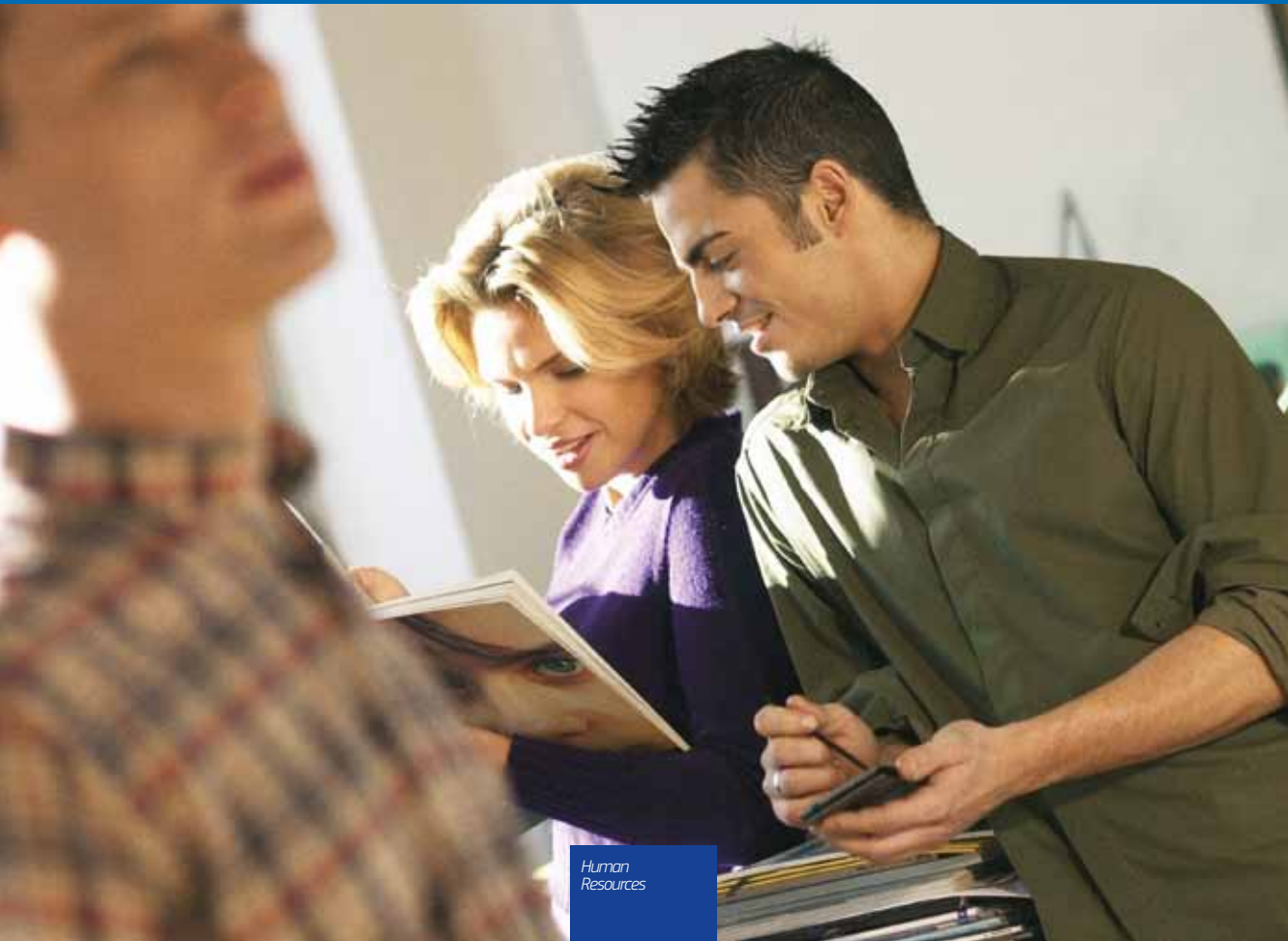




Harassment in the Workplace

A **GUIDE** FOR **MANAGERS**



What is harassment?

The European Commission is committed to providing a work environment that is free of harassment, where all people are treated with respect and dignity (Decision of 26 April 2006 on protecting the dignity of the person and preventing psychological harassment and sexual harassment C(2006)1624/3). This pamphlet will help you to identify harassment and guide you through the available services to find the best solution.

What is psychological harassment?

