and occupations than in others. In these sectors and occupations/tasks, many factors are present that can be seen as risks for violence.



According to the Fourth EWCS (43), the risk of experiencing both threats and violence is highest in the health and education sectors as well as the public administration and defence sectors, with lower, but still significantly above average, levels in the transport and communication and in hotel and restaurant sectors. In the health sector, over 16 % had experienced threats of violence and 15 % actual violence during the past 12 months. The average in EU-27 countries was approximately 6 % for both threats of violence and violence (Figure 7).

Figure 7: Level of reported violence and harassment, by sector EU-27



Source: EWCS 2007

In the Focal Points survey, the participants were also asked to enumerate three sectors most often exposed to third-party violence. The healthcare sector was the most frequently mentioned. Others mentioned were the police, public administration, hotel and restaurant sector, education, banking, and service industries.

3.3.2. Third-party violence — national studies

National data from several countries also shows that employees in certain occupations have an elevated risk of violent attacks by third parties. Among these are occupations such as social and healthcare workers, and those working in education, hotels and restaurants and in shops as well as police force, prison workers, security personnel and border guards. Studies among healthcare workers are most common.

Studies in **Denmark** have shown that professions most likely to be exposed to violence are social educators in residential care units, and nursing staff in hospitals and nursing homes (64). Studies in **Finland** have also shown that healthcare workers, social workers, employees in education, transport and in service work, have an elevated risk for violence and threats by third parties (90, 41, 66). Women experience violence most often in healthcare, social work, education and sales work; men in transport, real estate management and security professions (90).

In the **United Kingdom**, the RIDDOR reports (68) show that the occupations with the highest rates of injuries caused by violence at work are rail transport operatives, prison service officers and police officers. Violence levels are highest in services



industries, in particular public administration and defence, and human health activities. Another British study revealed that a high proportion of pub licensees experience pushing and shoving (26 %), fights without weapons (15 %), and fights with weapons (2 %) on at least a monthly basis (91).



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The study of Lawoko (16) compares the nature of violence encountered by female/male staff (nurses and psychiatrists) in **Sweden** and **England**. A questionnaire covering various areas was directed to psychiatric personnel from England and Sweden. The results also show that a significant number of psychiatrists are frequently exposed to assaults at work and that the number of aggressive and violent incidents is increasing. Prevalence rates of aggression and violence vary due to differing definitions of aggression and violence, the type of unit, hospital, and location studied. Another study among local government employees in the healthcare and welfare sector representing a population more than 170 000 employees in Sweden (89) found that 51 % of this population had been affected by threats/violence, either verbally or physically, over the previous year. Over 9 % of the employees in the care sector experience acts of violence or threats on a daily basis, and 67 % several times a month. An additional study in Sweden (92) found that carers of people with developmental disabilities frequently experienced violent and disruptive incidents. The study also found that violent incidents were grossly under-reported and unrecognised in formal reporting systems. The most vulnerable groups in healthcare seem to be assistant nurses and direct carers (93, 92).

In **Poland**, research was carried out by the Institute of Occupational Medicine with the participation of 1 163 nurses and 391 employees from the service sector (employees of post offices and public transport employees) (94). The results showed that the employees of services and health services were most often exposed to violence from clients/patients. The most common form of aggression was psychological violence (shouting) with 24–90 % of employees in different sectors experiencing such violence from clients/patients. The most common kind of violence among nurses was being shouted at by patients and their families (84 %).

3.3.3. Harassment at work — national studies

According to the Fourth EWCS (43), the risk of experiencing bullying is highest in the healthcare and in the hotel and restaurant sectors. In these sectors over 8 % of the respondents had experienced bullying/harassment at work during the last 12 months. The average in the EU-27 countries was approximately 5 % (Figure 5).

National studies have shown somewhat contradictory results in relation to the prevalence of harassment and bullying at work in different sectors and occupations.



In **Norway**, a study carried out through workers' unions found that those belonging to an industrial workers union, graphical workers union or a union of hotel and restaurant workers were the most likely to report being bullied at least every now and then (19). In **Finland**, as in **Sweden**, bullying seems to more prevalent in the municipal sector than in private sector (66, 34). In a Finnish national survey, employees working in the healthcare sector and in education reported perceived bullying most often (66). In a study of university employees, 16.9 % of the respondents perceived themselves to be bullied at work (22). In a study of prison workers, 11.8 % of the respondents reported bullying several times a month (36), and in the healthcare sector, about 5 % of the respondents reported bullying (95).

In **Denmark**, 2 % of respondents in a randomised sample perceived themselves bullied at work, 3 % among hospital employees, 4.1 % in manufacturing companies, and 0.9 % in department stores labelled themselves as subjects of bullying (54).

In **Ireland**, the highest risks of bullying have been found in public administration/defence (12.6 %), education (12.1 %) and health and social work (10.5 %). Lower levels of bullying at work are reported in the agricultural (2.0 %) and construction (3.4 %) sectors (78).

In **Poland** a study was carried out among teachers (96). By using the operational method to assess the prevalence of harassment, the study found that 9.7 % of the respondents were subject of harassment.

In a recent study of the restaurant sector in **Norway**, 0.5 % of respondents said they had been bullied a lot while 6.4 % had been bullied to some extent during the last six months. Apprentices were bullied more often than other staff (97).

A **Lithuanian** study (98) carried out in the public administration institution shows that 68 % of the respondents were bullied at work. The figure was higher for less educated males (91 %), females over 39 years old (80 %) and females employed for 6–10 years (76 %). The victims had been bullied more frequently by their superiors than by their colleagues or customers (third-party violence).

3.3.4. Sexual harassment — national studies

In the EWCS (43), unwanted sexual attention was most often experienced in the hotel and restaurant sector (4 %). This was mirrored by a Work and Health Survey in **Finland** (66). Sexual harassment is also common also in the police force. In Finland, about one in three female police officers had been confronted with sexist language from colleagues or supervisors, and about half from clients. Some 12 % had experienced sexual harassment from inside the workplace and 21 % from outside the workplace. Among men, 15 % had met with sexist language, and 2 % sexual harassment, inside the workplace, with 23 % experiencing sexist language, and 12 % sexual harassment, outside the workplace (99).

The Focal Point survey replies showed that workers most often exposed to sexual harassment in **Cyprus** are entertainers in floor shows, domestic assistants, and hotel workers. In the banking sector, 10 % of women questioned said they had been subjected to immoral or indelicate proposals. In the semi-government organisations, 16 % of the women said that they had received immoral or indelicate proposals (100).



3.4.

SUMMARY AND DISCUSSION

More and more data from different sources (European surveys, national surveys, sector-specific studies) that show the trends in the area of work-related violence, and its severity, is available.

Overall, the results of the Fourth EWCS (43) revealed that physical violence at work affects just a small proportion of the overall workforce: one in 20 workers (5 %) reports having been personally subjected to violence either from fellow workers or from others. When focusing only on people within the workplace, the trend seemed to be decreasing. However, there seems to be a higher reported incidence of exposure to violence, as well as to threats of violence, in the northern European Member States and a lower reported incidence in the southern Member States.

A typical feature for third-party violence is that it occurs in particular sectors and occupations; the Fourth EWCS and national data give an identical picture of the sectors where employees face the highest risk of violence by third parties. These include healthcare and social work, education, transport, public administration and defence and commerce.

In the Fourth EWCS, 5 % of the respondents had been subjected to bullying and/or harassment in the workplace over the past 12 months in 2005. Less than 2 % of European workers are exposed to sexual harassment or unwanted sexual attention. However, as in physical violence, there is a wide variation between countries. National studies show somewhat different results compared to the Fourth EWCS. In the EWCS, the prevalence of harassment in Finland was reported as 17 %, while in national surveys representing the whole workforce, the prevalence of harassment has been reported to be about 5 %. The EWCS found lower than average prevalence of bullying and harassment in Portugal and Turkey while studies at national levels have shown much higher figures. In some countries, the focus of harassment studies is on sexual harassment and there is no information available on psychological harassment/ bullying at work.

It is challenging to measure the level of different forms of work-related violence, both third-party violence and harassment, and to compare national study results or statistics, because of the different terms, definitions and classifications used to delimit the concepts as well as the different measurement methods used (101).

These difficulties have also been seen in studies on harassment/bullying at work which have clearly shown that different ways of measuring the prevalence of bullying give different results (54, 55). It has been suggested that the optimal measurement of bullying at work includes both subjective and operational/objective methods, as this will elicit information on both the nature and the intensity of the perceived behaviours, as well as on the subjective perception of being victimised by these behaviours (102). A recent study (103) also indicates that the gender of the target, the gender of the perpetrator and the gender of the non-observing third-party all are important factors in whether negative behaviour is perceived as bullying.

Based on several studies, it has been concluded that if bullying is defined as a regular, weekly event, less than 5 % of the workforce are affected. However, when occasional bullying is included, the figure increases to about 10 % (6, 40).



As also stated by the European Foundation, the differences between countries in experiencing harassment/bullying at work may reflect different levels of cultural awareness of, and sensitivity to, the issue as much as differences in actual incidence.

The same reasons can also explain differences in the perception of physical or third-party violence found between countries.

Several authors have discussed the meaning and importance of cultural criteria to explain the phenomena of violence, both third-party violence and harassment, and differences found in statistical data between different countries. Kennedy (104) points out that the wide variety of societal moral codes makes the topic of violence challenging to address because of the different interpretations of what violence constitutes. Notions of what is acceptable or unacceptable or aggressive or hostile behaviour are culturally influenced and constantly under review as values and social norms evolve. In some countries, violence may be considered to be part of daily life and a regulator of family, social, interpersonal and institutional relationships (104). To counteract this, in Bulgaria, for example, a law against domestic violence was passed in 2006 (Law of 29 March, 2005, SG No 27/2005).

One problem in relation to third-party violence is under-reporting of the violent incidents, particularly at the organisational level. There may be many reasons for this. Some employees still think that 'violence is part of the job', and sometimes employees think that a violent attack on them is their own fault; that they are not competent. The third reason is that psychological violence is not perceived as violence and therefore is not reported.

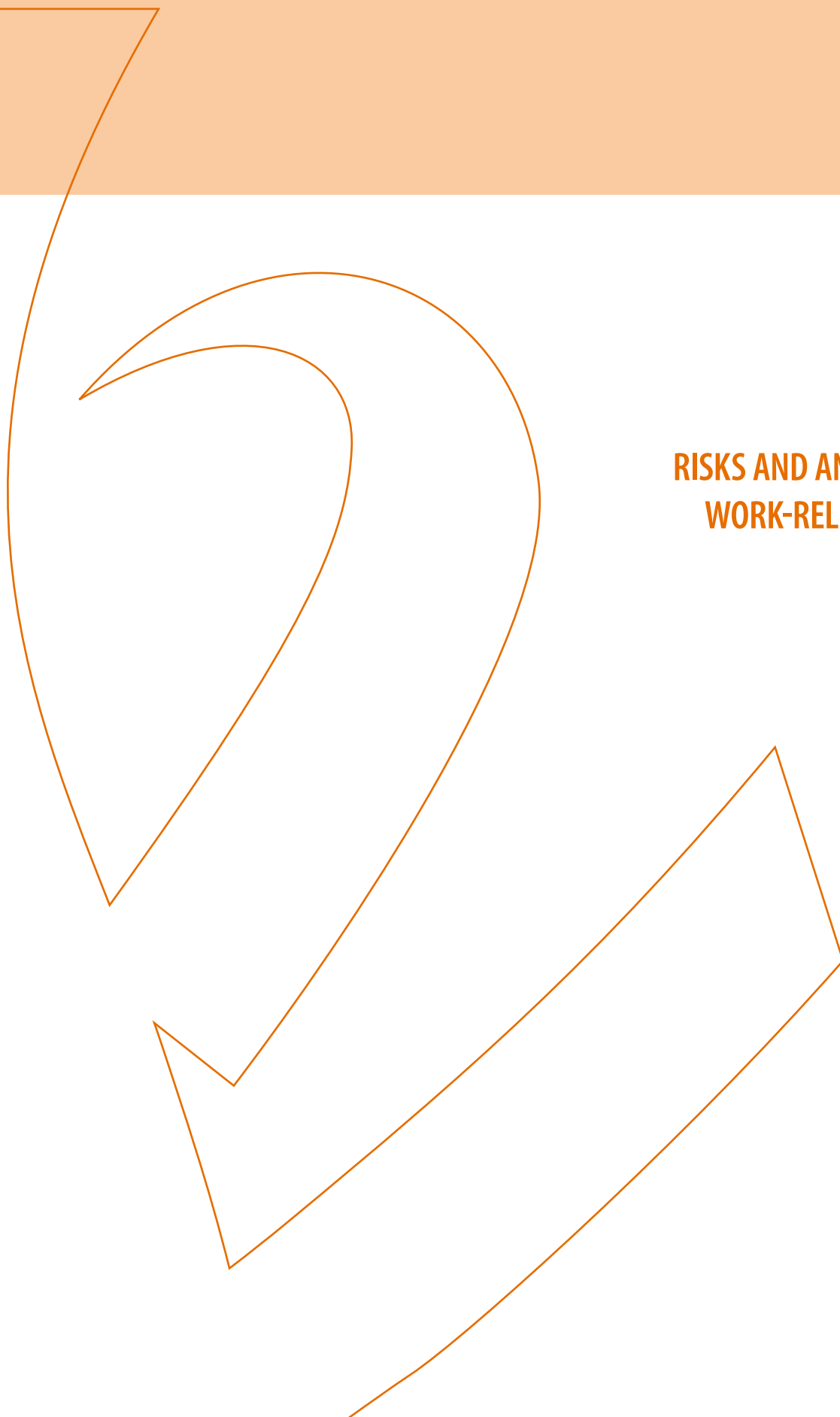
In the Netherlands (105), it was found that a higher prevalence of third-party violence does not necessarily lead to more reported cases. The transport sector has a low number of reported cases. This could be due to the fact that employers have known company policies but could also be a consequence of the relatively low motivation to report cases.

In order to increase the reporting of incidents, it is important that different forms of violence are discussed in the workplace; that employees are encouraged to report violent incidents; that systematic registration systems, including psychological violence, are introduced to all workplaces with an elevated risk for third-party violence; and that reports of violent incidents are handled in a non-blaming atmosphere in the workplace.



4.

RISKS AND ANTECEDENTS OF WORK-RELATED VIOLENCE



4.1. RISKS AND ANTECEDENTS FOR THIRD-PARTY VIOLENCE

It has been suggested (106) that there are many factors behind a violent attack and the escalation of the situation. These include the atmosphere in the workplace and organisational culture, management style and working conditions as well as an employee's individual characteristics (such as personal suitability, professional skills and knowledge). For example, Luckenbill (107) and Felson et al., (108) have described the escalating nature of a violent incident and suggest that the risk for violent offence increases in the next phase.

4.1.1. Work environment factors behind third-party violence

Special features of work and work environment, structural and situational factors, increase the risk of violent assaults at work (4, 117). These risk features include:

- the handling of money or valuables (cashiers, transport workers, bank and post office staff, shop assistants);
- guarding valuable property or objects
- dealing with the public;
- providing care, advice, education and training (nurses, ambulance staff, social workers, teachers);
- working in a social function;
- carrying out inspection or enforcement duties (police and traffic wardens, ticket inspectors);
- working with the mentally disturbed, drunk or potentially violent people (prison officers, bar staff, mental health workers);
- working alone (home visitors, taxi drivers, domestic workers, small shops, cleaning, maintenance and repair);
- working in a mobile workplace;
- working at night or early in the morning; and
- working in a crime black spot.

The potential for violence also arises when an employee needs to deny an individual's request; to remonstrate with them; or when someone is requested to do something he/she does not want to do (118). Many of these risks can be seen in sectors where studies have found an elevated risk for violence, such as healthcare, social care, trade, and transport. Menckel and Viitasara (92) have developed a framework model of reference for analysis of threats and violence particularly in the healthcare sector. The model treats violence as a process that is influenced by underlying structural (rather permanent) and situational (generally temporary) risk factors.

These work environmental risks have been detected by many studies. Mayhew (119) report that the potential for violence may increase at particular times of the day or night; on specific days of the week; in places where groups of young males gather or where intoxicated people congregate; in poorly secured premises where large amounts of cash and drugs are held; or where there are long waiting periods for



clients. The risks may also be heightened for night and shift workers, those who work alone, young workers and apprentices, or those in insecure employment. A British study also showed that hotel and restaurant workers, particularly on black spot night shifts, have proven to be at risk of violence or of threat of it (120).

In a study among psychiatric staff, Lawoko et al. (16) showed that an unfavourable working environment is a risk factor for violence; in particular, physical working conditions are identified as crucial determinants of the occurrence of violence. In many cases, mental health personnel are obliged to lift, hold or have some kind of physical contact with patients. This on its own may lead to some friction between carer and patient. Moreover, other conditions that affect the physical work environment such as poor lighting, poor ventilation, noise, etc., may act as contextual stressors increasing the probability of being abused. It was also found that British victims of violence were more likely to report unfavourable working conditions and physical and psychological ill health than their Swedish counterparts.

In a study by Carmi-Iluz et al. (121), the most frequent causes of violent acts cited by physicians were: long waiting periods; patients' dissatisfaction with treatment or disagreement with the physician; and unjustified requests for a medical certificate. Inadequate working conditions, with a small number of physicians caring.

For a large numbers of patients, such prolonged waiting times may trigger violent outbursts on the part of the frustrated patients and their families.



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According to Estryn-Behar et al. (62), after adjustment for age, gender, and other risk factors, the quality of teamwork appeared to be a major factor in third-party violence. Factors associated with high reporting of violent incidents were quality of teamwork, uncertainty regarding patients' treatments, young age, being a nursing aide, night work and high time pressure.

In a study about violence towards receptionists (122), it was found that support from within the organisation acted as a buffer, with direct help or assistance from co-workers, supervisors or managers significantly moderating the effects of workplace violence on emotional well-being, somatic health and job-related effects. Background sources of stress at work were significant in affecting reception staff perceptions. Receptionists who felt under increased pressure at work were more anxious and more



likely to have been a target of threat or attack at work. These results suggest that a key factor in reducing anxieties is empowerment at work in terms of job demands, control, role, change and support.

Studies have also shown that, in addition to work environment factors, organisational and psychosocial factors also play an important role as antecedents of third-party violence. A study among prison workers found that the functioning of the work unit was a significant factor in the level of prisoners' violence. Victimisation of staff was connected with an inability to influence one's own work, lack of autonomy, role conflicts, poor flow of information, and poor cooperation between personnel (113). In the municipal health and welfare sector, high workload and job cuts increased the risk of exposure to threats and violence (116).

Environment also plays a role. A national survey in Sweden (123) focused on violence and menaces at petrol stations (physical or verbal aggressive behaviour) aimed at inflicting, harm and/or discomfort on the targets, whether they were intentional targets or innocent bystanders only accidentally involved in the situation. The study showed that the risk of violence was three times higher in big cities compared to sparsely populated areas, that the risk increased significantly with late opening hours, and that a lot of incidents occurred when employees were working alone.

