

ASTRAPI SCIENTIFIC POLICY PAPER

ASTRAPI Final Conference
Nicosia, 27 June 2022

AIM OF IO5

- This paper is based on the experience gained by project partners in five countries, i.e., Bulgaria, Cyprus, Denmark, Greece, and Spain. It collects and attempts to synthesise information on relevant stakeholders' perceptions on existing legislation and good practices regarding sexual harassment in the five concerned countries.
- The aim of this paper goes beyond the description of the legal and policy framework with regard to sexual harassment; the main aim is to highlight how policies are evaluated by actors in the field, what kind of practices are deployed by different types of actors, and what kind of recommendations could enhance the scope and efficiency of policies and practices. In this sense, this paper attempts to enrich public dialogue with the experiences and suggestions of relevant stakeholders coming from different national and institutional settings.

RESEARCH CONDUCTED FOR IO5

- **Bulgaria:** eight interviews with representatives of trade unions, municipal institutions, a municipal hospital and a municipal vocational school, a private university and two private companies.
- **Cyprus:** a workshop with the participation of representatives of 14 institutions including: equality bodies, public institutions, municipalities, employers' associations, trade unions, universities and research centres and NGOs.
- **Denmark:** a survey to which 197 delegates from Danish workplaces responded. In addition, three focus group interviews were held. Finally, the internal efforts to prevent and deal with sexual harassment in the two unions, Dansk Metal and 3F, have been described and analysed.
- **Greece:** four focus groups (from 18/10/2021 to 15/11/2021) via the Zoom platform with 31 participants including: 28 relevant stakeholders, of which 3 Governmental Bodies, 5 private companies, 5 NGOs, 3 trade unions, 2 employers' associations, 5 Gender Equality Committees of Universities, and 5 Gender Equality Committees of Municipalities.
- **Spain:** 22 participants through five interviews and three focus groups. All participants were linked to six organisations: University of Barcelona, Rovira i Virgili University, Autonomous University of Barcelona, University of Girona, CCOO trade union, and FACEPA Federation.



STRUCTURE OF THE ANALYSIS

- Current knowledge and overview of existing legislation and policies on sexual harassment in each national context.
- Experiences and good examples of preventive and coping initiatives in the labour market.
- Potential recommendations for future formulated by relevant stakeholders.

OVERVIEW OF LEGISLATION AND POLICIES:

BULGARIA

- Sexual harassment does not seem to be a central issue in workplaces.
- Some respondents were familiar with what is regulated in the Labour Code and the Law on Protection against Discrimination, which is the basis on which action can be taken in the event of sexual harassment in the workplace.
- Sexual harassment and violence in the workplace are not explicitly mentioned in collective agreements.
- Incidents and formal complaints of harassment or violence have not been reported in the workplaces of the respondents.



OVERVIEW OF
LEGISLATION
AND POLICIES:

CYPRUS

- Most of the participants were familiar to some degree with legislation and the policy framework.
- Knowledge of policy framework does not reach a broader audience, due to lack or insufficient training.
- Legal and policy framework is deemed satisfactory; however what matters the most is the practical application of the law, and to become part of all parties involved.
- Codes of Conduct to Prevent and Handle SH in the workplace should be incorporated as part of the collective bargaining agreements by all organisations/companies.
- Support mechanisms for victims of SH should be established in organisations.
- The policy framework should also include clauses on the employer responsibility to undertake measures to prevent and protect victims of SH.

OVERVIEW OF LEGISLATION AND POLICIES:

DENMARK

- Around 2/3 of the respondents say that their workplace has a sexual harassment policy.
- Approximately 1/3 of all respondents have a policy with which they are "very satisfied", and additionally 1/3 of all respondents have a policy with which they are "somewhat satisfied". Only about 7% of those who have a policy respond that they are either "not very satisfied" or not at all satisfied with their workplace's policy in this area.
- 42% say that they have no experience in either preventing or dealing with sexual harassment in their workplace.
- About 1/4 of all respondents say they have had incidents of sexual harassment which they have dealt with well; 5.6% say they have good experiences preventing, and 5.6% say they have good experiences with both dealing with and preventing sexual harassment at work. 7.18% respond that there have been attempts in the workplace to deal with or prevent sexual harassment, but that it has not been very successful.