« Psychological harassment means any improper conduct that takes place over a period, is repetitive or systematic and involves physical behaviour, spoken or written language, gestures or other acts that are intentional and that may undermine the personality, dignity or physical or psychological integrity of any person » -

Staff regulations, article 12a.

Psychological harassment always involves: persistent and repetitive actions; targeting one person in particular; serious impact on the victim in terms of physical and mental health.



Psychological harassment can take various forms:

- offensive or degrading comments, particularly in public, bullying, antagonism, pressure, offensive behaviour, even refusal to communicate;
- insults relating to someone's personal or professional competence;
- abusing or threatening remarks, both oral and written;
- belittling someone's contributions and achievements;
- being isolated, set apart, excluded, rejected, ignored, disparaged or humiliated by colleagues;
- impairing someone's social relations; stalking
- not being allocated any task corresponding to the job description, or systematically being given tasks which do not correspond to the job description.



What is sexual harassment?

« Sexual harassment means conduct relating to sex which is unwanted by the person to whom it is directed and which has the purpose or effect of offending that person or creating an intimidating, hostile, offensive or disturbing environment. Sexual harassment shall be treated as discrimination based on gender » - Staff regulations, Article 12a.

The following behaviour may constitute sexual harassment

- promises of some kind of reward (favourable career moves, etc.) in return for sexual favours, or threats of reprisals if such requests are turned down;
- repetition of coarse or suggestive remarks, or sexual innuendo; use of crude or obscene language and gestures;
- repeated and exaggerated compliments on the appearance of a work colleague;
- physical contact, rubbing against someone, pinching, deliberate unwanted kisses;
- acts of voyeurism or exhibitionism;
- use of pornographic material.
- Only unwelcome conduct is considered sexual harassment (consensual dating is not considered harassment if not unwelcome or offensive).

One serious incident is enough to ask for urgent action by the HR unit and/or DG HR

Any case of physical violence, in particular sexual physical assault, may be taken to a national jurisdiction and therefore have penal implications. It is of the utmost importance that such cases be reported as soon as possible to the Security Directorate of DG HR (emergency number 22222).

This directorate will then take the appropriate measures to ensure the protection of the victim and may decide to liaise with the Commission Investigation and Disciplinary Office (HR.IDOC). If a victim of a sexual assault has reported the incident(s) to the police of the host country, it is the HR.DS department who will liaise with the local police.



Some examples of what does not generally constitute harassment

- ▶ allocating work and requiring performance to job standards;
- ▶ following up on work absences;
- ▶ taking disciplinary measures;
- ▶ a single or isolated incident such as an inappropriate remark or abrupt manner;
- ▶ a commanding style which is not necessarily motivated by an intention to destabilise anyone and does not target one person in particular.

Managerial duties in themselves, such as coaching or counselling an employee, allocating tasks, providing a performance review, dealing with staff relations matters and implementing disciplinary measures, are not harassment.

However, these actions might appear to qualify as harassment if they are repetitive or systematic and carried out in a manner that is offensive, humiliating or embarrassing rather than in a constructive and sensitive manner. To determine whether the conduct is offensive, managers should ask themselves, "Would a reasonable person have known or thought that the conduct was offensive?" or alternatively "Would I accept similar treatment from my own direct supervisor?"

Distinction between harassment and conflict

A conflict usually takes place at just one point in time; it is a disagreement between two people where neither moves from their position. Each party tries to defend their position and expresses their views. In cases of harassment, there is often a relationship of subordination and power. The victim usually has no way to defend him- or herself and often remains isolated and quiet. Harassment may last for months and in general only gets worse.

What about inappropriate behaviour?

Isolated incidents and occasional behaviour that does not, strictly speaking, constitute harassment but are nevertheless inappropriate must be avoided.

Some examples

- Shouting at another person: if you lose your temper and shout at someone, then apologise immediately;
- Teasing a colleague even when you see it is not welcome;
- Ridiculing a colleague's beliefs or habits in public or making fun of his/her way of thinking, dressing or his/her hobbies;
- Gossiping behind the a colleague's back instead of having a frank and open discussion about what makes you feel uncomfortable about that colleague's attitude or behaviour;
- Generalising in a offensive manner about the alleged main characteristics of a specific cultural national background.



Role of the manager

What should managers do ?

Part of your role as a manager is to cultivate a working environment in which harassment is unlikely to occur. All individuals working under your responsibility have the right to be treated with respect and dignity. This means that anyone working for you, be they employees of the Commission or of the third party, has the right to a harassment-free workplace. Equally, you should ensure that your staff are not harassed by others. Even if you see no signs of harassment, it pays to think about prevention.