Simister and Van de Vliert (124) discuss in their article the effects of temperature on violent behaviour. They conclude that more climate and crime data is needed as results of studies come to different conclusions. They, however, suggest that other aspects of climate are also relevant to violence, including rainfall and humidity, and add that this is an important topic as governments may be able to reduce violence if the causes are understood better.

4.1.2. Individual characteristics as risk factors

The targets of violence

Individual characteristics, gender, age and precarious employment (109) have been discussed as risk factors. Study results of the meaning of gender in becoming a target of third-party violence have, however, been somewhat contradictory. In healthcare, men were shown to be targets of violence more often than women (110). In prison work and the police force, men have reported more violence than women (111, 112, 99, 113). In another study among social workers, women were found to be more prone to violence than men (114).

Young employees and those with little work experience have, in several studies, been shown to have a higher risk of experiencing violence from third parties than older and more experienced employees (110, 111, 115, 113, 116).

The aggressors

In their report, Di Martino et al. (6) have attempted to profile typical perpetrators. Based on their findings in the literature, perpetrators applying physical violence at work are young male workers with a severe mental illness and troubled childhood, being used to violent behaviour and, having access to weapons, seem to victimise their colleagues.

The use of alcohol or drugs and poor mental health has been suggested as a cause of increased risk of violent behaviour. Among prison workers, drugs and drunkenness, temporary nervousness and mental imbalance were most often seen as reasons for



the prisoner's violent behaviour (113). In the retail sector the use of alcohol and drugs are often seen as the cause of aggressive behaviour.

RISKS AND ANTECEDENTS OF HARASSMENT AT WORK

4.2.

Harassment at work takes many forms, and its causes are various. A multilevel approach to the causes of harassment includes: societal level, organisational level, group level and individual level explanations.

Einarsen (125) has introduced the concepts of predatory and dispute-related bullying as the two main classes (102). In cases of predatory bullying, the target has done nothing to justify the behaviour of the bully. The perpetrator is demonstrating power or is exploiting the weakness of an accidental 'victim'. A person may be bullied, for example, as a representative of a certain group. Dispute-related bullying occurs as a result of highly escalated interpersonal conflicts. The triggering factors in these cases are often assumed to be work-related.

The antecedents of harassment at work can be divided into:

- (a) environmental and organisational antecedents;
- (b) individual antecedents; and
- (c) societal antecedents.

There is quite a lot of research-based information about the first three (environmental, organisational and individual). At societal level, not much information exists yet about the effects of a nation's economic situation and political system. The possible effects of climate factors have been discussed (124).

4.2.1. Environmental and organisational antecedents of bullying at work

The most favoured model to explain workplace harassment is the work environment hypothesis. According to this model, stressful and poorly organised work environments may give rise to bullying. According to this situational view, bullying is primarily caused by factors related to deficiencies in work organisation, and leadership behaviour within organisations. Such features of the work environment may influence bullying directly, but they may also contribute to creating a stressful work climate in which bullying can flourish.

In a report by the WHO (140), it is suggested that the terrain on which mobbing develops is a veritable micro-society in which each event is the result of manifold elements: cultural, human, material, and organisational. The probability of becoming harassed may increase due to a bad management style, inadequate organisation of work and an unfavourable work environment.



The environmental and organisational antecedents of bullying can be classified in many ways. Hoel and Salin (141) explore organisational antecedents of bullying under the following headings: (a) work organisation; (b) changing nature of work; (c) organisational culture and climate; and (d) leadership.

In relation to the work environment and organisation of work, empirical evidence from questionnaire studies has shown that bullying is associated with features of the work environment (142, 25, 26, 126). An early study in Norway (142) showed that particularly the experience of role conflict, but also low satisfaction with leadership, work control and social climate correlated with bullying. A Finnish study (126) among municipal employees showed that poor information flow, an authoritative way of settling differences of opinion, lack of mutual conversations about the tasks and goals of the work unit promoted bullying.



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A recent study by Hauge et al. (143) explored relationships between stressful work environments and bullying among a large sample of the Norwegian workforce. The analysis showed that role conflicts, interpersonal conflicts and tyrannical and laissez-faire leadership⁷ were strongly correlated with bullying. In relation to work environment factors as antecedents of bullying, it is important to notice that in this study by Hauge et al. (143) as well as in a study by Vartia (126) not only the targets but also the bystanders/observers of bullying assessed their work environment more negatively than those who worked where there was no bullying.

Although some studies identify time pressure and a hectic work environment as a source of interpersonal conflicts (144), many studies on workplace bullying have not supported this result (55, 126). It has been argued that the problem of bullying comes to the fore when a high degree of pressure is present in a work environment which offers individuals little control over their own work (142, 141). Zapf et al. (145) have, on the basis of his studies, suggested that pressure of time may indirectly affect bullying by undermining the opportunity to resolve conflicts.

⁷ The laissez-faire leadership style is also known as the 'hands-off' style. It is one in which the manager provides little or no direction and gives employees as much freedom as possible. All authority or power is given to the employees and they must determine goals, make decisions, and resolve problems on their own.

The relationship between a range of organisational changes and aggression has been explored, for example by Baron and Neuman (24), finding that the strongest predictors of aggression were the use of part-time workers, changes in management, and pay cuts or freezes. Different organisational changes, cost-cutting, organisational changes, job (in)security and social change (24) as well as major technological changes and budget cuts (25) have also been found to be associated with aggression and bullying. Changes of supervisors or managers have frequently been found to be associated with bullying (25, 146). Furthermore, a nationwide survey in Finland showed that changes at the workplace that change working tasks, and bring the threat of unemployment as well as temporary dismissal, were connected with an elevated risk for bullying at work (127).

Salin (147) has introduced a model where the organisational antecedents of bullying have been divided into three groups: enabling, motivating, and triggering factors of bullying. Enabling factors describe factors which may allow bullying to occur in the first place, but which are seldom sufficient to bring about bullying on their own. Examples of such enabling factors are a *laissez-faire* style of leadership, permissive organisational culture, normalisation of bullying behaviour, and large and bureaucratic organisations. Examples of *motivating structures* and processes are high internal competition and reward systems and *triggering or precipitating processes* include downsizing and re-engineering.

The climate and atmosphere in the workplace or organisation as well as low satisfaction with leadership, the leadership style or leadership practices have, in qualitative studies, also been found to be associated with bullying (142, 126). Interviewed victims of bullying have also reported their supervisors to be autocratic, and the working environment competitive, strained and stressful (29, see also 141). In recent years, interesting studies have been carried out in Norway on the relationship between bullying and destructive leadership and other management styles. The studies have shown a significant correlation between workers' ratings of their managers' low levels of conscientiousness and agreeableness and exposure to bullying (132).

Social antecedents of harassment

Neuman and Baron (148) discuss the social antecedents of bullying and aggression — like the norm of reciprocity, injustice perceptions, norm violations, and distributive justice.

Tools to assess the risks of harassment

Several tools have been developed to assess the risks of mobbing and bullying at work. The Val.Mob scale, a tool for assessing the risk of mobbing in organisational environments, has been developed in Italy (149). The Bullying Risk Assessment Tool (BRAT) has been developed in the United Kingdom (150).

An overview of the antecedents of harassment by the WHO

A booklet published by WHO (140) gives an overview of the work-environment and organisational factors as possible antecedents behind the onset of harassment at work.

1. Management style:

- *Inertia of management and higher level staff:* A culture favouring a disciplinary, intolerant and discriminatory style of management creates a climate of fear, distrust,



excessive competition and awe. Without norms concerning social behaviour, certain persons may consider themselves 'authorised' to use abusive behaviour.

- *Competition without rules:* New management methods have introduced a more extensive concept of competition; thus employees may be asked to perform not only better than colleagues, but also with less ethical concerns in order to obtain results. More horizontal forms of direction are established, but without clearly defining the rules of collaboration. This apparent liberty leaves wide scope for the abuse of power. This is amplified by a whole series of instruments used by management, for example, the individual evaluation of performance or salaries of merit. These may divide employees and have a potential to generate suspicion and a negative atmosphere.
2. Work organisation:
- Chronic under-staffing and heavy work constraints create dissatisfaction, fatigue, and a feeling that it is impossible to change the work environment; tension may be vented on colleagues, family and friends.
 - Badly defined tasks or disorganised work without established limits of behaviour allow colleagues and superiors to take advantage of the situation.
 - Excessive hierarchy: mobbing is more frequent when the company's only reference value is hierarchy or where there are multiple chains of direction. For example, this is the case in hospitals where nurses are subordinated to doctors, nursing ranks, and administration. The resulting confusion is a breeding ground for intimidation and derision.
 - Overcrowding and sharing of premises in shifts may also lead to a negative atmosphere where violence is accepted.
3. Work environment:
- *Job insecurity:* The international work environment calls for a highly flexible organisation in working hours, employment and work status. Together with downsizing and restructuring, this can result in precariousness and fear of unemployment. These situations may represent a culture medium for the development of mobbing.
 - *Neglect of human and local characteristics of the employees:* The development of outsourcing and the multiplication of subsidiary companies with different cultural traits may produce situations leading to the neglect of human rights and local characteristics of the employees.

4.2.2. Individual and personality characteristics as antecedents of bullying at work

Individual antecedents, individual and personality characteristics of the target of bullying as potential risks to become bullied or of a person to become a perpetrator have raised a lot of debate both among researchers and practitioners.

Individual characteristics of the target

Of the individual features, gender and age are factors most often looked at in research. Study results about gender differences in becoming a target of harassment have been contradictory.

In the Fourth EWCS (43) women reported bullying/harassment more often than men both overall and in most EU countries (see Figure 4 in Section 3.2.1.2). In some



countries, the difference was very small and in some countries (such as Greece and Portugal) men reported bullying more often than women.

At national levels, many studies have found no difference between men and women in perceiving themselves as being harassed/bullied (e.g. 19, 25, 34, 126, 36), some studies have shown an over-representation of women (e.g. 22, 55, 127). A Norwegian study showed highest prevalence rates of workplace bullying in male-dominated organisations (19). In a study among male assistant nurses representing a small gender minority in their workplaces, it was found that male assistant nurses were more often exposed to bullying at work than their female colleagues (128).

Study results regarding whether younger or older employees are more often subjected to bullying also vary. The Fourth EWCS (43) showed that especially young women (15–29 years of age) were bullied and harassed at work, and a study in the United Kingdom also showed that young employees were slightly more at risk of bullying than others (25). No differences between age groups have, however, been found in some studies (34, 129), while in some studies older workers have reported more bullying than younger ones (19).

In Ireland, the highest incidence rates of bullying in the workplace can be found among workers aged 26 to 35 years (6.4 %) and 36 to 45 years (7.9 %). Workers younger than 25 years still account for 6.4 %, whereas the incidence of bullying is lowest for Irish workers aged 46 to 55 years (5.5 %) and those older than 55 years (3.3 %). The incidence rate of bullied female workers (9.5 %) is higher than that for male workers (5.3 %) in Ireland (78).

Employees belonging to ethnic minorities have reported more bullying at work than native employees or those considering themselves as white (25, 130, 72). In the United Kingdom, Asian employees particularly reported being bullied more often than others. In Finland, employees from Africa and the Middle East perceived themselves bullied more often than Finnish employees or migrants from Russia or Estonia. There was, however, no difference in bullying on a *daily or almost daily* basis between migrant and Finnish workers, but migrant workers were bullied more often than the Finns *some times a month* (72). In Wales, it was also shown that line managers use different tactics when bullying ethnic respondents compared to white respondents. When colleagues bully fellow colleagues, there are also subtly different patterns of bullying behaviour towards white and ethnic targets (130).

Personality characteristics of the target

The role of the individual's personality in becoming a target of workplace bullying has been somewhat controversial. Some researchers, like Leymann (34), have argued that personality is totally irrelevant in the victimisation process. Nowadays, researchers quite widely share the view that individual and personality characteristics of an employee may sometimes play a role in the onset and escalation of a bullying process.





Source: Fotolia

The personality of the targets of bullying has been studied in victim groups and in studies where victims of bullying have been compared with a control group of non-victims. An early study by Brodsky (21) described victims of bullying as highly conscientious and more traditional, rigid and moralistic than the non-victims, as well as over-achievers who tend to have an unrealistic view of themselves and their situation. An Irish study found the victims of bullying to be more anxious, suspicious, submissive and non-controversial than the non-victims. Victims were also found to be more introverted, conventional, organised and rule-bound than the non-victims (131). Early quantitative studies found also connections between perceived bullying, lowered self-esteem, social anxiety and neuroticism (56, 126). In a more recent study from Norway, targets of bullying have also been shown to reveal low levels of self-esteem and social competency (132). Victims of bullying have also described themselves as worse conflict managers than their colleagues (26).

A study, where the victims of bullying were investigated with MMPI-2⁸, revealed three groups of bullying targets. The seriously affected group comprised people who were depressive, anxious, suspicious, uncertain of themselves, and troubled by confused thoughts. The common group did not portray any psychological disturbance above what is considered normal in the control group. The third group, the disappointed and depressed group, consisted of those victims who were being bullied at the time of the study. They had a tendency towards becoming depressed and suspicious of the outside world (133).

In a more recent study (134), differences in personality between a group of bullied victims and a non-bullied group were studied using Goldberg's International Personality Item Pool (IPIP). Significant differences were found between victims and non-victims on four out of five personality dimensions. Victims of bullying tended to be more neurotic, less agreeable, conscientious and extrovert than non-victims. A cluster analysis revealed, however, that the victim sample can be divided into two personality groups. One cluster, in all about two thirds of the victim sample, did not differ from non-victims as far as personality is concerned. A small cluster of victims tended to be less extrovert, less agreeable, less conscientious and less open to new experience but more emotionally unstable than victims in the major cluster and the control group.

A longitudinal study in hospitals has found that employees high on hostility, high on anxiety and suffering from psychological distress had a higher probability of

⁸ MMPI-2 is a revised version of MMPI which is psychological instrument originally designed to diagnose mental patients into different categories of neurosis and psychoses. Its use has extended to all kind of settings. MMPI-2 contains 15 scales, e.g. Type A behaviour and Self-esteem.

becoming bullied than employees low on these traits. High impulsivity was an additional predictor of bullying for women but not for men (135).

Individual and personality characteristics of the perpetrator

The characteristics of perpetrators have mostly been described by targets of bullying. Only a few studies exist in which the perpetrators have been the subjects of empirical research. From the targets' perspective, the reason for bullying is often seen in the personality or motives of the perpetrator: for example, in an Irish interview study, victims of bullying blamed the difficult personality of the bully (136).

In a workplace survey study, perpetrators were found to have a higher level of aggression than the comparison group and the targets of bullying (132). The self-reported and peer-reported group of perpetrators were found to be different from a control sample in terms of mental stability (137).

Many theorists assume that protecting or enhancing one's self-esteem is a basic motive which influences and controls human behaviour in many social situations and it is suggested that high self-esteem may be related to aggressive behaviour (138, 40). There is also a link between hostile or aggressive behaviour and lack of social competency (139).

RISKS AND ANTECEDENTS OF SEXUAL HARASSMENT

4.3.

Gender seems to be the issue most often discussed in relation to the risks of sexual harassment. The results from the Fourth EWCS surveys showed that female employees are significantly more often sexually harassed (given unwanted sexual attention) than male employees. The gender difference is even clearer when results are viewed at a national level. For example, the results from Slovenia shows that gender differences are evident in all forms of sexual harassment, with women much more frequently the targets than men (151).

Women aged 15–29 years reported sexual harassment more often than older women. The rate of sexual harassment was higher for employed workers than for self-employed, and in terms of contract status, women on fixed-term contracts or temporary agency workers reported higher levels of sexual harassment than those on indefinite contracts (43). A study in Malta showed employees in the age group 16–25 years were most often affected by sexual behaviour (85). Sexual harassment declined gradually within the higher age groups. The marital status (married, single, separated, widowed) did not differ in the prevalence of the various sexual conducts. However, differences in the perception of sexual conducts existed: singles perceived the various sexual conducts as more offensive than married persons.

Di Martino et al. (6) suggest that sexual harassment mainly takes place in male-dominated jobs. Moreover, the difference in experience and status between women and men leads to sexual harassment being more likely. The targets are typically young females, single or divorced, with a low level of education.



In the area of sexual offences, perceptions and understanding of cultural differences play a major role. According to the researchers, sexual harassment in the workplace, for example in Bulgaria, is associated with deeply ingrained stereotypes of behaviour based on the roles of women and men in society. In their view, because of the traditional perception of women as objects of sexual desire and their subordinate role in society and in the family, women are most frequently victims of sexual harassment in the workplace. That tendency would be reinforced by the patriarchal stereotypes signifying male domination and women's economic and emotional dependence on men (152).

Results from the Slovak Republic (89) also show that men consider that sexual harassment is most often a result of human nature, while women mainly view it as a misuse of a superior position at work.

4.4. SUMMARY AND DISCUSSION

Third-party violence

Based on statistics, it has been suggested (43) that women are more often subjected to violence by third parties than men. One of the reasons for this situation is that women more often work in high-risk sectors and occupations such as healthcare, social work, the retail trade, and education. It has also been suggested that continued segregation, with women in low-paid and low status jobs while men predominate in better-paid, higher status jobs and supervisory positions, also contributes to the problem. Scientific research has, however, shown that particularly young men with little work experience seem to have a higher than an average risk for third-party violence. Men seem to have a higher risk of physical assault, while women are particularly vulnerable to incidents of a sexual nature.

A lot of information is available on the risks and causes of third-party violence in the physical work environment and about those situations at work in which there is an elevated risk for a violent attack.

Harassment at work

Nowadays, there is quite a lot of research data on the possible causes and antecedents of harassment at work. The work environment, organisational factors and individual characteristics of the target of harassment/bullying have been studied.

Harassment at work is a complex, dynamic and escalating process, where both action and reaction should be understood within the social context in which they take place (141). The work environment hypothesis, which states that stressful and poorly organised work environments may give rise to conditions resulting in bullying, is nowadays shared with many researchers and practitioners (143). The features of the work environment most commonly found to be associated with bullying have been role conflicts, poor social climate or interpersonal conflicts at the workplace, and leadership style. In the onset of bullying, power is always also involved.



Different theoretical frameworks may explain the associations between the stressful work environment and harassment. One is the frustration-aggression hypothesis (153) that emphasises the role of external circumstances in causing aggression by negative effect. Another hypothesis is the social-interactionist perspective (154) that maintains that stressful events affect aggression indirectly through their effect on the target's behaviour (see also 143).



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Some studies have found the targets of bullying to differ from the non-targets. Individual characteristics like lowered self-esteem, anxiety, and introversion are found to be more common among the targets of bullying than among non-targets. The studies have, however, been cross-sectional and interpreting the results should be done very carefully. In cross-sectional studies, it is not possible to say anything about the causal relationship between the factors studied.

It has been suggested recently that, based on personality studies, the targets of workplace harassment are as different as people are in general and that there is no target profile in terms of personality. Many researchers share the view that the individual's personality characteristics can play a role as part of the bullying process, contributing to the onset and escalation of the process. Anyone can become a target; there are no features that are always a risk. Individual or personality factors are not usually the cause of the bullying but can in a certain organisation or certain circumstances play a role. For example, gender is not always a risk but if there is one woman working in a very male-dominated workplace she has a higher risk of being harassed than if she were in a workplace with equal numbers of men and women.

