



**The role of social partners in preventing third-party violence and harassment
EPSU/HOSPEEM/CEMR/CESI/EUPAE/ETUCE/ETF/UITP/ETNO EC-funded
project.**

**Report of Webinar 5: Protection and compensation of victims of violence or
harassment**

4 March 2022

The webinar, attended by over 80 representatives from trade unions and employers, was the fifth webinar held in the framework of the social dialogue project on preventing third-party violence and harassment (TPVH) in the different sectors covered by the project (a wide range of public services and telecoms). The webinar gave a specific focus on procedures and processes that provide for the protection, compensation and supports for victims of TPVH, as well as the issue of holding perpetrator accountable.

The webinar was chaired by **Susan Flocken, European Director of ETUCE**, who opened the webinar with a statement condemning the invasion of Ukraine and the serious and challenging situation, with solidarity and support for Ukrainian people facing violence at this difficult time.

Rosella Benedetti, Chair of the ETUCE Standing Committee for Equality, welcomed participants and gave a short overview of the work carried out by ETUCE in raising awareness about third-party violence perpetrated by students, parents and family members. Since 2008, ETUCE has developed a range of policy measures and guidance materials on the issue. In addition, to pressing for a new comprehensive EU Directive on GBV (published on 8 March 2022), ETUCE has called for ratification of ILO C190 and to integrate its provisions into national laws and collective bargaining in a systematic way.

Jane Pillinger, Project Consultant, gave a brief overview of the previous Webinar on **Digitalisation and third-party violence and harassment at work: challenges and risks**, held on 16 December 2021 [see [here](#) for the report]. This followed with an overview of the main findings of the project's survey, which closed at the end of 2021. Following on from that, a short overview was given of existing European and international provisions related to protection and compensation for victims and for holding perpetrators of TPVH accountable, including existing EU directives on equal treatment, non-discrimination and victims' rights and provisions on protection, compensation and sanctions contained in ILO Convention No. 190 and Recommendation No. 206.



With the support of the European Commission

Dr Alessandra Menelao, UIL, gave an overview of the UIL's innovative services provided through a network of "listening centres" (Centri di Ascolto UIL Mobbing e Stalking). These have been established across cities and towns in all regions in Italy to provide support to victims of all forms of violence and harassment. The services are provided to anyone regardless of union affiliation and whether they are working or not. The listening centres provide confidential legal and psychological support, and a safe space to victims to report and seek help. A process is followed, involving an interview, assessment and a plan with supports. Throughout this process communications aim to build trust and a non-judgemental and welcoming approach. This is important as many victims are unaware of their rights and there is a lot of shame and silence about the issue. Efforts are made to seek evidence of harassment in order for the centres to report cases. The listening centres work closely with support services for victims in the community.

Data collected by the centres shows that 66% of victims seeking help from the centres are women and 44% are men, with the largest number of cases in the 41 to 60 year old age groups. During the pandemic, cases of domestic violence increased significantly and there was a small increase in femicides, which have been at a consistently high level since data was first collected in 2017. A further instrument introduced under legislation passed in 2016 is paid leave for victims of domestic violence, although it has been hard for women to access the leave because of the need for certification. UIL has requested that the government simplify the process to make it more accessible to victims of domestic violence. The most recent government plan on violence against women provides a good framework, modelled on the Istanbul Convention; however, it needs to be operationalised. A major step in 2019 was the reform of the criminal code and the inclusion of actions of violence and harassment, including cyberbullying and the provision of psychological treatment for perpetrators.

Kremena Dimitrova, FTTUB, Bulgaria provided an overview of the CBAs in the transport sector and related provisions on victim support and compensation. In the last 14 years CBAs have been concluded in the municipal urban transport sector in the capital city and large cities. Agreements have also been signed with many companies in different transport sectors. For example, the 2014 sectoral agreement in urban transport has a chapter on violence at work and gender equality, which includes measures to manage psychosocial risks at work as part of a zero tolerance approach to all forms of violence at work. In addition, employers can pay compensation to an employee who has suffered injuries, and the employer has to implement procedures on violence and harassment at work, including an immediate internal investigation, adequate disciplinary measures, victim support and provision of mental health support and measures to prevent all forms of violence and harassment at work. These provisions are now included in most of the agreements in the transport sectors, and with a focus on prevention of and ways to address physical and psychological violence, as well as protections for victims of violence and harassment. In getting recognition of the problem, the union carried out surveys, campaigns, information sessions and roundtables and to raise awareness about the problem and to break the silence around violence against women.

