
Position Paper of the Trade Council 'Central Administrations and Finances 'and the Presidium

on third party violence against workers in central government administrations

Introduction

As has been demonstrated by a 2015 Eurofound report, there has been a clear rise in the number of cases of violence and harassment at the workplace in Europe in the past decade.¹ This violence takes different forms: it can take place inside and outside the workplace, it affects all sectors² and it is the result of the economic crisis, staff cuts and bad working conditions, amongst other reasons. Violence and harassment among and against employees bear serious consequences on the affected individuals' health and professional performance (e.g. a proven increase in the number of burnouts). The risk of psycho-social violence is increasingly present in the public sphere where one needs to deal on a daily basis with difficult patients, pupils or even customers.³ It is therefore extremely important to tackle this problem urgently.

To do so, CESI recommends actions to be taken both on a European Level but also at national level:

EU level

1. CESI demands greater attention to be paid to third party violence at European level. In this context, CESI wishes to see a better implementation of the framework agreement against harassment and violence at the workplace that was signed in 2007 by the social partners. Latest data indicate that the implementation of it has had no or very little impact on most eastern European countries. Furthermore an assessment in 2015 from the Commission assessed an increase in external violence in the public sector.

¹ Eurofound, *Violence and harassment in European workplaces: Extent, impacts and policies*, February 2015.

² Even if various studies on this issue have demonstrated that the public sector is affected to a greater extent by cases of external violence. Cf. for example the article published in the European Journal of Work and Organizational Psychology, *Workplace violence and the changing nature of work in Europe: Trends and risk groups*, Volume 22, Issue 5, 2013.

³ "Well-being and occupational safety & health (OSH) in central government administrations: tackling psychosocial risks at work", 2017, via

https://www.epsu.org/sites/default/files/article/files/EN_Guide_OSH_DEF.pdf

European Confederation of Independent Trade Unions • Confédération Européenne des Syndicats Indépendants • Europäische Union unabhängiger Gewerkschaften • Confederazione Europea dei Sindacati Indipendenti • Confederación Europea de Sindicatos Independientes

2. CESI also recommends a clear reference to this problem within the framework of a possible revision of the Safety and Health at Work Directive.⁴ Third party violence can not only be a subsection of psychosocial risks, but it is a problem of its own.
3. The implementation and a strict monitoring of the application of the Directive on Victims' rights need to be carried out. Recent data suggest that the overall impact of the directive was positive, but we still need to monitor the application of certain provision and of the principle of non-discrimination.⁵
4. It is important to strengthen and encourage platforms at EU level for national governments to exchange their experiences and best practices in order to reach the best appropriate solution to deal with violence at work.
5. Trade unions are keen to protect victims of third party violence. They are particularly called upon to create awareness, to provide protection and assistance in the frame of prevention and repression.

Clear definition

6. It seems that third party violence is still not uniformly defined.⁶
- 6.1. A clearer definition of third party violence would help to assess the existence of the elements of third party violence in order to better tackle preventive, repressive and support measures.
- 6.2. Furthermore, such clear definition allows awareness of third parties, workers, management and trade unions. The clear establishment of what can be considered as third party violence raises the awareness of all actors concerned.
- 6.3. Member states need to strengthen their legislations concerning sanctions for third party violence against civil servants and provide for easy accessible complaint mechanisms.
- 6.4. CESI highlights the responsibility of management in conflict management and in the resolution of psycho-social problems. This responsibility should be highlighted to a greater extent.

Enforcement

7. CESI would recommend the improvement of the enforcement tools or systems within the administrations themselves;
- 7.1. There is a need for improved information of and consultation with managers, workers and trade unions to further prevent third party violence at work. Clear reporting and complaint mechanism are to be established. Whistle-blowers need full protection. It is crucial to instore appropriate training for employees in order to enable them to deal with situations of third party violence, both in terms of prevention and reporting.

⁴ Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work.

⁵ 'The Victims' Rights Directive, European Implementation Assessment' 2017, via [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/611022/EPRS_STU\(2017\)611022_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/611022/EPRS_STU(2017)611022_EN.pdf)

⁶ "Well-being and occupational safety & health (OSH) in central government administrations: tackling psychosocial risks at work", 2017, via https://www.epsu.org/sites/default/files/article/files/EN_Guide_OSH_DEF.pdf

- 7.2. It is fundamental that clear reporting mechanism ensure the protection, given the case the anonymity of a person who wants to denounce a case of third party violence or harassment. A mediator at the workplace plays an important role.
- 7.3. Clear requirements/obligations on reporting but also clear guidelines on when it is appropriate to file complaints are fundamental. Too little violent acts are being reported, for this reason it seems important to install a procedure to monitor and investigate the possible actions considered as violence – such as consistent counselling and training about the elements of third party violence, prevention strategies and reporting mechanism. .
- 7.4. Complaint desks/interlocutors within trade unions would be useful. Autonomous Independent and accessible bodies (e.g. one-stop shops) must be set up. To know to whom to turn to is essential.
8. More scientific studies to be carried out. Despite the implementation of the social partner 2007 agreement and further developments in this matter, there is still insufficient evidence on whether the workers' protection has been improved by any of the implementing measures (EC Study 2015).

Political initiatives

9. Awareness-raising campaigns at EU and national levels through events, videos, initiatives at the workplace, through websites or apps must be supported. Member States should be encouraged to launch and run awareness-raising campaigns.
10. CESI recommends an increase in the number of personnel, equipment and training and thereto related investments in administrations. Since the financial crisis began, public administrations have been particularly affected by budget cuts that have had serious consequences for personnel. Staff shortages and lack of resources have often been the root cause of many tensions – both inside and outside the services.
11. A general political and societal statement on zero tolerance for third party violence in public administrations are indispensable so to warn potential aggressors, but also the general public (clients, customers, services users, members of the public, pupils, parents, patients or others) that violence against public servant will not act will go unpunished.
12. Finally, CESI demands that the image and the recognition of civil servants be improved and the value of their work highlighted. Respect for those working in public administration is '*conditio sine qua non*' for effectively putting a stop to third party violence against those working in central governments and finances administrations sectors.