For the target of harassment, it is important and often a helpful thing to realise that the fault is not in him or her, his/her personality, that he or she is not the one to blame.

Moreover, for the employers, the issue of individual antecedents of harassment is an irrelevant question. The employer has the responsibility to stop any bullying. There cannot be harassment if the organisation does not allow it; therefore, attention should be paid to take care and to develop leadership and management practices, organisational culture, and work environment factors.



As a summary of the causes of harassment, it has been suggested that in most of the cases of bullying at least three or four of the following can be found: (i) problems in work design (e.g. role conflicts); (ii) incompetent management and leadership; (iii) a socially exposed position of the victim; (iv) negative or hostile social climate; and (v) a culture that permits or rewards bullying in an organisation (155).

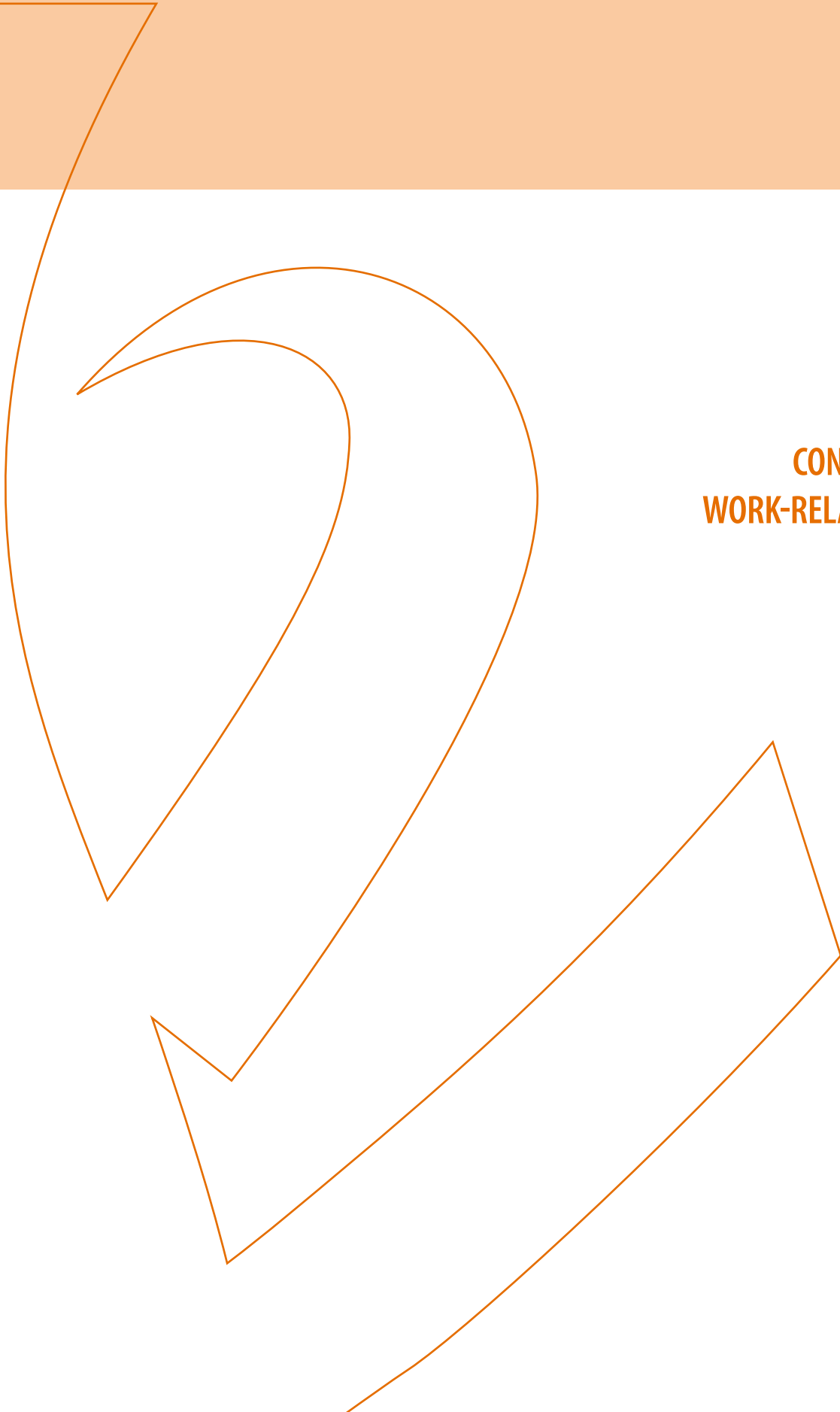
Organisational culture and the leadership behaviour of the immediate supervisor are always related to the onset and escalation of bullying at work and, therefore, the role and actions of supervisors and management are, in many ways, crucial to the onset as well as the prevention and management of harassment at work. Development of the work environment and organisational factors behind bullying is the best and, at the same time, the 'easiest' strategy to prevent and decrease harassment at work.

Discussion about sexual harassment at work is even more difficult than harassment and bullying. Women sometimes even blame themselves for becoming sexually harassed. Sexual harassment can stay hidden at a workplace because it is disguised behind humour. Although women are subjected to sexual harassment more often than men, it is important to remember that men can also be sexually harassed and that for them it may still be even more difficult to report than for women.



5.

CONSEQUENCES OF WORK-RELATED VIOLENCE



Both third-party violence and harassment at work may have many kinds of negative consequences. The consequences of violence at work can be analysed at different levels: individual, group, organisational, and societal. Furthermore, families, relatives and friends of the targets of violence suffer from violence and harassment towards their closest ones.

5.1. CONSEQUENCES OF THIRD-PARTY VIOLENCE

5.1.1. Consequences to the subjects of violence

Ryan and Poster (156) and Lanza (157) have classified reactions to violence as: short-term emotional (feelings of anger, helplessness); social (in relation to co-workers: feeling sorry for the patient who hit them); bio-physiological (sleep-pattern disturbance, body tension); cognitive reactions (preoccupation with thinking about the assault, anger towards authority); and long-term emotional (fear of the patient who hit them). Another type of classification is that of direct and indirect outcomes (158). Negative mood, cognitive distraction, and fear of violence are direct outcomes. These transmit the experience of workplace violence to indirect outcomes which can be psychological (depression), psychosomatic (headaches), and/or organisational (absenteeism, turnover intentions, emotional exhaustion, accidents, impaired performance).



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In their report, Di Martino et al. (6) summarise study results concerning the consequences of violence by third parties. According to their findings, this can have both physical and psychological consequences. Physical consequences depend on the severity of the violent attack, and can range from minor injuries to death. Psychological consequences of violence at work depend on the individual perception and the coping strategies of the people subjected to violence. Findings show that



their general health status is often impaired; the psychological well-being of these individuals is decreased, with cognitive effects such as concentration problems and reduced self-confidence. Moreover, workers reported that their job satisfaction was reduced. Worrying about violence at work might also be regarded as a health risk for workers. Other behavioural effects included social withdrawal and increased irritability.

Among assistant nurses (93), one in four had been hit or kicked during the past year such that they had been bruised and about one in 10 had been wounded. In a study among prison workers, about half of the respondents reported that the threat of violence 'in the air' decreased their job satisfaction much or somewhat. The threat of violence and encountered violence, but also violence among the prisoners, was connected with stress and lowered well-being (113). Feelings of anger, irritation, sadness, frustration and helplessness but also minor physical injuries were frequent reactions for violence in healthcare and welfare sector (92).

The threat of violence at work can also cause fear and have negative effects on work satisfaction and well-being. A study among prison workers found that half of the respondents reported that the pervasive atmosphere of violence at the workplace decreased their job satisfaction a lot. One in four prison workers perceived violence to be a big threat for their well-being (113).

5.1.2. Consequences to organisations

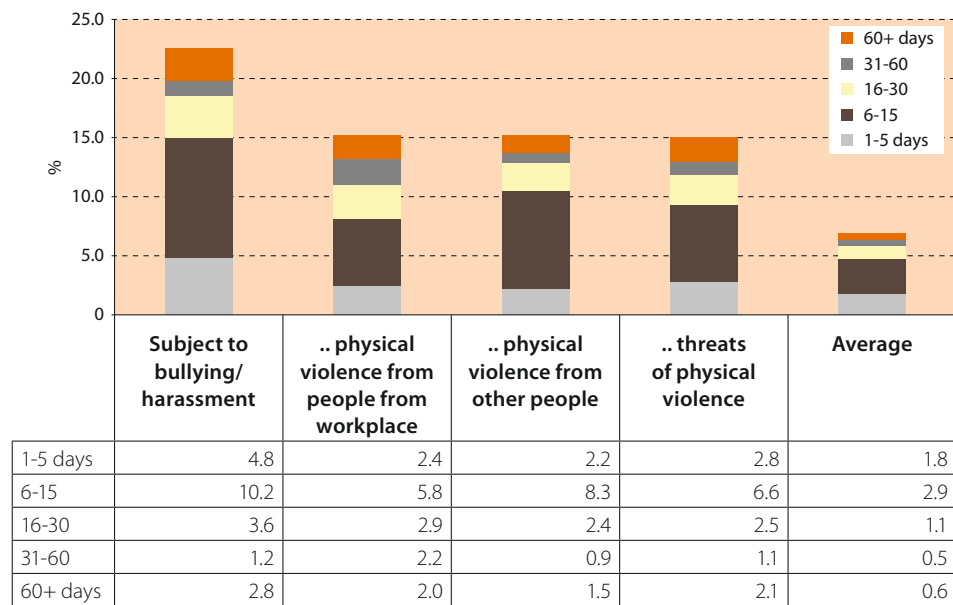
The report of Di Martino et al. (6) also discusses the consequences of violence to organisations. Based on their findings, physical violence at work might lead to an increase of sickness absenteeism, higher turnover rates and increased insurance premiums. In addition, workers exposed to physical violence are less satisfied with their job and are less productive than their colleagues.

A study (159) by Eurofound showed a strong relationship between exposure to violence and absenteeism from work. In this study, 35 % of workers that reported experiencing physical violence in the workplace also reported missing work in the previous year — compared to 23 % of all workers.

The Fourth EWCS (43) showed similar results. Figure 8 gives an overview of absence rates due to work-related health problems, related to different forms of violence in the EU-27. In the survey, 15 % of the respondents reported being away from work both because of physical violence from people outside the workplace (third-party violence) and from within workplace.



Figure 8: Workers absent (%) and number of days of absence due to work-related health problems



Source: EWCS 2007

Of work-related accidents caused by violence in Finland 1994–96, about half resulted in less than three days of sickness absence and, in about one in four cases, sickness absence was from three to 14 days. One or two people are killed at work each year (160).

5.1.3. Consequences to society

The report of Di Martino et al. (6) also discusses the consequences of violence at work to society. According to their findings, depending upon the system for healthcare, medical expenses related to physical violence at work pose substantial costs to society. Additionally, long-term sickness absenteeism, as well as premature retirement, may be regarded as an economic burden for society, although this certainly also depends upon the specific system for compensation.

The report commissioned by the ILO (38) on the costs of violence and stress in work environments estimated that in total, losses from stress and violence at work represent 1–3.5 % of the gross domestic product over a range of countries.

5.2. CONSEQUENCES OF HARASSMENT AT WORK

5.2.1. Consequences to the subjects of harassment

Exposure to harassment is a significant social stressor (26, 161) resulting in different kinds of symptoms of self-reported ill-health and stress. On the basis of clinical

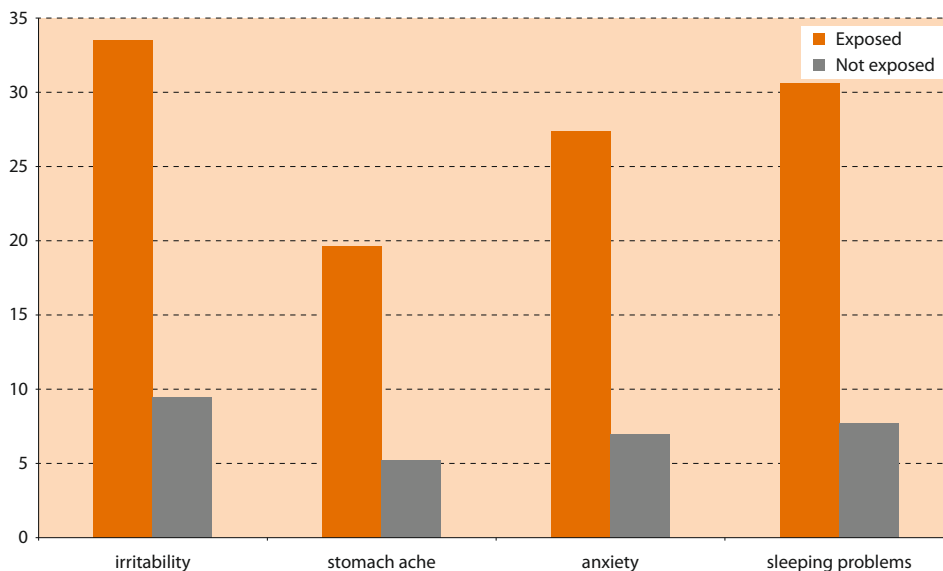


observations, Brodsky (21) identified three reaction patterns among the targets of bullying; some victims developed vague physical symptoms, some suffered from depression and symptoms related to depression such as impotence, lack of self-esteem and sleeplessness, and some portrayed various psychological symptoms like hostility, loss of memory and social withdrawal.

Significant correlations between perceived bullying and lowered job and organisational satisfaction have been found in several studies (56, 25, 126). In many studies, various stress symptoms and symptoms of lowered well-being and ill health have been reported by the targets of bullying. These include, for example, depression, anxiety, nervousness, sleeping problems, concentration difficulties and anger (56, 142, 164, 97, 54, 74, 161). Targets of bullying have also reported symptoms of lowered self-confidence and self-worth more often than non-bullied employees (163, 161). Psychosomatic and musculoskeletal complaints have also been reported (164).

Furthermore, the results of the Fourth EWCS (43) show higher levels of mental health problems as well as physiological symptoms, notably stomach ache, by those subjected to bullying/harassment (Figure 9) and a much higher proportion of harassed workers suffer from multiple work-related health problems: 40 % report being affected by six or more of the 17 symptoms indicated in the questionnaire, compared to a level of 15 % in the working population as a whole. These symptoms include work generally affecting health, hearing problems, problems with the worker's vision, skin problems, backache, headaches, stomach ache, muscular pains, respiratory difficulties, heart disease, injury(ies), stress, overall fatigue, sleeping problems, allergies, anxiety, and irritability.

Figure 9: Health problems associated with bullying/harassment, EU-27



Source: EWCS 2007

A recent longitudinal study supports the findings of many cross-sectional studies showing that three groups of employees which were exposed to bullying at two points in time with a time lag of two years had significantly more health problems and lower job satisfaction than the participants that reported no exposure to bullying (76). Furthermore, an earlier longitudinal study among hospital workers has shown an association of prolonged bullying and incident depression (165).



The relationship between bullying and health has been shown to be moderated by social support, the target's self-esteem and lack of social anxiety (164).

Studies have also shown that victims of bullying exhibit symptoms analogous to post-traumatic stress disorder (PTSD) (22, 166, 133). A recent study found post-traumatic symptoms to be more prevalent among female victims than male victims (167). The same study showed targets of bullying exhibit more negative beliefs about the world, people and themselves compared to their non-bullied controls.

Higher sickness absence rates found among bullied employees (165, 168) can be regarded as both individual and organisational consequences. A Finnish study of more than 5 000 hospital staff found that those who had been bullied had 51 % more certified sickness absence than those who were not bullied, when figures were adjusted for base-line measures one year prior to the survey (165). According to the researchers, these figures are probably an underestimate, as many of the targets are likely to have been bullied already at the time the base-line measures were obtained. Additionally, some targets may try to end bullying by working harder or being present at work (169).

Furthermore, studies have also shown that the targets of bullying use sleep-inducing drugs and sedatives more often than those not bullied (161).

It seems that some forms of harassment are more harmful than others. For example, 'judging a person's work performance wrongly or in an offending manner' has been found to correlate strongly to general stress, and 'assaulting one's private life' and 'judging one's work wrongly' to correlate most strongly to mental stress reactions (161).

About 40 % of the victims of bullying indicate that they have contemplated suicide (164, 170). Extreme cases of occupational harassment are also suggested to result in suicides (20, 170).

Consequences to the family of the target of harassment

Bullying has negative consequences not only for the employee subjected to harassment but also for her/his family. Human costs refers to the pain, fear and general reduction in quality of life for the individual as well as the potential grief experienced by the individual's closest family and friends.

Loss of income refers to the difference between the normal earnings one would receive and the payment received when absent from work. Compensation systems vary greatly between countries, with the loss in wages covered by the employer or the state (or a combination of the two) in any proportion from full to hardly any compensation. Even within the same country, the degree of compensation may vary between employers, as, for example, in the United Kingdom.

In many cases, the individual may decide to leave the organisation altogether, sometimes before alternative employment has been found. For some people, withdrawal from work becomes permanent, and any calculation of costs would have to consider the total potential income during one's expected working life. The most important cost within this group is medical consultation, medicines and hospital treatment. However, in many countries, this is either paid for in full, or in part, by the employer, insurance systems, the state, or the individuals themselves.

The emotional burden experienced by the victim of harassment reflects also to his/her family and other close people.



Hoel et al. in the report by ILO (38) summarise the possible consequences of bullying for the family and social network of the bullied employees (Table 10).

Table 10: Possible consequences of bullying for the family and social network (38), (140)

Consequences of bullying for the family and social network
Avoiding social meetings
Complaints of physical discomfort and sickness
Desertion of social engagements
Detachment from family ties
Difficulties in qualifying for other jobs
Disengagement from father, spouse, son/daughter roles and responsibilities
Intolerance of family problems
Litigation
Loosening of friendship relations
Loss of income
Loss of shared projects
Marital problems and divorce
Medical expenses
Outbursts of rage
Violence
Worsening of children's performance at school

5.2.2. Consequences to organisations

In addition to employees subjected to harassment their co-workers, workplaces and organisations also suffer from the negative consequences of harassment at work. Studies have shown that the observers or witnesses of harassment in the workplace report higher stress levels and more stress symptoms than other employees. Witnesses of bullying at work have been found to report symptoms of anxiety more often (162) along with general stress and mental stress reactions more often than employees who work where there is no bullying (161).

The results of the Fourth EWCS (43) showed that those who had been exposed to harassment/bullying at work reported significantly more absence due to work-related ill health than on average (Figure 8, Section 5.2.1). Those workers subjected to harassment/bullying tended also to have longer durations of work absence and were over-represented in that category of workers who took 60 days off in the previous 12 months due to work-related ill health.

Di Martino et al. (6) also conclude that besides complaints, grievance and litigation, there are other demoralising and escalating effects of bullying. Therewith, the productivity of the workers decreases. As workers being bullied often regard transfers⁹ as a positive coping strategy, many transfers — voluntary or involuntary — are related

⁹ Change in learning in one situation due to prior learning in another situation. Transfer can be positive (with second learning improved by first) or negative (where the reverse holds).



to psychological violence at work. However, these transfers naturally result in intensive costs for organisations.