Today UIL is campaigning for the ratification of C190 through a broad alliance with civil society. Good practices include the development of prevention programme, training for union members and managers, psychological support from professional counsellors, a database to record the number of incidents of violence, the importance of guaranteeing the confidentiality of victims, and identifying named confidential persons in the company that victims can turn to for advice and information. Women transport workers also took part in self-defence courses to learn how to defend themselves.



Prevention of violence and support for victims, Brigitte Ollier, Senior Advisor, UITP which has 450 affiliates from transport operators and authorities. The first joint recommendation introduced nearly 15 years was in the field of insecurity in urban public transport. With recent increased levels of threats, anti-social behaviour, incivility and aggression associated with TPVH, including a worrying increase in TPVH during the Covid crisis, a new set of Recommendations was signed with the ETF in 2020.¹ This increase in TPVH not only impacts on the safety and well-being of workers it also affects the safety of passengers. The recommendations are action oriented. They cover prevention through awareness raising of workers, managers and passenger, such as communication campaigns for passengers and training on deescalating skills for workers. Close collaboration is recommended with police and justice institutions to ensure early intervention, including sanctions against offenders, and through engagement in civil dialogue with users, NGOs, media and schools to help prevent aggressive behaviours.

As well agreeing strategies and investments in technology and people to combat the problem, it is also important to have complaint procedures, collection of data and information about cases, along with reporting procedures that are accessible and simple to use. These are all important issues to address in preventing TPVH, so that there is safety for both workers and passengers. It is crucial also to ensure the balance between technological devices such as CCTV and people, recognising the importance of investment in people and to ensure the physical presence of people in patrolling public areas. Various provisions are included for recovery and the provision of psychological, legal and other support systems, management and union support, and phased return to work. Finally, all of the recommendations are to be addressed and implemented through company safety and health policies.

Yordan Krasev, Bulgarian Teachers Union, spoke about the union's successful lobbying to change the penal law in Bulgaria and the positive impact this had in reducing TPVH against teachers. The Trade union of Bulgarian Teachers is the largest TU in Bulgaria and has been a driver for reforms in education. Good cooperation exists through the Ministry of Education's Tripartite Council for Social Dialogue on improving the quality education in Bulgaria. In 2013 the union began lobbying for amendments to be made in the penal code, resulting in the change in the law in 2013. Article 131(2) of the law provides for the conviction of perpetrators of violence against teachers, amongst other professions, where bodily injury has taken place in the course of or in relation to carrying out his/her duties or functions. Prior to the change in the law a study carried out by the union found that 65% teachers suffered psychological violence and 2.5% physical violence, perpetrated by students and parents or relatives of students. Cases reduced dramatically after the change in the law.

In addition the union has carried out a range of actions to raise awareness, carry out research on cases of violence, training in dealing with and reacting to cases, and campaigns such as the "No to Violence" campaign which led to a petition being presented to government and the "For Kindness in the education" campaign. The union has lobbied for ratification of C190. Overall, with the Ministry of Education some measures have been implemented to reduce school-based TPVH, including training of 11 000 teachers on how to prevent aggression and to respond appropriately, long term prevention such as plans to increase extra-curricular activities in order to engage students' energy out of school, and training for teachers in social and emotional skills.

¹ Joint Recommendations of the European Social Partners in the urban public transport sector (UITP and ETF) on Combatting Violence and Insecurity in Urban Public Transport, 29 January 2020.

<https://www.uitp.org/publications/uitp-etf-joint-recommendations-for-combating-violence-and-insecurity-on-urban-public-transport/>



Discussion points:

- In relation to UIL's work, survivors of domestic violence face many barriers in taking up support. Under the law it is necessary to have certified proof, which is not easy, there is a culture of silence and many women do not report to the police because of fear.
- Femicides remain have consistently high since they were first recorded in 2017 at around 100 femicides per year. During the pandemic it was much harder for victims to make reports to the police.
- Support around TPVH is mainly from workers in the public services, transport and commerce.
- For the updating of the guidelines it would be useful to have some information on compensation for victims, including level of compensation, reintegration of victims in the job, and ways to prevent the repetition of offences.
- In the transport sector the level of compensation is dependent on the severity of cases. There are now improved levels of cooperation with police forces, including information sharing about potential risks of terrorism. However, it is harder to achieve a common understanding about incivility and quick responses from the police and justice system. Quick intervention is critical if we are to show offenders that TPVH is not acceptable.
- Covid-19 added further risks for transport workers, including when bus drivers had to remind passengers to put on their masks. As a result, these measures has been abandoned because it led to high levels of violence.
- It is important to ensure that future measures introduced on protection, compensation and holding perpetrators accountable are aligned with ILO C190 and relevant EU directives.
- These issues will be discussed in further project webinars at a sectoral level, and separate meetings will be held to explore the updating of the guidelines.

The presentations are available [here](#).