OVERVIEW OF
LEGISLATION
AND POLICIES:

GREECE

- Most of the participants were familiar to some degree with legislation and the policy framework.
- Only few of the representatives of the organisations that participated at the focus groups mentioned that they had to handle Sexual Harassment complaints.
- Legal framework is considered sufficient and provides all the tools that facilitate the victims of sexual harassment to report the incidents and pursue administratively or legally the perpetrators. Nevertheless, the cases reported each year are far less than the estimated extent of the phenomenon.
- There are some points of the law 4808/2021 (ratified ILO Convention 190) that need to be confirmed during its implementation and need to be clarified. For example, the creation of an autonomous department within the Labour Inspectorate Body that will oversee sexual harassment incidents is a positive step, but what is crucial is its strengthening with staff and resources.

OVERVIEW OF LEGISLATION AND POLICIES:

SPAIN

Strengths:

- Presence of policy framework on sexual harassment.
- Implementation of evidence-based policies
- Incipient incorporation of an Isolating Gender Violence (IGV) perspective in some policies
- Importance of informal support and reporting networks.

Weaknesses:

- Many other universities do not have protocols, or these are not known.
- Lack of positioning by universities.
- Need to improve the selection systems of those responsible for implementing policies
- Lack of mechanisms to prevent and manage IGV
- Need for sanctioning tools to combat the feeling of impunity



GOOD
PRACTICES:
BULGARIA

- Lack of reported cases was mentioned by all participants, representing public, municipal, private or non-governmental organisations.
- The collective agreement of the Independent Transport Workers' Union provides specific guidelines and measures such as:
 - The employer shall have a zero-tolerance policy to stop violence at work in its various manifestations - physical, mental, sexual.
 - The employer shall implement a policy to raise the awareness of managers, workers and employees through training in order to identify the signs of harassment and violence in the workplace, and to initiate preventive or corrective action to help victims. The measures shall also cover and be applied to third party violence.
 - The employer shall implement procedures to be followed in cases of harassment or violence, which shall include at a minimum: an immediate internal investigation and an impartial hearing; keeping statistics; seeking feedback; taking appropriate disciplinary action against perpetrators if they are employees of the same enterprise; supporting the victim and, if necessary, providing psychological assistance for their reintegration.
 - Measures aimed at preventing workplace violence and harassment, including gender-based violence and harassment, should be included in internal workplace regulations.



GOOD
PRACTICES:
CYPRUS

- The Ombudswoman Office was one of the main institutions that proceeded in the preparation of the Guide for prevention and handling sexual harassment in the public service sector. Moreover, the Ombudswoman Office regularly holds seminars in the wider public sector to discuss with their staff these issues.
- Training seminars are organised also by trade unions and NGOs.
- The Plan for Equality between men and women has as one of the seven thematic goals the fight against gender-based violence, where sexual harassment is defined as a form of violence.
- For most of participating organisations there are provisions in dealing with sexual harassment incidents, however some of them have not as of yet utilised the procedures described in the legal framework or the Code of Conduct.



GOOD
PRACTICES:
DENMARK

Dansk Metal:

- Initiative 1: Policy "Sexual harassment and bullying"
- Initiative 2: Internal preventive workshops in all Dansk Metal's teams
- Initiative 3: Courses in local branches of the Confederation of Danish Metal
- Initiative 4: Survey on well-being, including sexual harassment, among the organization's employees
- Initiative 5: Survey on sexual harassment among members
- Initiative 6: Prevention of sexual harassment in the automotive sector and best practice departments
- Initiative 7: Gender equality as part of the initial training of Dansk Metal's delegates

United Federation of Workers in Denmark:

- Initiative 1: 3F's policy on harassment
- Initiative 2: "Crossing the line" workshops within the organisation
- Initiative 3: 3F's whistle-blower policy
- Initiative 4: "Crossing the line" workshops in 3F's local branches
- Initiative 5: Collecting information on the number of cases in 3F's local unions.



GOOD
PRACTICES:
GREECE

- The Research Centre for Gender Equality (KETHI) published in March 2022 a Training Toolkit on Violence and sexual harassment in the world of work.
- The Union of Civil Servants' Associations conducted a large-scale survey in order to document to what extent employees in the public sector are subjected to sexual and moral harassment and sexist behaviours.
- Some large multinational companies have established online complaint mechanisms.
- EU-funded project, such as AS [EMBRACIVE "Embracing Diversity and Fostering Inclusion in the Workplace"](#).
- Municipalities and Regions have approved Gender Equality plans which include actions to prevent sexual harassment.
- The majority of participant organisations have either participated in related training or in organising training seminars on sexual harassment.
- Some of the participating organisations, especially the ones that have established Gender Equality Committees (i.e. Universities, Municipalities and Regions), have adapted their Gender Equality Plans.