The costs that needed to be considered when assessing the overall cost of harassment for organisations are summarised by Hoel et al. and presented in Table 11.

Table 11: Possible consequences of harassment for employers (38), (140)

Costs for employers
Additional retirement costs
Damage to the company image
Decrease of competitiveness
Decrease of product quality
Disability
Increase of persons unfit for work
Increased staff turnover
Interpersonal climate deterioration
Litigation costs
Loss of qualified staff
Reduced individual and group productivity
Reduced motivation, satisfaction and creativity
Reduction in the number of clients
Repeated transfers
Replacement costs
Sickness absenteeism
Training new staff
Loss of public goodwill and reputation

5.2.3. Consequences to society

Harassment at work also has consequences for society. Table 12 summarises the different possible consequences at societal level. Consequences, however, may vary depending upon the national health system and the social services available in the respective country.

Table 12: Possible consequences of harassment on society (38), (140)

Consequences on society
Benefits and welfare costs due to premature retirement
High costs of disability
High costs of unemployment
Loss of human resources
Medical costs and possible hospitalisation
Potential loss of productive workers



Example: Cost of absenteeism (United Kingdom)

In the report by Hoel et al. (38), the example of the costs of absenteeism due to bullying is taken from the United Kingdom but it could be appropriate for other countries where similar data is available. To estimate the costs of absenteeism due to bullying, the results of a recent nationwide survey, which found 10 % of respondents to be currently bullied, whilst 25 % had been bullied within the last five years, was used. Comparing sickness absenteeism data for those who were currently bullied with those who were neither bullied, nor had witnessed bullying, the 'currently bullied' group was found to have on average seven days more off work in a year than those who were neither bullied nor had witnessed bullying taking place. Based on these figures, one can estimate that a total of 18 million working days are lost annually in the United Kingdom due to bullying (based on a workforce of 24 million). In addition, research shows that those bullied in the past have also higher absenteeism rates than those never bullied. Using the above prevalence figures, it can be estimated that approximately 15 % of employees were affected by bullying in 1999, suggesting that the real loss of days due to bullying is likely to be in the order of 27 million working days in the United Kingdom per year.

To calculate the replacement costs for bullying they used a figure which suggested that a quarter (25 %) of those who are bullied decide to leave their organisation as a result of their experience (146). Estimates of replacement costs will vary greatly between industries and types of jobs. At the most conservative end of the spectrum, average replacement costs across geographical sectors and occupations are set at approximately GBP 1 900 (1999). Based on a prevalence figure for bullying of 10 % (2.4 million if the total workforce is 24 million), this suggests that approximately 600 000 people may leave their jobs due to bullying. However, since not all would leave their job immediately this number is likely to be reduced considerably. If the figure is reduced to a third (200 000), for example, as a conservative estimate, the total cost would be in the order of GBP 380 million.

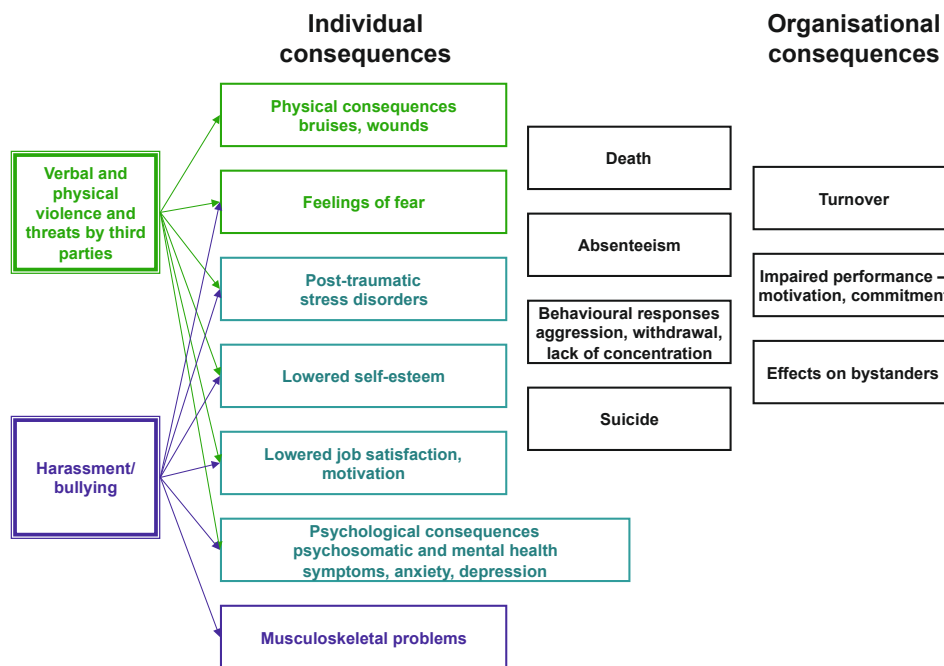
Possible costs are also related to reduced productivity and performance. A UK nationwide survey of workplace bullying asked participants to assess their own current performance as a percentage of working to 100 % of capacity. The results indicated that the 'currently bullied' group showed a decrease of 7 % in productivity compared with those who were neither bullied nor had witnessed bullying taking place (85 % and 92 % respectively). The figure for those who were bullied in the past was 88 % and for 'witnessed bullying', 90 %. In other words, those who were bullied were twice as unproductive as those who were neither bullied nor had witnessed bullying. If those who were bullied in the last five years are added to the 'currently bullied', one can conclude that 25 % of employees show a 4–7 % decrease in productivity due to bullying, which altogether may account for a 1.5–2.0 % drop in productivity. This percentage loss is based on self-report data.



5.3. SUMMARY AND DISCUSSION

Work-related violence is a serious safety and health hazard in working life. Both third-party violence and harassment may have many kinds of negative consequences particularly for the individuals confronted and their families, but also for their co-workers and organisations as well as the whole society (Figure 10).

Figure 10: Individual and organisational consequences of workplace violence and harassment



Third-party violence

The individual consequences of third-party violence are both physical and psychological. Physical consequences are diverse: from bruises or wounds to death. The psychological consequences, for example, anxiety and fear, sleeping problems and post traumatic stress disorder (PTSD), can be even more serious than physical wounds. Being threatened is also a very stressful situation and it is important to note that threatening or verbal insults can also have as harmful effects as physical violence. In addition, psychological symptoms, in relation to third-party violence, can take many forms. When threatening is directed towards an employee’s children and family, he/she also feels guilty about the situation.

Harassment

The individual consequences of workplace harassment vary from minor stress reactions to long-term sick leave and displacement from work life. Suicides have also been reported as a consequence of workplace harassment.

Studies have shown an association between being bullied and the different kinds of symptoms of stress and ill health, lowered job satisfaction, and lowered self-



confidence. Most of the studies on the association between being bullied and different health effects have been cross-sectional and have raised the question of the direction of cause and effect. Some longitudinal studies carried out so far have supported the view that the symptoms of stress and well-being are rather consequences than causes of bullying. It has been suggested that victimisation due to workplace bullying appears to transform employees' perceptions of their work environment into situations involving threat, danger, insecurity and self-questioning (54) and, thus, lead to negative health effects.



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Discussion sometimes arises about the association of bullying and PTSD syndrome. Einarsen and Mikkelsen (171) have argued it is important to note that in order to be diagnosed with PTSD, victims must have experienced or witnessed a traumatic event that involved actual or threatened death or serious injury to their own or other people's physical integrity. In addition, they must have felt helpless, scared or terrified whilst being victimised. Already several studies have found that victims of bullying suffer from symptoms of PTSD.

Economic losses because of work-related violence are substantial. Organisational consequences of harassment vary from, for example, lower job satisfaction and productivity of the victims and other employees, to increased sickness absence and higher turnover, which can all increase costs. The cost of one sickness absence day varies between countries but, for example, in Finland it is calculated to be at least EUR 160.

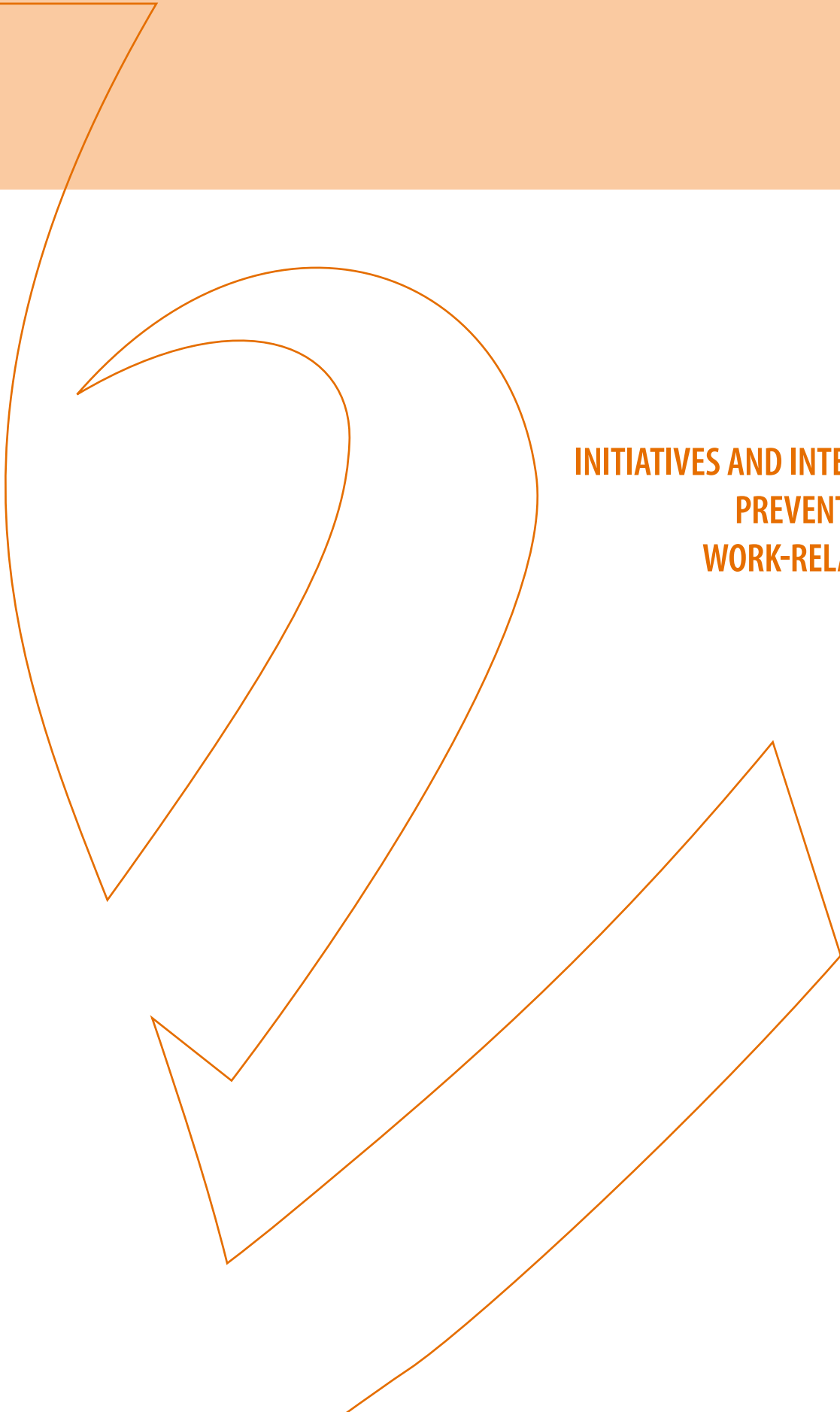
The consequences of harassment for society are also notable. Consequences, however, may vary depending upon the national health system and the social services of each country.

It is important to keep in mind that all kinds of work-related violence also indirectly affect the families and friends of the victims. Furthermore, the spectra of consequences of work-related violence are wide, as is the whole framework of risks related to it (4).



6.

INITIATIVES AND INTERVENTIONS TO PREVENT AND MANAGE WORK-RELATED VIOLENCE



It is clear that in recent years, especially since the 1990s, there has been a growing interest in the issue of tackling violence and harassment in the workplace all over Europe. This has led to the development of proposals on training, prevention and intervention related to workplace violence and harassment.

Different partners at international, national and sector levels have pronounced their concern on violence in workplaces and have elaborated technical documents about preventing and coping with workplace violence. This has increased employee training and information material for different groups. Those activities have been observed in different sectors, labour institutions or unions.

In this chapter, initiatives for the prevention and management of work-related violence at European level are presented, and then some examples from European and international approaches to tackle these issues are put forward. Finally, information on national-level initiatives is discussed.

6.1. INITIATIVES TO ADDRESS WORK-RELATED VIOLENCE AT EUROPEAN LEVEL

The European Parliament (172), the International Labour Organisation (11), the European Foundation for the Improvement of Living and Working Conditions (60), the European social partners — BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) (8), and the World Health Organisation (7) have all been active in the field of work-related violence. The European Agency for Safety and Health at Work (EU-OSHA) covered violence and harassment/bullying with the 2002 campaign on psychosocial issues (173) and with the projects of the European Risk Observatory in 2007 and 2009 (1).

The European Parliament, in its resolution of 15 January 2008 on the Community strategy 2007–12 on health and safety at work, point 48, recalls that: ‘threats to health and safety at work are not limited to manual labour; calls for more attention to the causes underlying the development of mental illnesses and to mental health, addiction and psychological hazards in the workplace, such as stress, harassment and mobbing, as well as violence and further calls for greater emphasis to be placed on employer policies for the promotion of good physical and mental health;’ and at point 51, ‘Welcomes the recent conclusion of the framework agreement between the social partners on harassment and violence in the workplace; regrets, however, that this agreement does not explicitly cover the issue of third-party violence; therefore calls on the social partners to consult on this issue’ (174).

European social partners (ETUC/CES, BUSINESSEUROPE, UEAPME and CEEP) officially signed, on **26 April 2007, an autonomous framework agreement aimed at fighting harassment and violence at work (8)**. With this agreement, the European social partners **firmly condemn harassment and violence** in all its forms, and recognise that harassment and violence can have an adverse effect on the workplace of each worker. The agreement foresees, among other things, a method to prevent, identify and manage problems of harassment and violence at work, which:



- requires enterprises to state clearly that harassment and violence in the workplace will not be tolerated, and to specify the procedure to follow in the case of problems;
- recognises that responsibility consists in determining, examining and monitoring the appropriate measures, the onus being on the employer in consultation with the workers and/or their representatives; and
- allows, where appropriate, provisions of the agreement to take into account cases of violence by third parties.

According to the Focal Point survey, the agreement has been translated to the national language of 11 countries (see Appendix III).

Example: France

In France, a project to adopt the European agreement on harassment and violence at work was planned for 2009. It was confirmed in writing on 2 July 2008, in the project concerning 'the national inter-professional agreement on stress at work', adopted by the social partners representing French employers and employees. In this document, the signatories recognise that 'harassment and violence at work are factors of stress', and are committed 'in the 12 months following the signing of the present agreement, to opening a specific negotiation on these questions'. This negotiation will fall within the scope of the project to adopt the European agreement on harassment and violence at work.

EUROPEAN AND INTERNATIONAL APPROACHES

6.2.

6.2.1. European Framework for Psychosocial Risk Management (PRIMA-EF)

A policy-level European initiative, the European framework for psychosocial risk management (PRIMA-EF) including work-related violence, harassment, bullying and mobbing aims to provide a framework to promote policy and practice at national and enterprise level within the European Union (EU). The PRIMA-EF framework has been developed by several European institutes (175).

PRIMA-EF (175) identifies key aspects and stages and provides best practice guidelines in psychosocial risk management in the workplace. The framework is broad and aims at accommodating differences in approach and culture across EU Member States. It can be used by companies as the basis for the development of relevant policies, indicators and action plans to prevent and manage work-related stress and workplace violence, harassment and bullying.



The PRIMA-EF model incorporates five important elements:

- (i) a declared focus on a defined work population, workplace or set of operations;
- (ii) an assessment of risks to understand the nature of the problem and their underlying causes;
- (iii) design and implementation of actions designed to remove or reduce risks;
- (iv) evaluation of those actions; and
- (v) active and careful management of the process.

In PRIMA-EF, a literature review and expert interviews were carried out to collect best practice interventions for the prevention and management of violence and harassment at work and to identify the key aspects of successful interventions and issues that should be taken into account in combating work-related violence.

It was found that the management of bullying and third-party violence share many of the same approaches but the content of the interventions and methods vary. At the organisational level, primary and secondary interventions often go hand in hand; interventions include both preventive and secondary stage elements.

Training is often held up to be a primary element of an organisation's strategy for combating work-related violence, regarding both bullying and third-party violence (176, 150, 4). Training is used for many purposes, often to empower employees to be better able to manage relationships with third parties, whether customers, clients, or patients (176), and to give employees a common understanding of how to cope with aggression and violent behaviour. Both physical and interaction intervention techniques are used. Research has shown that physical intervention techniques are connected to the number of violent incidents encountered (113). Concerning bullying, training is used particularly to increase awareness and knowledge of the phenomenon, and the work-related antecedents and health consequences of bullying. Managers and supervisors, and other actors are given training to investigate and resolve bullying situations in the workplace. In order to reduce bullying, managers and supervisors have been given policy communication training, stress management training and negative behaviour awareness training (see examples in this report) (150).

Work-related violence, both bullying and third-party violence, are multiform phenomena and there is no single solution to preventing and tackling them; different strategies and methods should be used.

The different strategies to combat third-party violence and harassment in different levels are shown in Tables 14 and 15.

PRIMA-EF emphasises the readiness for change as an important prerequisite for a successful process of psychosocial risk prevention programmes. Readiness of organisations, communities and employees means the extent to which they are prepared to implement psychosocial risk management programmes. In the workplace, this also means mobilisation, engaging all sectors/parties to the prevention effort. Stages of organisations' and employees' readiness can be classified into nine different stages (Table 13, modified from Oetting et al., 1995).



Table 13: Stages of readiness (modified from Oetting et al. 1995)¹⁰

Stage	Readiness for change
1	Community tolerance/no knowledge: Community norms actively tolerate (e.g. bullying by supervisors) or encourage the behaviour.
2	Denial: There is usually recognition that the behaviour is or can be a problem. Community norms usually would not approve of the behaviour, but there is little or no recognition that this might be a problem and there is a feeling that nothing needs or can be done about it.
3	Vague awareness: There is a general belief that there is a problem and that something ought to be done about it. However, the problem is treated as typical or linked only to a specific incident or two. There is no immediate motivation to do anything.
4	Pre-planning: There is a clear recognition that there is a problem and something has to be done. There is general information about the problem, but no real planning on how to tackle the problem.
5	Preparation: Planning is proceeding and focusing on practical details. There is general information about the problems and the pros and cons of prevention programmes.
6	Initiation: Enough information is available to justify a prevention programme, but knowledge of risk factors is likely to be stereotyped. A programme has started and is running, but it is still on trial.
7	Institutionalisation/stabilisation: Programme(s) are running, supported by administration and accepted as a valuable action. Staff (supervisors) are trained and experienced to handle the problems.
8	Confirmation/expansion: New programmes are being planned or tried out in order to reach more people (employees). Data is obtained regularly on the extent of problems and efforts are made to assess risk factors and causes of the problem.
9	Professionalisation: Detailed and sophisticated knowledge of prevalence of risk factors exists. Some programmes may be aimed at general level (employees) and others are targeted (supervisors). Effective evaluation is used to test and modify programmes.