Here is what you need to do:

1 Raise awareness

- Speak to your staff about the key organisational and human values you want to promote in the workplace and emphasise that harassment can seriously undermine these values.
- Find out about the training the Commission offers on raising awareness, conflict and dispute resolution and eliminating harassment. Encourage at least some of your employees to attend such sessions and attend the training for managers.
- Discuss the harassment policy with your staff, either individually or at meetings. Ensure that they know what attitudes and behaviours could lead to perceptions of harassment. This standard includes their behaviour toward all people in the workplace.
- Ensure that your staff know that regardless of the source of harassment, it is not acceptable and they must inform you if it happens.



2 Be a role model

- Behave ethically and responsibly at all times, thereby setting an example for staff.
- Treat all people in the workplace with respect.
- Do not take part in or be silent about behaviour that qualifies as harassment or inappropriate behaviour.
- Do not say "there is nothing I can do".
- Exercise your authority fairly and wisely.
- Make use of conflict resolution techniques and effective communication (consult the Syslog catalogue).
- Keep yourself informed and up-to-date on how to deal with harassment (training on harassment).

3 Monitor the atmosphere in your workplace

- Inquire about morale, and take note of how your staff members interact. If you notice an increase in absenteeism, investigate the cause.
- Watch out for insults or derogatory jokes, even those that appear to be friendly teasing.
- Be alert to warning signs, such as the tone and volume of conversations.
- Ask whether your employees are facing situations that make them feel unfairly treated or harassed.
- Determine if there is any truth to rumours of inappropriate behaviour.

4 Watch out for characteristics of an unhealthy work environment

- Lack of communication: employees systematically come to you for information or clarification rather than talking to their colleagues.
- Employees exhibit undue concern regarding policy matters or changes in the workplace.
- Increase in negativity about colleagues or about the workplace.
- Increased competitiveness among colleagues at a time of change (such as job promotions, introduction of new manager).
- Increase in bickering, nitpicking or blaming at meetings.
- Systematic absence from meetings.
- 'Territorial issues arise': for example, a lack of clarity about roles, responsibilities and job descriptions results in employees not doing what they should or doing things that are someone else's responsibility.



"If you identify any behaviour that seems problematic, you need to look into it further and decide on the best course of action."

5 Communicate openly and respectfully / Encourage communication

- Let your staff know that you are willing to hear honest opinions and constructive criticism.
- Ask your staff for ideas on how to improve morale, office interaction and productivity.
- Keep in mind that your staff may have issues about the way you manage, so be open, not defensive.
- Encourage your employees to talk to each other to resolve issues as they come up.
- Read the information on the Intracomm on communication. See the page "Tools for preventing harassment" (see the link on the last page).

6 What if I am accused of harassment?

- You may contact the leading service HR.B5 (phone n° 56 666), send an e-mail to the following mailbox: HR HARCELEMENT or contact a confidential counsellor (see the link on the last page).
- If someone informs you that your conduct is offensive, take it seriously and attempt to resolve the issue.
- Find out what harassment is and how to prevent it by attending training or informing yourself from the Intracomm HR website (see the link on the last page).
- Talk to your RRH. They can help you to address the situation and / or offer help and guidance.



Test yourself

① Am I promoting a harassment-free workplace?

- Do I know what our policy is on the prevention and resolution of harassment in the workplace? Do I walk the talk?
- Am I applying the policy and doing what is expected of me as noted in the policy?
- Have I communicated the policy to my staff? Are they meeting the expectations noted in the policy?
- Do my staff know what behaviour I expect of them? Do they know what behaviour will not be tolerated?
- Am I available for my staff to come and talk to me? Am I intervening as soon as I sense there is a conflict between employees?

② Make use of the available resources

- You do not have to manage conflict and deal with harassment in your workplace alone.
- Contact your human resources manager or coordinator responsible for harassment issues to obtain information and guidance.
- Read the Commission's policy on harassment (see the link on the last page), and your own DG's, if it has one.
- Enrol in an awareness-raising session on harassment and in training on prevention and conflict resolution. The unit in charge of training and personnel development in DG HR offers many courses that can help the managers to improve their competences and their capacity to manage situations of harassment (see the section "leadership and management" in the Syslog Web Formation catalogue). Check whether your DG also offers such courses.
- For any other questions, consult the pages dedicated to harassment in the workplace on the DG HR site:



http://myintracomm.ec.europa.eu/hr_admin/en/equal_opportunities/Pages/index.aspx

