



9th Staff Committee of the  
European Central Bank

# **CSAIO16**

## **Preventing and Combating Harassment in the workplace**

**08 October 2015**

**Tillmann Frommhold**

**Deputy Spokesperson of the ECB Staff  
Committee**

# Agenda

- **Definitions and Rules**
- **Combating: Processes in place @ ECB**
- **Combating: Experience in practise**
- **Prevention: What can you do?**

## European Central Bank Staff Rules

### TABLE OF CONTENTS

<b>PART 0</b>	<b>ETHICS FRAMEWORK .....</b>	<b>4</b>
	0.1 General provisions and principles .....	4
	0.2 Independence.....	4
	0.3 Professional Standards.....	11
	0.4 Private financial transactions .....	12
	0.5 Dignity at work.....	18
	0.6 Use of ECB resources .....	20
	0.7 Implementation .....	20
<b>PART 1</b>	<b>GENERAL PROVISIONS .....</b>	<b>20</b>

# Definitions and Rules

## Dignity@work - definitions

- **‘Dignity at work’** means the absence of inappropriate behaviour. Inappropriate behaviour means any form of direct or indirect discrimination, physical violence, **psychological harassment** (also referred to as bullying or mobbing) and **sexual 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 intentional acts that may undermine the personality, dignity or physical or psychological integrity of any person.
- **‘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.



# Definitions and Rules

## Dignity@work - examples of inappropriate behaviour

- Offensive or inappropriate jokes related to gender, race etc.
- Offensive language in words and volume
- Visual displays of offensive material on posters, via e-mail etc.
- Intimidating, aggressive or humiliating behaviour
- Unwelcome physical contact
- Assault

# Definitions and Rules

## Dignity@work - rules

- **Expected behaviour**

*Members of staff shall respect the dignity of their colleagues and refrain from any inappropriate behaviour that demeans others. They shall show sensitivity to and respect for others.*

- **Assessment rule**

*The inappropriateness of the behaviour shall be assessed objectively from the perspective of a reasonable third party.*

- **Protection**

*Members of staff initiating any such procedure shall not suffer any negative consequences therefor unless in the context of the procedure they are found to have made deliberately false or malicious complaints.*

# Combating: Processes in place @ ECB

## Informal procedure

Staff member concerned may

- Approach the alleged wrongdoer directly;
- Involve a trusted person of their choice including a staff representative;
- Involve their line manager;
- Involve the Social Counsellor

# Combating: Processes in place @ ECB

## Formal procedure

- Initiation by staff member or by observing managers (“shall report”) or by observing other staff members (“may report”)
- Request to take (interim) measures needs to be addressed to Director General Human Resources (DG-H) or deputy
- Obligation to treat such requests “rapidly, seriously and confidentially”
- DG-H or deputy may initiate administrative enquiry (potentially leading to a disciplinary proceeding)



# Combating: Experience in practise

- By nature no official information about informal procedures
- Staff Representatives often involved by staff to settle disputes with managers, some of them could qualify as informal dignity@work procedures
- No official information about formal dignity@work procedures in the last three HR annual reports
- How to get evidence/witnesses?
- How to maintain confidentiality?
- Risk in case of procedures with a manager as harasser which cannot be documented 100% waterproof: negative consequences more likely for the staff member initiating the procedure

# Prevention: what can you do?

- Have clear rules and a policy in place
- Communicate the policy proactively
- Create a culture, which fosters the avoidance of inappropriate behaviour
- Report examples of cases from the past in a neutral form to make it clearer what it means
- Treat cases equally independent of the hierarchy levels involved
- ...