PRIMA-EF underlines the following factors for successful interventions.

Planning of interventions should be organised on research-based knowledge concerning the causes and escalating nature of bullying and violence situations, and on scientific theory.

- Proper situation analysis or risk assessment should be carried out and form the basis of interventions.
- Interventions should be tailored to respond to the problems and needs (e.g. training needs) of the respective organisation and individuals.
- Commitment and support of management to the aims and implementation of interventions is crucial.
- Those involved in interventions should have ownership of the process. Occupational health and safety staff as well as trade unions are good partners in cooperation.
- An evaluation strategy should be developed, clearly linked to the outlined intervention aims, goals, and identified problems.

¹⁰ <http://www.triethniccenter.colostate.edu/docs/Article9.pdf>



- A variety of methods should be used to evaluate the intervention (e.g. survey, interviews or group discussions); methods utilised will be dependent on the size and the available resources of the company.
- The quality and effectiveness of the implementation process of the intervention should also be systematically assessed.

Best practice guidance both for third-party violence (Table 14) and bullying at work (Table 15) are identified.

Table 14: Best practice guidance for third-party violence at work

Best practice guidance for third-party violence at work
All workplaces with a high risk of violence by third parties should have codes of conduct, guidelines and crisis plans for the prevention and management of violence.
All workers should be given training to help them handle and deal with violent incidents. Fear of violence should also be addressed.
Systematic registration and analysis of violent incidents form an important basis for the prevention of violent incidents. Registration systems should also include the reporting of psychological violence.
Risk assessment should include, for example, work environment design, security devices, staffing plans, work practices, guidelines, and training.
Different intervention methods are needed in different sectors/occupations (e.g. police force, care of people with dementia).
Customers and clients also need to be trained not to behave in a threatening and violent way.

Table 15: Best practice guidance for bullying at work

Best practice guidance for bullying at work
Awareness and recognition of bullying needs to be promoted. Awareness and recognition, as well as knowledge and know-how of bullying, differs considerably among EU countries and among organisations nationally. If the awareness and recognition of the problem is not adequate, resistance to interventions may appear. Only interventions that employees are prepared for can be successful.
Bullying at work needs to be seen as a work environment problem. Prevention and reduction should concentrate on reducing the risks of bullying in the psychosocial work environment, paying attention to psychosocial risks, the atmosphere in the workplace, organisational culture and leadership practices. Initiatives focusing on personality are unlikely to succeed.
Anti-bullying policies and codes of conduct including clear and operable procedures to prevent and deal with bullying should be built in to organisations to support the management of bullying.
Building a culture of respect in the workplace is important.
Management interventions are essential in the prevention of bullying. Managers also need to be given training on the responsible and legally sound management of bullying cases.
Managers' and workers' competencies and skills of organisations to combat workplace bullying need to be developed.
When a bullying case arises, it needs to be handled and settled immediately with those involved.
External consultants involved in bullying interventions should adopt a neutral and impartial role.



It is also emphasised that bullying and violence at work arouse shame and guilt in those targeted as well as all the staff. Handling of bullying and third-party violence, therefore, requires a non-blame atmosphere in the workplace.

The PRIMA-EF booklet and factsheets describe the model and give practical advice for the prevention and management of psychosocial risks at work including work-related violence. The material is available online in Dutch, English, Finnish, German, Italian, and Polish (<http://www.prima-ef.org>).

6.2.2. Strategies to tackle violence by the ILO

ILO has published a number of publications about violence at work: general studies (4); code of practices (11, 177); and sector-specific studies: health (178); transport (179); performing arts and journalism; postal (180, 181); hotels, catering and tourism; financial services (182).



© Shoot4u/Fotolia

Several strategies to tackle violence at work are suggested (4).

- *A participative strategy and a statement of intent:* Involvement of all parties concerned and written policy.
- *Selection and screening:* Selection tools, such as written tests, interviews, performance tests and psychological tests to identify the right individuals for the job. It is acknowledged, though, that the effectiveness of screening has been questioned, as have the limits which should be imposed on such practices.
- *Training:* Interpersonal and communication skills to prevent a potentially threatening situation, to identify potentially violent situations and people, and give employees knowledge of the nature of client aggression, the motivations of aggressors, clues to impending aggression and how to respond to emotional clients.
- *Information and communication:* Open communication and guidance to reduce the risk of violence at work by defusing tension and frustration among workers. Information is needed to remove the taboo of silence which often surrounds cases of sexual harassment, mobbing and bullying. Information sessions, personnel meetings, office meetings, group discussions and problem-solving groups can be very effective. Staff should also be informed of the best way of coping with aggression by means of guidelines and staff development programmes on



violence at work. Effective communication with clients and the public can also do much to prevent violence.

- *Physical environment and layout:* Certain design elements can play an important role in preventing violence such as: ventilation and thermal control; seating, especially where waiting is involved; comfort and size of waiting rooms; noise level; colour and light; and toilet facilities. Other design factors include controlled entrances, alarms, security screens and guards, protective barriers and surveillance systems to alert colleagues if urgent help is needed.
- *Protection-specific design,* for which conditions vary greatly between locations and industries. For example, in cash-handling businesses, it is recommended that bulk cash-handling areas be located as far as possible from entrances and exits, while in educational institutions, it is suggested that the reception area should be located as close as possible to the main entrance.
- *Work organisation and job design:* Effective means of reducing tension and avoiding aggression between workers and in their contact with the public include ensuring that: staffing levels are appropriate; tasks are assigned according to experience and competence; tasks are clearly defined; working hours are not excessive; and shifts are adequate to a particular situation. *Changing work practices* to limit dissatisfaction from clients is also extremely important (speedy and efficient service, which can be facilitated by strategies such as staff rotation for particularly demanding jobs, scheduling more staff at peak periods, tailoring client flow systems and keeping waiting times to a minimum). *Organisational solutions* may include changing the job or system to reduce the face-to-face contact with the public.
- *Dealing with violent incidents:* It is necessary for workers to be prepared. Procedures need to be established to defuse difficult situations and avoid violent confrontation.
- *Defusing aggression:* Many guidelines have been developed which recommend ways of minimising the risk of a violent incident taking place. In this respect, personal attitudes and behaviour are extremely important.
- *Immediate action after violent incidents:* Depending on the nature and gravity of the violence, police intervention may be required, especially in the case of major incidents. In any case, the importance of recording and reporting workplace violence is emphasised by all experts. The recording and reporting system should cover all incidents, including both minor and potential incidents where no actual harm has resulted.
- *Debriefing for the victims* is recommended usually in the form of meetings, preferably run by staff and involving as many people as possible who were involved in the incident. It is also generally recommended that *trauma-crisis counselling* should be incorporated into the post-incident response, either through qualified staff or outside specialists. Finally, especially in the case of major violent incidents, some victims may need *long-term support*, which may include extended professional counselling, legal assistance with compensation procedures, rehabilitation and help in redeployment.
- *Monitoring and evaluation:* It is necessary to review and check the effectiveness of preventive measures taken. A system through which employees can provide regular feedback can be effective to do so.

SOLVE is a SafeWork training package on health and safety for small enterprises. It was initially targeted at drugs, alcohol, violence, stress, smoking, and HIV, which are among the major threats to modern societies and are a great cause of concern to the ILO's tripartite constituents. The package, proposed a 'high road' approach whereby investments in workers' health, safety and well-being are not seen as just costs, but



become an integral part of the economic sustainability and organisational development of enterprises, with particular reference to small and medium-sized enterprises, where health promotion measures and programmes are much less common than in larger companies. However, no new courses are planned at the moment.

(<http://www.ilo.org/public/english/protection/safework/whpwb/solve/index.htm>).

There are numerous publications on violence and sexual harassment at work on the website of the ILO, but the research is often focused on the situation in certain high-risk sectors (services, healthcare and education).

6.2.3. Raising awareness of psychological harassment at work by WHO

The document 'Raising awareness of Psychological Harassment at Work' (140) which was published by the World Health Organisation (WHO) within the Global programme of occupational health proposes some prevention methods to be used at primary, secondary, and tertiary level prevention.

Primary prevention

The employer should adopt ways to inform and train managers and staff. This could be pursued by producing guidelines and codes of ethics to encourage ethical behaviour, confidence in one's professionalism, a climate of tolerance and freedom of attitude, and discouraging the collaboration with, or indulgence in, improper behaviour.

On this level the following methods could be listed:

- information and education on harassment (mobbing) and its consequences;
- guidelines — containing information on the nature and extent of the problem and its effects on health and quality of life;
- code of ethics — charter with indications that the company will not tolerate unethical acts and discrimination; and
- contracts — terms should be included in the contracts, regulating the matter and applying sanctions for any breach of the rules.



Artist: Max Skorwider

Courtesy of the Occupational Safety Poster competition organised by the Central Institute for Labour Protection — National Research Institute, Poland



Secondary prevention

Once harassment (mobbing) has started, it can become difficult to control, unless timely and effective measures are taken. In such situations the following methods are proposed.

- A confidant/e — a person, either an employee or someone outside the company, can be charged with the task of listening to anyone who considers himself/herself a victim of mobbing. The very fact of recognising the person's problem is essential because it can break the denial that often covers the aggression. It also allows the person to clarify his/her experience, to distance himself/herself from the situation and finally to take an initiative to stop the aggression;
- A mediator — mediation is defined as a process in which an impartial third party, the mediator, offers people in conflict the opportunity to meet in order to resolve differences and negotiate a solution. It allows the confrontation of viewpoints and the expression of emotions. Mediation does not aim to find a culprit, but at allowing the persons in conflict to understand each other, to analyse what has happened, and to establish the terms of an arrangement in order to continue to work together or separately in a climate of greater mutual respect.

Tertiary prevention

Since harassment (mobbing) can have serious consequences for workers, the following measures can be taken to help them recover their health and dignity.

- Early diagnosis of health effects can help reduce the consequences at all levels (the individual, the family, the social network).
- Consciousness-raising groups that bring together people who have suffered from harassment (mobbing) in different situations. Sharing similar experiences in a group allows the targets to realise that they are not the ones responsible for the event; to recognise the aggression, and, if necessary, to modify their own behaviour.

The importance of legislation is also emphasised in the prevention of violence at work. In general, the law should address the following points while taking into account local habits and cultures when devising strategies:

- (i) encourage preventive measures to reduce occurrences of workplace bullying;
- (ii) protect workers who engage in self-help to address bullying and provide incentives to employers who respond promptly, fairly and effectively;
- (iii) provide proper relief to targets of severe bullying, including compensatory damages and, where applicable, reinstatement to his or her position; and
- (iv) punish bullies and the employers who allow them to abuse their co-workers.

In 2002, WHO published the framework guidelines for addressing workplace violence in the health sector (140). The objective of the framework guidelines is to provide general guidance for addressing workplace violence in the health sector. The guidelines should be considered a basic reference tool for stimulating the autonomous development of similar instruments specifically targeted at, and adapted to, different cultures, situations and needs.

The Guidelines cover the following key areas of action:

- prevention of workplace violence;
- dealing with workplace violence;
- management and mitigation of the impact of workplace violence;



- care and support of workers affected by workplace violence;
- sustainability of initiatives undertaken.

These framework guidelines should be used to:

- develop concrete responses at the enterprise, sectoral, national and international levels;
- promote processes of dialogue, consultation, negotiation and all forms of cooperation among governments, employers and workers, trade unions and other professional bodies, specialists in workplace violence, and all relevant stakeholders (such as consumer/patient advocacy groups and non-governmental (NGOs) active in the areas of workplace violence, health and safety, human rights and gender promotion); and
- give effect to its contents in consultation with the interested parties: in national laws, policies and programmes of action; in workplace/enterprise/sectoral agreements; and in workplace policies and plans of action.

The guidelines apply to all employers and workers; in the public, private and voluntary sectors; to all aspects of work, formal and informal.

NATIONAL POLICIES

6.3.

According to the Focal Point survey, in seven countries, specific non-legislative policies or codes of conduct at the enterprise level have been introduced to prevent third-party violence; in two countries, the work is in progress; and in 10 countries, there are no such policies. As in the acknowledgement of the problem and in nationwide or sector-orientated initiatives, there are more policies or codes of conduct in the old EU Member States than in the new ones.

In relation to harassment, in 11 countries specific non-legislative policies or codes of conduct at the enterprise level have been introduced to prevent harassment, in two countries the work is in progress and in five countries there are no such policies.

Example: Codes of conduct (United Kingdom)

The Employment National Training Organisation has overseen the development of the National Occupational Standards for the Management and Prevention of Work-Related Violence. These exist to provide employers with a framework against which to map their policies and procedures on the issue. Additionally, the Standards can serve as a guide for organisations to measure the suitability of potential external training courses and providers on work-related violence (<http://www.ento.co.uk/standards2/wrv/index.php>).

The Dignity at Work project (jointly run by the government department BERR and the trade union Amicus) seeks to provide tools to tackle bullying aimed at individuals, line managers, trade unions and directors (www.dignityatwork.org)



Example: Acts of the Danish Working Environment Authority (Denmark)

When the Danish Working Environment Authority (DWEA) receives information about, or a complaint on, harassment, they assess the case. When the DWEA react to information or a complaint they send their inspectors to the company in question. The DWEA never reveal that they are visiting the company because of a complaint. If the inspectors find proof of the information or the complaint, and the company is not able or willing to deal efficiently with the problem, the company receives an injunction to take precautionary measures. If, on the other hand, the inspectors suspect that there is harassment but cannot find proof, the company will receive an injunction to use a certified work environment advisor to examine their problems. If the report from the advisor shows that there is harassment in the company and the company is not able or willing to deal efficiently with the problem the company receives an injunction to take precautionary measures against the problem.

Nine **Focal Points** were aware of education and training programmes, offered in their country, that focus on third-party violence. Awareness of programmes focusing on harassment was almost at the same level. Almost all (19) Focal Points thought that there is a need for practitioners (medical, technical, social, etc.) with specific postgraduate training on third-party violence and harassment issues in the country.

In the PRIMA-EF stakeholder survey (52), 69 % of the participants in the old EU-15 Member States answered that they were aware of education and training programmes offered in their country that focus on psychosocial issues (including work-related stress, violence, bullying and mobbing), while awareness of such programmes was only 41 % among the participants from the new EU-27 Member States.

The **Focal Points** were also asked what kind of activities (if any) should be undertaken to tackle third-party violence and harassment at European and national level. At a European level, awareness-raising with programmes and campaigns was seen to be important. For assessing and managing third-party violence in the workplace, provision of appropriate tools/methods was mentioned often. It was also mentioned that criminalising workplace violence, specifically with mandatory sanctions and apply the criminal justice system would be appropriate.

At national level, there is a need for education and training programmes focusing on third-party violence and harassment, codes of conduct at the enterprise level, studies, and more actions to improve awareness such as meetings, articles, TV programmes, etc., are needed.



6.4.

NATIONAL INITIATIVES

According to the Focal Point survey, in 12 countries there have been nationwide or sector-oriented initiatives to address third-party violence at work. In three of these, such programmes/initiatives were also planned for the near future. Most of the initiatives were in the old EU-15 Member States. The situation concerning initiatives addressing harassment at work was quite similar; most of them were carried out in the old EU-15 Member States (Table 16).

Table 16: Number of countries where there had been initiatives to address third-party violence or harassment (n = 20, EU Member States)

	Old EU-15 Member States	New EU Member States
Third-party violence	8	1
Harassment	7	3

If there had not been any nationwide or sector-oriented initiatives in their own country to address these issues, the Focal Points were asked to name four main reasons why not.

On third-party violence, the main reasons were lack of appropriate tools/methods for assessing and managing the issue, and limited or lacking scientific evidence (Table 17).

Table 17: The number of selected main reasons for not having nationwide or sector-orientated initiatives to address third-party violence (n = 22, all Focal Point answers)

Reason	Number of selected as one of the reasons
There are no appropriate tools/method for assessing and managing the issue	7
Scientific evidence is limited or lacking	6
Low of prioritisation of the issue	5
Lack of awareness	5
Specific regulation on the subject is limited or lacking	5
Extra-occupational factors are considered to be the main causes of the issue	3
Lack of tripartite agreement	2
Other	2

In the category 'other reasons', lack of financial means to cover expenses for research and solutions, and low prioritisation at enterprise level were mentioned.

Regarding harassment, the main reasons were lack of appropriate tools/methods for assessing and managing the issue, the view that extra-occupational factors are the main causes of harassment, and limited or lacking regulation (Table 18).



Table 18: The number of selected main reasons for not having nationwide or sector-orientated initiatives to address harassment (n = 22, all Focal Point answers)

Reason	Number of selected as one of the reasons
There are no appropriate tools/method for assessing and managing the issue	6
Extra-occupational factors are considered to be the main causes of the issue	5
Specific regulation on the subject is limited or lacking	4
Low of prioritisation of the issue	4
Scientific evidence is limited or lacking	4
Lack of awareness	3
Lack of tripartite agreement	3
Other	1

In the 'other reason' category low prioritisation at enterprise level was mentioned.

When comparing these results to those of the stakeholder survey (52), carried out by the PRIMA-EF project in 2007, it seems that the difference in initiatives between the old and new EU Member States to address third-party violence or harassment is smaller than in initiatives to address work-related stress. In the stakeholder survey, 74 % of the participants in old EU-15 Member States answered that during the last five years there had been nationwide or sector-oriented initiatives in their country to address the issue of work-related stress, while only 59 % among the participants from the new EU-27 Member States indicated this was the case in their country.

The reasons for not having initiatives to address work-related stress were almost the same as those reasons not to address third-party violence or harassment: lack of awareness about the issue of work-related stress; low prioritisation of psychosocial issues; no appropriate tools/methods for assessing and managing stress; and specific regulation on the subject is limited or lacking.

Example: New Quality of Work (Germany)

In 2001, the national initiative 'New Quality of Work' (Initiative Neue Qualität der Arbeit — INQA) was launched by the German Ministry of Work and Social Affairs. At the core of INQA are various thematic groups where representatives of different organisations (e.g. enterprises, OSH insurances, trade unions, professional associations) join and coordinate their activities.

In 2003, the thematic group 'Traumatic incidents' was founded. Its activities include the topic of violence at work and its psychological outcomes and its aims were:

- to increase the awareness for the problem;
- to provide information and tools;
- to share experiences and examples of good practice, for example, in a periodical newsletter, a special website, brochures, etc. The members of the group acted as multipliers in their organisations.



At the end of 2008, the INQA thematic group 'Traumatic incidents' was transformed into a regular working group under the responsibility of the DGUV (Deutsche Gesetzliche Unfallversicherung — German Statutory Accident Insurance (<http://www.inga-trauma-praevention.de>)).

Example: Acts against third-party violence (Denmark)

Many and varied activities have been carried out at a national level as well as in all the cooperating counties. They can be summarised into the main areas identified below.