GOOD
PRACTICES:
SPAIN

- Including the Isolating Gender Violence (IGV) perspective in policies.
- Forming formal and informal support mechanisms for victims of sexual harassment.
- Basing policies on scientific evidence that has demonstrated social impact.
- Incorporating co-creation processes in the design and implementation of policies.

RECOMMENDATIONS:
BULGARIA

- The legal framework is still missing, so any ideas, such as the tools that have been developed within the ASTRAPI project, collide with the reality.
- The Confederation of Independent Trade Unions is trying to force the ratification of the Convention 190 and then to introduce the relevant normative changes in the Labour Code, and hence to be reflected in the Collective Agreements.



RECOMMENDATIONS:
CYPRUS

- A comprehensive training programme should include:
 - Needs assessment, e.g. what you need to know and your perception on sexual harassment topics is;
 - take fear out of conduct with co-workers of being accused of either potential perpetrators or potential victims;
 - experiential training in teams as a methodology to share views, understanding and knowledge so that they can take ownership and feel part of the change in attitudes;
 - understand gender stereotypes and how they affect education, media, and social policy as a means to perpetuate patriarchal perceptions;
 - hold employers responsible for adapting measures for prevention and appropriate handling of sexual harassment incidents.
- There needs to be a systematic and unwavering effort for information, and awareness building.
- A greater effort needs to be placed to train the investigating authorities, the prosecuting authorities or even the judges themselves.

RECOMMENDATIONS:
DENMARK

- Shift from a direct to an indirect language in surveys about sexual harassment in the labour market. Don't (only) ask the question "Have you been sexually harassed?", but ask about different, concrete types of unwanted sexual attention ("jokes", comments, touching, invitations, etc.).
- More (specific) legislation on what a company is obliged to do to both deal with and prevent sexual harassment.
- Required training for management and delegates about how to prevent and deal with sexual harassment.
- Requirement for companies to set up a forum where among other things, sexual harassment will be on the agenda.
- Introduce a smiley system or something similar, open to the public, which indicates how a company is doing in their work to prevent and deal with sexual harassment.
- The level of compensation needs to be increased further. There is not enough financial incentive to ensure that sexual harassment does not happen.
- Leave out – in policies, in conversations, etc. – the focus on how harassed people should speak out against sexual harassment.



RECOMMENDATIONS:
GREECE

- Every organisation, company, NGO should make clear in every possible way that these behaviours will not be tolerated.
- People at every level (employees, employers, clients, suppliers) should be informed about their rights and about how to defend themselves.
- There should be a broader collaboration between the organisations (especially NGO's and Universities) including knowledge transfer, with training and awareness activities.
- In the annual budgets of organisations there, e.g. municipalities there should be specific codes for activities related to gender equality, gender-based violence issues and Sexual Harassment (gender budgeting).

RECOMMENDATIONS:
SPAIN

- Train the entire university community in scientific evidence to identify sexual harassment.
- Create networks of solidarity that support and encourage partnerships
- Act and report in case of witnessing sexual harassment, supporting, and protecting the victim without revictimizing. Be upstander.
- Setting up an office to attend and support sexual harassment victims with representatives from the entire university community, to ensure that protocols are activated when receiving a complaint.
- Include curriculum content about sexual harassment
- Periodically evaluate the measures adopted to prevent and monitor sexual harassment.

CONCLUSION

- There is a certain asymmetry among the concerned countries as far as policies and practices on preventing and handling sexual harassment are concerned.
- All countries have transposed in their national legislation the EU directives, nevertheless, there are seemingly significant differences regarding the range of policies and practices around sexual harassment.
- Differences in organisations' eagerness and flexibility to adapt their rules and regulations or set up mechanisms and tools to prevent and handle sexual harassment: large and well-established organisations, either companies or municipalities or universities are more capable to implement actual policies than small organisations.
- A lot remains to be done at the level of communication and exchange in order to spread information and enable persons at risk to have access to existing mechanisms.