1. Developing a violence policy, with the intention of creating visibility, uniformity and continuity in the work with prevention of violence.
2. Registering and analysing specific incidents of violence has been a suitable tool for the prevention of violence.
3. Education — not only about violence but also, just as importantly, about a long list of special professional specific themes, which have contributed to increasing insight and greater professionalism. This has also led to the development of professional methods and focuses on values and attitudes, and strives to develop 'keeping in step' in the work.
4. Emergency plans — such as crisis plan checklists and crisis help have found their way into many work places and, today, good procedures are available for supporting co-workers in connection with incidents of violence.
5. There has been a focus on physical conditions: partly with the intention of creating a proper working environment and partly to secure a dignified framework for the users of residential care services.
6. Technical conditions have also been part of the discussion — sometimes under the headline of 'rearmament or disarmament', i.e. how much technical alarm equipment should be used in relation to the professional methods for prevention or reduction of violence.
7. Special evaluation of the workplace has also recently gained a footing as a tool to tackle and prevent violence.

Since 1992, the national project 'Violence as a form of expression' has attempted to restrict violence and its adverse effects. When the Structural reform came into force on 1 January 2007, 'Violence as a form of expression' was also reorganised. The Danish Parliament has allocated DKK 20 million to continue the project until 2009.



Example: A nationwide campaign against bullying (Norway)

One of the recent national campaigns against bullying in Norway was the 'Working without bullying' campaign, 2005–07. The campaign was launched by the prime minister and funded by the government. Managing bullying was the aim of this extensive campaign in which material and guidelines were prepared, and knowledge was offered and disseminated about bullying. It included a TV campaign and a wide-ranging training program for, for example, union representatives and managers, was implemented. The web page of the campaign (in Norwegian) contains lot of basic information and material available for use in organisations and enterprises. This material is also translated into English (<http://www.jobbingutenmobbing.no>).

Sexual harassment

Example: Support for implementation of sexual harassment policies (Malta)

The National Commission for the Promotion of Equality for Men and Women (NCPE, <http://www.equality.gov.mt>, autonomous body) was established in January 2004 on the legal basis of the Equality of Men and Women Act. The investigation of complaints of sexual harassment and direct/indirect discrimination make up a very large part of NCPE's work. Furthermore, the National Commission provides assistance and information to the general public regarding family friendly measures, Maltese legislation on gender equality issues, sexual harassment, employment, health and education. Additionally, the NCPE provides various publications and leaflets. It uses TV and radio programmes in order to spread information and to discuss topics like sexual harassment among the broader public. Training sessions are held for the Commission's staff as well as for the public.

Many companies request NCPE's advice in order to implement sexual harassment policies and train their staff accordingly. The NCPE also has a Research and Documentation Centre. This library consists of more than 5 000 books, journals, and articles covering literature related to gender issues.

The Focal Points were also asked if they were aware of any practical guidelines, manuals or tools that have been developed in their country for assessing or managing third-party violence. Twelve said that they were aware, and, on harassment, 16 were aware of such guidelines. Thirteen Focal Points reported that there are special procedures used in workplaces for investigating complaints of third-party violence. The situation concerning procedures used for investigating complaints of harassment was similar.



Example: Belgium

In Belgium, when an employee feels that he/she suffers from psychosocial violence at work, he or she can report this to their manager in order to try to find a solution. The employee can also ask the safety advisor or occupational physician for advice on how to proceed. There are also more specific procedures for an employee who feels a target of violence, bullying or sexual harassment, offended by a colleague, a manager, or a third party. The employee can choose the procedure that best fits the situation and the goal he or she wants to achieve. The choices are: to start an internal procedure; to refer the matter directly to the regional committee of the inspectorate for well-being at work; or to start a court procedure.

Internal procedure

When the internal procedure is applicable in the organisation and the employee wishes the employer to take action in the workplace, or when the employee wishes to reconcile matters with the offender, he or she can call on the persons responsible for the internal procedure in that organisation.

Inspectorate for well-being at work

It is recommended that the regional committee of the inspectorate for well-being at work should only be alerted when there is no designated safety advisor, if no one knows who the safety advisor is, or when the internal procedure is illegal. This, for example, could be the case when the employer obliges the employee to take leave to see the safety advisor, or the confidential advisor is not stipulated in the company rules. In these cases, the inspectorate for well-being at work can investigate the situation in the organisation, control the procedures and oblige the employer to regularise the situation or to appoint a safety advisor. They can conduct the investigation without revealing the identity of the employee to the employer. However, the employee can ask the inspectorate for well-being at work to reveal his identity to the employer.

Civil procedure

At an industrial tribunal, the employee can ask the judge to order the offender to stop his actions or to face sanctions; order the employer to take temporary measures to comply with legislation; sentence the employer and/or the defendant to paying compensation for the damage caused by violence, bullying or sexual harassment at work.

Criminal procedure

The criminal procedure runs through the correctional court and can sanction the defendant, the employer and/or a member of management. The employee could begin this procedure if he thinks that the offender has not complied with a court order to stop his actions. The goal of a criminal procedure is, therefore, fundamentally different from the goal of an internal procedure or the civil procedure.



Example: Guidelines for sexual harassment (United Kingdom)

New guidelines released by the Equal Opportunities Commission (EOC) are designed to help employers combat the problem of sexual harassment in the workplace.

The EOC defines sexual harassment as ranging from questions or comments about an individual's sex life, to the display of pornography, to rape and sexual assault. This creates a potentially intimidating, hostile or humiliating working environment, which will have an impact on performance. Employers are legally responsible for preventing their staff from being subject to sexual harassment.

EOC research shows that there have been 260 successful sexual harassment cases brought in the last five years, and harassment cases comprise 22 % of all successful sex discrimination cases. In addition, it is one of the top five reasons for calls to the EOC helpline.

The EOC guidelines 'Sexual Harassment: Managers' Questions Answered' are intended to help employers prevent sexual harassment happening in the first place and to deal more effectively with it when it does. Among the issues addressed is the need for well-communicated policies, an effective complaints procedure, and training to help staff investigate complaints confidentially and compassionately.

http://www.hrmguidance.co.uk/diversity/sexual_harassment.htm

6.5. SUMMARY AND DISCUSSION

The aims of policy-level activities in relation to third-party violence and harassment are most often to increase awareness and recognition of the key challenges of violence problems at different levels both in society and in organisations, to have an impact on the attitudes both at organisational and individual level, and to encourage, and sometimes also to push, organisations to take action (see Tables 19 and 20).

Government policies and the prevention and intervention possibilities in workplace violence vary between countries. In addition to governmental policies, different partners at national, international and sector levels have pronounced their concern for violence in workplaces and have elaborated technical documents about preventing and coping with workplace violence. This has increased the amount of training and information material for different groups.

It seems, however, that still more initiatives are needed to increase the awareness of the problem of violence and harassment at national and organisational levels, particularly in some of the new EU Member States. The basis of the management of work-related violence should be zero tolerance to all kinds of physical and psychological violence, both from inside and outside the workplace. The need for



more knowledge and for tools and methods to prevent and tackle the problem is still great. The information which is distributed must be scientifically sound. It is of utmost importance that violence and harassment are seen as work environment problems.

In general, employers are responsible for a preventive policy and taking care of health and security in an organisation. It is, however, clear that the readiness to tackle workplace violence and harassment differs between small and big companies for several reasons. For example, many big companies in various countries have a confidential counsellor to help those who complain of harassment at work; furthermore, a complaints procedure is more often available in those companies. The number of (external) counsellors is increasing. In contrast, small and medium-sized companies do not necessarily have resources to buy intervention from outside of the company.

The study in the Netherlands (105) showed that bigger companies more often centralise their OSH policies and call upon external services. This means that the role of the manager in preventing unwanted behaviour is decreasing which, according to the participants of the survey, is not a good sign. Managers should be a key person in preventing this behaviour and providing aftercare. The availability of a register of complaints is more likely in big companies (81 % for companies with more than 200 employees, 45 % in the smallest companies). A code of conduct enables the company to issue rules on the conduct between colleagues, employees, and clients, etc. Forty per cent of small companies and 60 % of large companies have a code of conduct. The transport and public sector have the highest percentage of companies with such a code (85 % and 70 %). In the education sector, only 8 % have a code of conduct.

In addition to the existing policies to combat violence at work, it is important for workers themselves to be able to deal with violence. For example, in Ireland, even though 28 % of medical practices had a policy dealing with violence, only 13 % of the receptionists were educated to deal with it.

Expert interviews carried out in the PRIMA-EF project (175) highlighted a number of important issues in relation to psychosocial risk management at the policy level.

- It appears that a number of initiatives have been implemented with good results; however, analysis and overall evaluation of these initiatives is largely lacking.
- There are few examples of evaluation of national-level interventions or primarily legislation.
- A number of methods (such as awareness of relevant legislation, standards, guidance from international organisations, participation in networks, etc.) can be used.
- Terms and classifications used to describe different forms of work-related violence were reported to differ between countries and researchers. There is, therefore, a need to clarify terms and definitions used.
- The significance of the dissemination of guidance and examples of best practice for psychosocial risk management was also raised.
- At the national level, many Member States had enacted and implemented legislation relating to occupational safety and health. However, these initiatives were largely driven by internal discussions and a few European directives. There are no significant efforts made by Member States to collaborate with each other in order to aid policy learning and transfer, in the area of occupational safety and health and psychosocial risk management.
- The involvement and long-term commitment from key stakeholders were found to be the key factors for the successful implementation of policy-level interventions.



- Commitment from the European Commission to address psychosocial issues was illustrated in the 2002–06 and 2007–12 EU strategies for health: both show a stronger focus on mental health and psychosocial risks compared to methods addressing these issues in earlier strategies. These strategies were also reported to be key drivers in raising awareness of these issues.

It was also found that although regulations exist, policies are drawn, and campaigns and many training sessions and other interventions are carried out to prevent and manage third-party violence and harassment, few interventions are still systematically evaluated or followed up.

There are also differences in the systems for dealing with harassment at work between countries. In many countries, codes of conduct and guidelines are drawn up in organisations to support the prevention and management of harassment at work and to deal with cases of harassment and bullying. Cases are settled with the help of an inside or outside consultant or counsellor. For example, in Finland, written anti-bullying policies and the provision of information have been found to be the most common measures adopted to counteract workplace bullying (183). The nearest supervisor has the responsibility to investigate and settle the situation.

In some countries, for example in Germany, there are clinics specialising in the support and rehabilitation of victims of harassment. Good results have been gained, for example, with group therapy (184).

Table 19: Intervening at different levels on third-party violence (taxonomy adopted from Murphy & Sauter, 2003)

Levels of work organisation interventions	Stage of prevention		
	Primary interventions	Secondary interventions	Tertiary interventions
Society/policy	Laws Regulations Corporate agreements Framework agreement (EU) Registration of violence incidents	Investigation Action of security authorities Conflict management	Provision of rehabilitation opportunities
Organisation/ employer	Corporate agreements, Policies: guidelines Crisis plan	Guidelines for action, possibilities for getting help	Programs and contracts of professional aftercare
Job/task	Designing out of risk (work environment, layout) Safety equipment Alarm systems Security guard	Training Crisis and aggression, limitation and management (CALM) model	Group therapy, debriefing
Individual/ job interface	Training (e.g. self-protection, dealing with aggressive people)	Individual help and support	Individual recovery; therapy; Counselling Redress



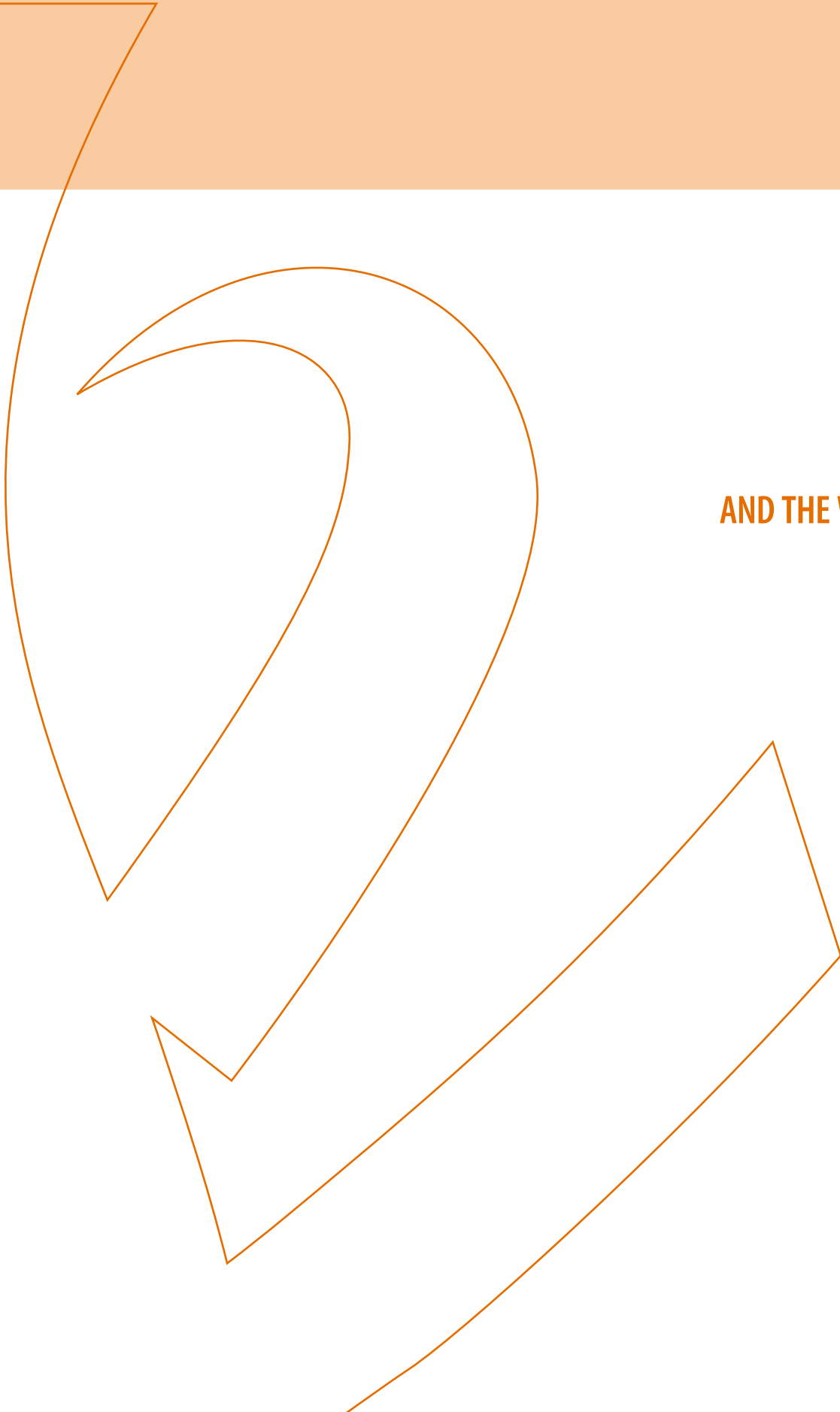
Table 20: Different levels and some examples of bullying interventions (taxonomy adopted from Murphy & Sauter, 2004, Leka et al., 2008b, see also Hoel, 2008)

Levels of work organisation interventions	Stage of prevention		
	Primary interventions	Secondary interventions	Tertiary interventions
Society/policy	Law/regulation Collective agreements Framework agreement (EU)	Court case	Provision of rehabilitation opportunities
Organisation/ employer	Anti-bullying policies, Action plans Development of organisational culture Management training Organisational surveys	Conflict management Handling procedures Investigation	Corporate agreements, Programmes and contracts of professional aftercare
Job/task	Work environment — redesign Risk analysis Training	Staff surveys Case analysis Training Conflict resolution, Mediation	Group recovery programmes Group therapy
Individual/ job interface	Training	Social support, counselling	Therapy Counselling Physical activities Redress



7.

CONCLUSIONS AND THE WAY FORWARD



7.1. CONCLUSIONS

There is no single uniform definition of what is meant by workplace violence. Violence is a generic term that covers all kinds of abuse; behaviour that humiliates, degrades or damages a person's well-being, value and dignity (3). The conduct that may be considered violent behaviour takes many forms. That is why:

- the existing definitions are wide open;
- it is not possible to establish an exhaustive closed list of violent behaviours; and
- the perception of what is considered violent behaviour or not may vary depending on contextual and cultural criteria.

Different researchers and relevant institutions have suggested several definitions and classifications for different forms of workplace violence. Some internationally accepted definitions of workplace violence are those proposed by European Commission, ILO and the WHO. Definitions for harassment/bullying have mostly been suggested and discussed by researchers. However, in most of the definitions, the word violence is used of situations where the aggressor is a third party, a customer, client, patient, pupil, and the like. Although a perpetrator can be a third party, the phenomenon of harassment/bullying has mainly been discussed, studied and treated in organisations as an internal issue.

Furthermore, in surveys and statistics, very different definitions and classifications of different forms of work-related violence are used. This makes the comparison, particularly between countries and sectors, difficult.

Mutual definitions and classifications, as well systematic strategies to assess the prevalence of work-related violence are needed at European level.

The results of the Focal Point survey showed that harassment seems to be addressed officially (an official definition and/or mentioned in legislation) more often than third-party violence. The situation does not differ between old EU-15 Member States and the new Member States. The way harassment or third-party violence are defined in legislation varies between the EU Member States starting from more general law that covers all aspects of work without mentioning third-party violence or harassment at work to more specific definitions where violence, harassment, and sexual harassment are also separated by law.

Even though the official recognition of the issues was similar between the old and new EU Member States, nationwide or sector-orientated initiatives to address the issue of third-party violence or harassment are mostly carried out in the old EU-15 Member States.

The main reason for not having nationwide or sector-orientated initiatives in one's country to address third-party violence or harassment was that there are no appropriate tools/methods for assessing and managing the issue. On third-party violence, the other reasons were that scientific evidence is limited or lacking and that there is low prioritisation of the issue. On harassment, the other reasons were that extra-occupational factors are considered to be the main causes of the issue, and that specific regulation on the subject is limited or lacking.



In the same way, the level of acknowledgement of the issues was more often seen to be inappropriate as compared to the relevance/significance of the problem in the new EU Member States.

The main reasons for low acknowledgement of these issues at the country level were:

- lack of awareness;
- no appropriate tools/method for assessing and managing the issue;
- low prioritisation of the issue;
- scientific evidence is limited or lacking; and
- specific regulation on the subject is limited or lacking.

More and more data from various sources (European surveys, National surveys, sector-specific studies) marking the trends in the area of work-related violence, and increasingly recognising the nature of the phenomenon of the issue and its severity, is nowadays available.

Measuring the prevalence and different forms of violence and harassment and comparing study results or statistics between countries is challenging. Terms, definitions and classifications to delimit the concepts, as well as the different measurement methods used, differ between countries and researchers. Therefore, it is important to be critical when comparing the data from different studies and statistics. It is always important to look how the phenomenon measured is defined and how it is measured (e.g. time limits).

The Fourth European Working Conditions Survey (EWCS) (43) found that, in all, one in 20 workers (5 %) have been personally subjected to violence either from fellow workers or from others. When focusing only on people within the workplace, the trend seemed to be decreasing. However, there seems to be a higher reported incidence of exposure to violence, as well as to threats of violence, in the northern European Member States and a lower reported incidence in the southern Member States. A typical feature for third-party violence is that it pertains to particular sectors and occupations. These include healthcare and social work, education, transport, public administration and defence, and commerce.

The Fourth EWCS found also that 5 % of the respondents had been subjected to bullying/harassment in the workplace over the past 12 months, and less than 2 % of European workers to sexual harassment or unwanted sexual attention. The experience of being harassed differs between countries. In some countries, the focus of harassment studies is on sexual harassment and there is no information available on bullying at work.

There can be several explanations for the differences between countries. The differences may reflect different levels of cultural awareness and knowledge of, and sensitivity to, the issue as much as differences in actual incidence. This is pointed out also by the Foundation in its publications.

In relation to third-party violence, one problem in many countries is the under-reporting of the violent incidents. There may be many reasons for this; some employees still think that 'violence is part of the job'; the differences between countries can reflect cultural differences, what kind of behaviour is perceived as negative, aggressive or hostile.

In order to decrease under-reporting, it is important that zero tolerance is declared in organisations for all kinds of violence, and that the different forms of violence are discussed in the workplace. It is important that the registration systems, including



psychological violence, are introduced in all workplaces with an elevated risk for third-party violence, that employees are encouraged to report all violent incidents, and that violent incidents are handled in a non-blaming atmosphere in the workplace.

Studies have shown (43) that women are more often subjected to violence by third parties than men. In many countries, a lot of women work in high-risk sectors and occupations such as healthcare and social work, retail, and education. It has also been suggested that continued segregation, women working in low paid and low status jobs, while men predominate in better paid, higher status jobs and supervisory positions, also contributes to this. Studies have shown that particularly young men with little work experience also have a higher than an average risk for third-party violence. According to the research, men have a higher risk of physical assault, while women are particularly vulnerable to incidents of sexual nature. In the prevention of third-party violence, special attention should be paid to the physical work environment and training of the employees.

Both research and practice have shown that in most of the cases of harassment/bullying at least three or four of the following features of work environment can be found: (i) problems in work design (e.g. role conflicts); (ii) incompetent management and leadership; (iii) a socially exposed position of the target of harassment (e.g. gender, ethnicity, education); (iv) negative or hostile social climate; and (v) a culture that permits or rewards harassment in an organisation (155). Strategies that are used to decrease the organisational and work-related antecedents of harassment are the best and, at the same time, the 'easiest' strategies to prevent and decrease harassment at work. Leadership practices and organisational culture, as well as the misuse of power are always, somehow, related to the onset, as well as the prevention of, harassment at work.

7.2. THE WAY FORWARD

Third-party violence and harassment are serious health and safety issues in working life. Both third-party violence and harassment may have many kinds of negative consequences for the individuals confronted and their families, their co-workers and organisations as well as the whole society.

Although there is a lot of information available, there still is a need for knowledge, higher awareness and recognition of the serious and damaging consequences of verbal and non-verbal violence, threats as well as physical violence, and the possible ways to address them.

The results of the Focal Point survey showed that, at European level, awareness-raising with programmes and campaigns is important. At national, but also at organisational levels, there is still a clear need for education and training programmes focusing on third-party violence and harassment, codes of conduct at the enterprise level, studies and more actions to improve awareness. In the workplace, there is a need for provision of appropriate tools/methods for assessing and managing third-party violence.



The results of the Focal Point survey, as well as the results of the Stakeholder survey (52), showed that there is a lack of awareness of these issues at national level and more support is needed for companies to handle them. Even in countries where workplace violence has already been discussed for many years, recognition and knowledge about the phenomenon is still low. This means that the stage of readiness to tackle the problem is still low in many organisations. In many countries and organisations awareness-raising, attitude change and other preventive strategies are needed most of all. Nowadays, there is much scientific research available on the nature of harassment and on the antecedents and risks for harassment in the workplace, and this knowledge needs to be distributed to the organisations and to all stakeholders.

It is important to have different strategies and methods to prevent and to manage workplace violence and harassment. In relation to harassment, so far a very limited number of evaluated interventions have been conducted and, therefore, we know too little about the most effective measures to prevent and manage it at different levels; policy, organisation, work unit/group, individual.

In the near future, more structured interventions, including a proper evaluation of what kinds of methods would be the most efficient in preventing and decreasing harassment, are needed. The materials published by the PRIMA-EF project give instructions and guidelines about what to take into consideration in planning and implementing interventions. An inventory of some best practice interventions carried out to prevent and manage third-party violence and harassment can be found on the PRIMA-EF website (<http://www.prima-ef.org>).

At the same time, there are many European good practice examples available at all levels (policy, organisation, job, and individual) and to different stages of prevention (primary, secondary, and tertiary). However, it seems evident that these examples are not attainable for most organisations in Europe. One of the main barriers is language, but more public attention is needed to make people aware of these issues. Programmes aimed at employees and supervisors to raise awareness of these issues are needed.

In different countries, the approaches and ways to manage workplace violence differ. In many countries, strategies to prevent and manage harassment at work concentrate on the prevention and management of the risks and antecedents of harassment in the work environment, organisation of work, atmosphere in the workplace, organisational culture and leadership practices, and input is at workplace level. In some countries, input is more focused on individual support and the rehabilitation of the targets of harassment.

It is important to discuss what kind of information and data or statistics different actors (policymakers/governments, senior management, supervisors, employees, occupational healthcare professionals, health and safety delegates, health and safety authorities, union representatives, employee and employer associations) need for their work to direct their activities in the prevention and management of work-related violence and harassment. In some countries, the first step is to have statistical information.





Artist: Maciej Mytnik

Courtesy of the Occupational Safety Poster competition organised by the Central Institute for Labour Protection – National Research Institute, Poland

The experts interviewed for the PRIMA-EF project drew attention to the current situation concerning the management of work-related violence. The following points were emphasised.

- Zero tolerance for all kinds of violence. There is still a considerable need for attitude change: all kinds of violence are unacceptable; you do not have to tolerate any kind of violent or insulting behaviour at work. Attitude change concerns staff as well as customers, clients, and other parties.
- More attention should be paid to the competency of consultants and trainers involved in harassment and violence interventions.
- Interventions should be tailored to the needs of organisations and the situation at hand (the context).
- Taking into account the readiness of the organisation (employees and managers) to take different kinds of actions is important.
- Interventions should be theoretically sound.
- Organisations prefer short-term interventions; results are wanted fast and short-term interventions are seen as more economical. Benefits of longer interventions and of all the different stages of prevention are not realised. Organisational level interventions with all staff involved are time-consuming.
- Distribution of existing best practice tools and methods is necessary.

The experts of the PRIMA-EF projects emphasised the starting point against work-related violence is always zero tolerance — zero tolerance in societies and at all levels of organisations. Violence in all its forms at work should be condemned. The management have a key role. Organisations need to have cultures that do not give permission to harass, have programmes and guidelines how to prevent violence and harassment and how to deal with cases. In order to be able to do this organisations need knowledge, tools, and support.

Another European project was the Commission's Daphne II programme which ran from 2004 until 2008. It aimed to support organisations that develop measures and actions to prevent or to combat all types of violence against children, young people and women and to protect the vulnerable groups at risk.



The most recent and complete data on the management of violence and harassment at work comes from the European Survey of Enterprises on New and Emerging Risks (ESENER) of the European Agency for Safety and Health at Work (EU-OSHA). The survey was carried out in 2009 in 31 European countries (185). The overview report is already available and four more reports based on the secondary analysis of the data will be published in 2011. Two of them will present a more detailed picture of the situation concerning violence and harassment ('Factors associated with effective management of psychosocial risks' and 'Managing psychosocial risks — drivers, obstacles and needs. Measures taken to manage psychosocial risks').

In addition, there are some intervention studies on harassment at work. A wide-ranging research and intervention project to manage bullying at work was carried out in Denmark (186, 187). The intervention aimed at developing, testing, and evaluating strategies to prevent harassment and serious conflicts in organisations and to prevent the negative consequences of such behaviours. Interventions are evaluated using both process and effect evaluation.

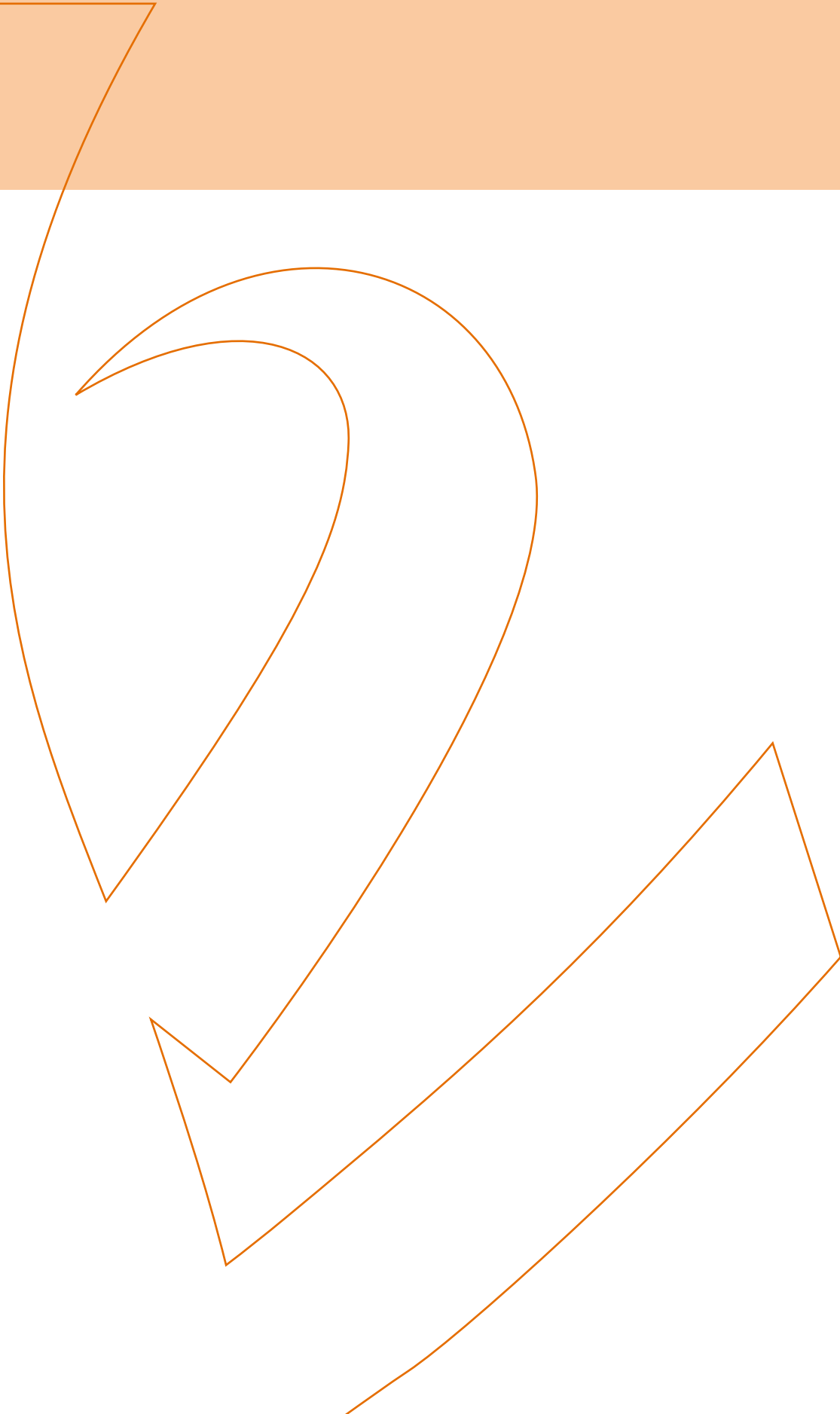
There is also a study carried out in Finland, where the usability and effectiveness of mediation as a method to resolve conflicts and bullying is evaluated, and follow-ups and evaluations are carried out (188). The purpose of mediation is to ensure that the parties resolve the problem themselves by means of dialogue. The mediator acts as a facilitator. The perceived effects of mediation in conflict and bullying situations and the effect of mediation on the level of stress and mental health symptoms among the individuals involved are studied. It is expected that these studies will provide further useful information and guidance for the management of these issues at work.

In spite of the work already done in the EU and at national level to tackle violence and harassment at work, there is a need for more information and knowledge; it is also necessary to clarify the terms, definitions and classification used in relation to different types of work-related violence and harassment.



8.

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9.

**APPENDIX I:
FOCAL POINT SURVEY
QUESTIONNAIRE**



The Agency is currently carrying out a project on violence and harassment at work, and would like to ask you to complete a questionnaire about these issues in your country.

The concern about violence and harassment at work has been increasing over the last few years. However, many studies and surveys refer to differences across the EU-27 Member States with regard to definition, interpretation and reporting of these phenomena. We would like to explore these issues in more depth through this questionnaire.

For the purposes of this questionnaire, by **third-party violence** we refer to physical violence, verbal aggression, or the threat of physical violence where the aggressor is not a work colleague, e.g. the person, customer, client or patient receiving the goods or services. We use **harassment** to refer to 'repeated, unreasonable behaviour directed towards an employee, or group of employees, aimed at victimising, humiliating, undermining or threatening them' (also sometimes known as *bullying, mobbing, or psychological violence*). Harassment at work may also take the form of sexual harassment (*unwanted sexual attention*).

1.

DEFINITIONS AND TERMS

1.1. What is the official national definition (given in legislative Acts) for (a) third-party violence and (b) harassment in the workplace?

(a) third-party violence

(b) harassment

- Workplace third-party violence is not mentioned in the national legislation
- Harassment is not mentioned in the national legislation



1.2. What word is used in your country (in your own language) for 'harassment'?

2.

LEGISLATION, POLICIES AND INITIATIVES

2.1. Describe national legislative acts related to (a) third party violence and (b) harassment in the workplace.

(a) third-party violence

(b) harassment

2.2. If there is NO legislation on (a) third-party violence and (b) harassment in the workplace, is your country considering developing legislation on these topics in the near future?

(a) on third-party violence

Yes; specify _____

No

(b) on harassment

Yes; specify _____

No



2.3. What are the main responsibilities of employers in the case of (a) third-party violence and (b) harassment in the workplace?

(a) third-party violence

(b) harassment

2.4. ETUC, BUSINESSEUROPE, UEAPME and CEEP contributed to the framework agreement on harassment and violence at work in April 2007. Is the agreement translated into your national language?

- Yes
- No
- Work is in progress, specify _____

2.5. Over the last few years, have there been any nationwide or sector-oriented initiatives (programmes, campaigns) in your country that address the issue of (a) third-party violence and (b) harassment at workplace?

(a) third-party violence

- Yes
- No
- Such programmes/initiatives are planned in the near future, specify _____

(b) harassment

- Yes
- No
- Such programmes/initiatives are planned in the near future, specify _____



2.6. If YES, please give a brief summary of these initiatives.

(a) third-party violence
(b) harassment

2.7. If NO, what do you think are the main reasons? Please tick your four most important answers.

(a) third-party violence

- Lack of awareness
- Scientific evidence is limited or lacking
- There are no appropriate tools/methods for assessing and managing third-party violence in the workplace
- Extra-occupational factors are considered to be the main causes of third-party violence in the workplace
- Specific regulation on the subject is limited or lacking
- Lack of tripartite agreement
- Low prioritisation of third-party violence issues
- Other _____

(b) harassment

- Lack of awareness
- Scientific evidence is limited or lacking
- There are no appropriate tools/methods for assessing and managing harassment in the workplace
- Extra-occupational factors are considered to be the main causes of harassment in the workplace
- Specific regulation on the subject is limited or lacking
- Lack of tripartite agreement
- Low prioritisation of harassment issues
- Other _____



3.

STATISTICS AND RESEARCH ON THIRD-PARTY VIOLENCE AND HARASSMENT

We are aware that some of the national reports on stress which were sent for your consultation at the beginning of this year included data on violence and harassment. If this is the case for your country, please make reference to the data already provided; however, when needed, please complement this information according to the questions included in this survey.

3.1. Is there statistical information available in your country on (a) third-party violence and (b) harassment at workplace?

(a) third-party violence

- Yes
- No

(b) harassment

- Yes
- No



3.3. What are the three sectors most exposed to (a) third party violence and (b) harassment in your country?

<i>(a) third-party violence</i>	<i>(b) harassment</i>
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3.4. What are the three occupations most exposed to (a) third-party violence and (b) harassment in your country?

<i>(a) third-party violence</i>	<i>(b) harassment</i>
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3.5. Are there any other groups of workers especially at risk of (a) third-party violence and (b) harassment in your country?

<i>(a) third-party violence</i>	<i>(b) harassment</i>
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3.6. Please give a brief summary about other studies (not dealing with the statistical picture) conducted in your country on (a) third-party violence and/or (b) harassment at work?

For example, studies concerning the negative consequences (health complains, health-related absenteeism, job loss) of (a) third-party violence and (b) harassment? (Add references as appropriate.)

(a) third-party violence

(b) harassment

There are no such studies being carried out in my country.

3.7. Please give an example of a case study or a well known case in your country in relation to third-party violence, harassment, e.g. a case widely commented in media or a relevant court case? (Add references as appropriate.)

(a) third-party violence

(b) harassment

There are no such examples available in my country.



4.

ACKNOWLEDGEMENT OF THE PROBLEM

4.1. In your opinion, is the level of acknowledgement of (a) third-party violence and (b) harassment issues appropriate in your country, as compared to the relevance/significance of the problem?

(a) third-party violence

Yes

No

(b) harassment

Yes

No

4.2. If NO, what do you think are the main reasons for the lack of acknowledgment? Please tick your four most important answers.

(a) third-party violence

Lack of awareness

Scientific evidence is limited or lacking

There are no appropriate tools/methods for assessing and managing third-party violence in the workplace

Extra-occupational factors are considered to be the main causes of third-party violence in the workplace

Specific regulation on the subject is limited or lacking

Lack of tripartite agreement

Low prioritisation of workplace third-party violence issues

Other _____



(b) harassment

- Lack of awareness
- Scientific evidence is limited or lacking
- There are no appropriate tools/methods for assessing and managing harassment in the workplace
- Extra-occupational factors are considered to be the main causes of harassment in the workplace
- Specific regulation on the subject is limited or lacking
- Lack of tripartite agreement
- Low prioritisation of workplace harassment issues
- Other _____

4.3. Please list institutions, organisations (including non-profit organisations), and associations which tackle the problem of third-party violence and harassment at work in your country.

What are their main tasks/activities/responsibilities, e.g. carrying out research and gathering data, training, supporting and giving advice to victims or organisations?

(Indicate these institutions/organisations' URLs when possible.)

(a) third-party violence
(b) harassment



5.

MANAGEMENT OF THIRD-PARTY VIOLENCE AND HARASSMENT IN THE WORKPLACE

5.1. Have specific non-legislative policies or codes of conduct at the enterprise level been introduced to prevent (a) third-party violence and (b) harassment at work?

(a) third-party violence

- Yes
- No
- Work is in progress, specify _____

(b) harassment

- Yes
- No
- Work is in progress, specify _____

5.2. If YES, give a brief summary of them, e.g. who has introduced them, are they general or for special sectors, contents, do they declare zero tolerance against third-party violence and/or harassment?

(a) third-party violence

(b) harassment



5.3. Are you aware of any practical guidelines, manuals or tools that have been developed in your country for assessing or managing (a) third party violence and (b) harassment at work?

(a) third-party violence

- Yes
- No

(b) harassment

- Yes
- No

5.4. Give a brief summary of these guidelines, manuals or tools (Are they general guidelines or for special sectors, specific groups within a sector, for the sphere of responsibility of OSH insurance, etc.?)

<i>(a) third-party violence</i>
<i>(b) harassment</i>

5.5. Is the risk of third-party violence (by clients, customers, patients, etc.) integrated in guidelines for risk assessment in your country?

- Yes, in most of the guidelines
- Yes, but only in some of the guidelines
- No



5.6. How are employees' complaints of third-party violence and/or harassment are investigated in your country? Are there special procedures for investigating complaints of (a) third-party violence and/or (b) harassment which are used in workplaces?

(a) third-party violence

- Yes
- No

(b) harassment

- Yes
- No

5.7. Could you give some examples of such procedures?

(a) third-party violence

(b) harassment

5.8. Are you aware of any education and training programmes offered in your country that focus on (a) third-party violence and (b) harassment issues?

(a) third-party violence

- Yes
- No

(b) harassment

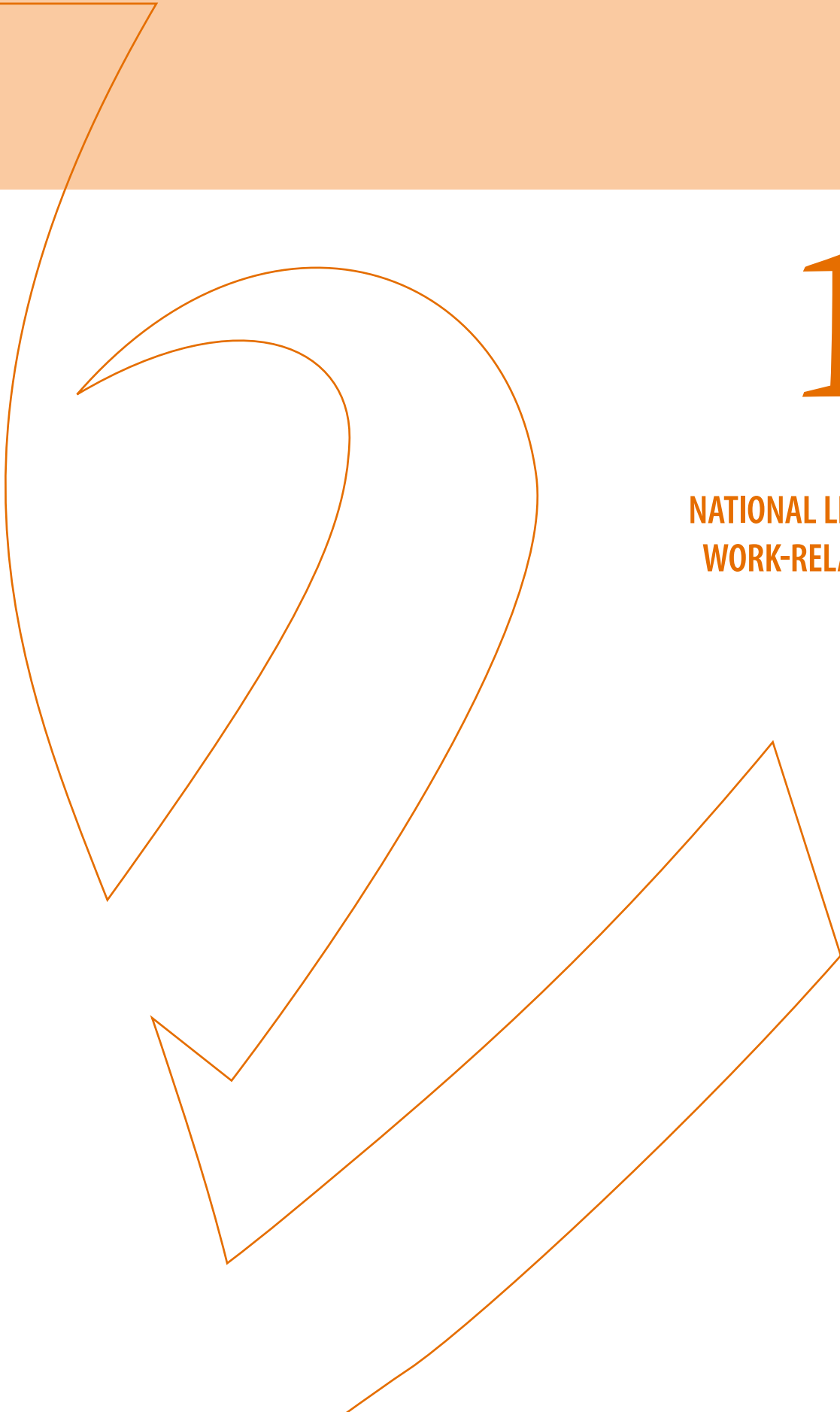
- Yes
- No



5.9. Give a brief description of these programmes.*(a) third-party violence**(b) harassment***5.10. Do you think that there is a need for practitioners (medical, technical, social, etc.) with specific postgraduate training on (a) third-party violence and (b) harassment issues in your country?***(a) third-party violence* Yes No*(b) harassment* Yes No**5.11. What kind of activities (if any) should be undertaken to tackle third-party violence and harassment at (a) European and (b) national level?***(a) European-level activities**(b) National-level activities***Thank you very much for completing this questionnaire!**

10.

**APPENDIX II:
NATIONAL LEGISLATION ON
WORK-RELATED VIOLENCE**



NB: Focal Points have sometimes replied that there is legislation on harassment at work even though the issue is addressed as equal opportunities or as sexual harassment only. In the table, these cases are marked as N/(Y) status.

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Albania	N	Y		Harassment is defined in the Albanian Labour Code under the Article 'Protection of individuality'. Employers have to respect and protect the individuality of the employee, and to prevent behaviour that compromises the employees' dignity.
Austria	N	N		Equal Treatment Act only covers harassment based on specific motives. Mobbing is mentioned in the ruling of the Supreme Court of Austria.
Belgium	Y	Y	Employers are obligated to execute risk assessment when workers are exposed to contact with third-party persons.	Bullying at work is defined as multiple similar or various illegitimate behaviours, outside or inside the institution or organisation, that takes place during a specific period of time and results in the violation of the psychological integrity of a person during the execution of his or her job, or that jeopardises his/her position or that a threatening, hostile, or offensive environment is created that is expressed by words, threats, actions, gestures or one-sided writing.
Bulgaria	N	N/(Y)		All <i>discrimination</i> , either direct or indirect, based on, for example, gender, race, personal or social status, or other motives, foreseen by the law or the international treaty of which the Republic of Bulgaria is part.
Cyprus	N	N/(Y)	Safety and Health at Work Law of 1996 (Law 89(I)/1996, as amended) safeguards the safety, health and welfare of persons at work.	The Law for the Equal Treatment of Men and Women in Employment and Occupational Training of 2002
Czech Republic	N	(Y)	It is pertinent to infliction and consequences set forth in the civil, administrative and criminal (penal) standards.	<i>Sexual harassment</i> is understood as assaulting personal dignity (any form of unwelcome words or other attention of a sexual nature, the aim or result of which is the abuse of personal dignity), particularly when intimidating, unfriendly, humiliating, demeaning, or insulting surrounding circumstances are created.

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Denmark	N	Y	According to The Danish Working Environment Act, all aspects related to work shall be planned and organised so as to ensure safe and healthy working conditions.	One or more persons regularly and over time or repeatedly in a rough manner subjecting one or more other persons to offensive behaviour. The victims perceive the behaviour as hurtful or degrading and are not capable of defending themselves efficiently towards this behaviour.
Greece	N	(Y)	The Civil Code, in the Criminal Code, and in various collective employment contracts as well as general principles of Labour Law exist.	The Law 1414.30.01.84 on equality tries to protect workers from <i>sexual harassment</i> .
Germany	Y	Y	Where employees are discriminated against in the pursuance of their profession by <i>third parties</i> within the meaning of Section 7(1) of the AGG, the employer shall take suitable, necessary and appropriate measures, chosen in a given case, to protect the employee in question.	<i>Harassment</i> shall be deemed to be discrimination when an unwanted conduct in connection with any of the grounds referred to under Section 1 takes place with the purpose or effect of violating the dignity of the person concerned and of creating an intimidating, hostile, degrading, humiliating or offensive environment. <i>Sexual harassment</i> shall be deemed to be discrimination in relation to Section 2(1) Nos 1 to 4, when an unwanted conduct of a sexual nature, including unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images, takes place with the purpose or effect of violating the dignity of the person concerned, in particular where it creates an intimidating, hostile, degrading, humiliating or offensive environment.
Estonia	N	(Y)	Occupational Health and Safety Act, passed 16 June 1999: occupational health is the application of work-related organisational and medical measures to prevent damage to the health of workers; adaptation of work to the abilities of workers; and promotion of the physical, mental and social well-being of workers.	<i>Sexual harassment</i> occurs where, in any subordinate or dependent relationship, any form of unwanted verbal, non-verbal or physical activity or conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating a disturbing, intimidating, hostile, degrading, humiliating, or offensive environment and the person rejects or submits to such conduct as it is a direct or indirect prerequisite for getting hired, maintaining the employment relationship, participation in training, receipt of remuneration, or other advantages or benefits



Workplace Violence and Harassment: a European Picture

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Finland	Y	Y	<p>The work and conditions in jobs entailing an evident threat of violence shall be so arranged that the threat of violence and incidents of violence are prevented as far as possible. Accordingly, appropriate safety arrangements and equipment needed for preventing or restricting violence and an opportunity to summon help shall be provided at the workplace.</p> <p>The general obligation of safety (Article L4121-1, in force since 1.5.2008) requires employers to protect the physical and mental health of employees.</p>	<p>If harassment or other inappropriate treatment of an employee occurs at work and causes hazards or risks to the employee's health, the employer, after becoming aware of the matter, shall by all available means take measures for remedying this situation (harassment or other inappropriate treatment).</p>
France	N	Y	<p>The provisions of the Hungarian Criminal Code (Act IV of 1978 on the Criminal Code) (10) contains several sections applicable in cases of different forms of violence, and specifically regulates abuse of power by superiors (Sections 358–359), but these are rarely, if ever, used to bring violent employers to justice.</p> <p>The criminal offence of violence comes within the national criminal law as to bodily harm, grievous bodily harm and assault.</p>	<p>Three legal frameworks specific to harassment at work are applied with reference to the Labour Code, the Criminal Code or the Civil Code. There is no law concerning 'institutional harassment' in France, also termed 'structural harassment'.</p> <p>There are several articles in the amended Labour Code prohibiting <i>discrimination</i> and prescribing the norms of establishing work relations as well as the appropriate conditions at work. Act IV of 1978 of the Criminal Code has reference to harassment in general without limitation to the workplace.</p>
Hungary	N	N/(Y)	<p>A law is being developed to prevent the effects of workplace third-party violence (626/94).</p>	<p>Mobbing is 'a sequence of actions and behaviours that happen at the workplace in order to damage the worker, compromising the performance, acted repeatedly and for a long time (six months)'.</p>
Ireland	N	N	<p>Law on Safety and Health at Work (1 July 2003 No IX-1672, amended 7 June 2007 — No X-1169: Article 11). The duty of the employer is: To ensure safety and health of workers at work in all aspects related to work.</p>	<p>Harassment is deemed to be undesirable conduct (<i>discrimination</i>), when on the basis of age, sexual orientation, disability, racial or ethnic origin, religion or beliefs one strives to violate or violates the dignity of a person and strives to create or creates an intimidating, hostile and degrading or offensive environment.</p>
Italy	N	Y	<p>Latvia</p>	<p>Lithuania</p>
Latvia	—	—		
Lithuania	N	N/(Y)		

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Luxembourg	N	N/(Y)	<p>The law on workers' health and safety refers to the employers' obligation to protect workers from physical and psychological dangers.</p>	<p>Only a definition for <i>sexual harassment</i> is given.</p> <p>The definition of sexual harassment refers to any unwanted conduct of a sexual nature, or other conduct based on sex, which the perpetrator knows, or ought to know, affects the dignity of a person at work — which can include unwelcome physical, verbal or non-verbal conduct — and which meets one of the following three conditions:</p> <ul style="list-style-type: none"> — the behaviour is inappropriate, offensive or distressing for the recipient; — a person's rejection or submission to such conduct on the part of the employer, an employee, a customer or a supplier is used expressly or implicitly as the basis for a decision affecting that person's rights in relation to vocational training, employment, continued employment, promotion or salary, or any other decision associated with employment; or — such conduct creates an intimidating, hostile or humiliating working environment for the recipient.
Malta	—	N/(Y)		<p>The legislative acts consider <i>sexual harassment</i> only.</p>



Workplace Violence and Harassment: a European Picture

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Netherlands	Y	Y	In the legislation concerning OSH, no direct distinction is made between third-party violence and violence by co-workers. Violence and aggression are understood as incidents by which an employee is being troubled, threatened or attacked under circumstances that are connected directly with his/her work.	Psychosocial risks at work: the factors include sexual harassment, aggression and violence, bullying, pestering (harassment) and work pressure in the labour situation which causes stress. Sexual harassment (or sexual intimidation) is understood as a form of verbal, non-verbal or physical behaviour with a sexual connotation. Bullying (harassment) is understood as all kinds of intimidating behaviour that is structural in character; by one or more employees (colleagues, management) directed at an employee or a group of employees who are not able to stand up to this behaviour. An important element is the repetition of the behaviour in time. The behaviour can be manifested in several ways such as words, gestures, acts and threats. The intention of the perpetrator is, most of the time, to hurt and to intimidate the other person.
Norway	Y	Y	Employees shall, as far as possible, be protected against violence, threats and undesirable strain as a result of contact with other persons.	Harassment relates to situations where a person experiences the surroundings actions or omission of actions as negative, unreasonable and offensive. It is harassment when one or several individuals repeatedly, over time, are exposed to negative actions. In addition, there has to be imbalance in the relative strength: the one who is being harassed must have difficulties in defending him/herself.
Poland	N	Y	It is pertinent to infliction and consequences set forth in the civil, administrative and criminal (penal) standards.	Action or behaviour concerning an employee, or directed against an employee, which consists in a persistent and long-lasting harassment or of threats to the employee and which results in a reduced self-assessment of his or her professional abilities and which cause or are aimed at humiliating or ridiculing the employee, isolating or eliminating him or her from the group of co-workers.

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Portugal	N	N/(Y)	<p>The issue may be framed in the general principles of several branches of the law.</p>	<p>1. Discrimination constitutes the harassment of employment seeker and worker.</p> <p>2. It is understood by all that the harassment or unwanted conduct related to one of the factors listed in paragraph 1 of the previous article, practised at the time of access to employment or self-employment, employment or training, with the purpose of effecting or affecting the dignity of the person or creating an intimidating, hostile, degrading, humiliating or offensive environment.</p> <p>3. It constitutes, in particular, any unwanted conduct of a sexual nature, as verbal, non-verbal or physical, with the purpose or effect mentioned in the previous paragraph.</p> <p>(No 1 and 2 of Article 24 of the Labour Code approved by Law No 99/2003 of 27 August)</p>
Romania	N	N/(Y)		<p><i>Racial Discrimination:</i> Any unwanted conduct related to racial or ethnic origin which takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment.</p> <p><i>Sexual harassment:</i> Any unwanted verbal, non-verbal or physical conduct of a sexual nature which occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.</p>



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Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
Slovakia	N	Y	<p>There exist some State directives, Acts and agreements in Slovakia, which deal with the violence and harassment issue.</p>	<p><i>Harassment</i> is behaviour leading to the creation of an intimidating, hostile, degrading, humiliating, outrageous or abusive environment, and of which the intention or consequence is, or can be, intervention in freedom or human dignity.</p> <p><i>Sexual harassment</i> is a verbal, non-verbal or physical behaviour of a sexual nature, the purpose or the consequence of which is, or may be, the diminution of personal dignity and which creates an intimidating, degrading, dishonoring, hostile, or offensive environment</p>
Slovenia	—	N		<p>There are some laws and regulations with reference to harassment at work.</p>
Spain	N	N/(Y)	<p>These types of misconducts or crimes are defined, for example, in the penal code, Organic Law 10/1995 of 23 November.</p>	<p>The Constitution (right to physical and moral integrity, Article 15), Labour laws (Article 4.2 of the Workers' Statute which establishes the right of all workers to their 'physical integrity' and 'respect for privacy and due regard for their dignity, including protection to physical or verbal insults of a sexual nature'), Law 31/95 on the prevention of occupational risks (Articles 14, 15 and 16 where it establishes the workers' right to an effective protection on health and safety at work), Law 51/2003 on equal opportunities, non-discrimination and universal accessibility for disabled people and Organic Law 3/2007 for the equal treatment of women and men. Some Spanish laws cover sexual harassment, such as the Workers' Statute and Penal Code (modification of 1995).</p>
Sweden	Y	Y	<p>The main responsibility of employers is to investigate the risks and arrange work to avert the risk of violence (both third-party violence and harassment), as far as possible.</p>	
Switzerland	N	N	<p>Acts of violence come under the Criminal Law. They are not specifically mentioned in the Labour Law or the Accident Prevention Ordinance.</p>	<p>According to the Labour Law, employers are obliged to protect the physical and psychological health of employees and to ensure that their personal integrity is not compromised.</p>

Country	Status in legislation Y = specific mention N = not mentioned		Characteristics	
	Violence	Harassment	Violence	Harassment
United Kingdom	N	Y	<p>There are a number of criminal offences such as assault and civil torts that may apply, most of which have been developed as part of common law — however, these have been defined by judges over the years in their judgments rather than in legislative Acts.</p>	<p>Bullying is mentioned in employment-related law or general law:</p> <ul style="list-style-type: none"> ■ employment and employment-related law: the <i>Sex Discrimination Act 1975</i>; the <i>Race Relations Act 1976</i>; <i>Employment Rights Act 1996</i>; the <i>Health and Safety at Work Act 1974</i>; <i>Trade Union & Labour Relations (Consolidation) Act 1992</i>; <i>Public Interest Disclosure Act 1998</i>; <i>contract law</i>; ■ general law: <i>Criminal Justice and Public Order Act 1994</i>; <i>Public Order Act 1986</i>; <i>Protection from Harassment Act 1997</i>; <i>Human Rights/Human Rights Act 1998</i>.



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In order to improve the working environment, as regards the protection of the safety and health of workers as provided for in the Treaty and successive Community strategies and action programmes concerning health and safety at the workplace, the aim of the Agency shall be to provide the Community bodies, the Member States, the social partners and those involved in the field with the technical, scientific and economic information of use in the field of safety and health at work.

European Agency for Safety and Health at Work (EU-OSHA)

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