

HARASSMENT & OTHER PSYCHOSOCIAL RISKS

*To stable, sustainable and effective solutions
combining a healthy and participative Management !*



VERBA: Commission says "ZERO tolerance to psychological and sexual harassment at the Commission" - *MyIntracomm* April 19, 2016 - and claims to have set up an effective system to severely punish any proven case of harassment.

FACTA: "CALCULEMUS" JUST ONE case of harassment has been formally recognized and sanctioned - by BLAME – since 2008 i.e. the date of implementation of the mechanism to deal with any cases of harassment within the Commission.

Facta non Verba!

Given the zero tolerance policy showed by the Commission, reading the political statements, browsing the texts and annual reports produced by DG HR and IDOC, we are entitled to ask whether the Commission would not be an earthly paradise which managed to eradicate all forms of harassment by severely punishing the few proven cases.

Unfortunately, the reality is quite different!

Indeed, JUST ONE case of harassment has been formally recognized and sanctioned - by BLAME – since 2008 (reference year for the establishment of a mechanism for dealing with any cases of harassment within the Commission), while almost **2,000 cases** were initially reported / open / identified and nearly **200 cases** examined in substance by IDOC ...

Within national administrations, rather than engaging in empty slogans, they work in the field and try to stem the problem.

As an example, in Germany we are delighted to note that harassment rates in the public sector increased from 5 %, while a few years ago it came close to 7 %!

Facts speak louder than slogans: within the Commission, a glaring suffering on deaf ears!

Regularly asked by colleagues who use their assistance, specialists and legal advisors of R & D often faced:

- ⇒ the lack of responsiveness of the appointing authority
- ⇒ the unreasonable delay of audits by IDOC,
- ⇒ lack of concern / care / awareness / interest, which the institution should nevertheless display towards colleagues who have filed a complaint or witnesses who are called to collaborate in the investigation.



Two weights and two measures

And specifically, when cases fall under complaints against their superiors, it is clear that colleagues are often left to their fate for months, undergoing pressure in a hostile climate, with sometimes serious consequences, both for their careers and for their health.

Too often, the same "treatment" is applied to colleagues who dare to testify in these investigations against their superior while this collaboration is imposed by the procedures in force (cf. Commission Decision [C \(2006\) 1624/3](#) of 26 April 2006)

Despite the reassurances of Administration and IDOC, we regret to observe that our reservations about the need to improve and clarify the procedures and practices seem to be widely shared, also outside our institution.

Opinion of the European Ombudsman on the only case of harassment sanctioned...

On the one hand, it is with satisfaction that we took note of the opinion of the European Ombudsman regarding a confirmed harassment case within one of the services of our administration: <http://www.ombudsman.europa.eu/cases/decision.faces/en/60356/html.bookmark>

This recommendation of the European Ombudsman strengthens the rights of complainants and other colleagues as witnesses during investigations by IDOC by recognizing them, namely, recognising their right to be informed of the findings of the procedure.

On the other hand, it is unfortunate, though, having to wait for the findings of the Ombudsman to ensure that the courage of colleagues is recognised and that the bureaucratic and the purely procedural nature of the Commission's responses is stigmatized.

The EP, through COCOBU, is now examining the file.

R&D particularly appreciated the quality of interventions at the seminar organized by the Budgetary and Control Committee, chaired by Mrs Graessle, president of this parliamentary committee, on the management of cases of harassment, including their financial consequences.

It is high time to overcome empty slogans such as "move from good intentions to deeds"

R&D invites the Vice-President Kristalina Georgieva to act ...

To pass finally from rhetoric to concrete actions, this is the invitation that we extend to Mrs. Kristalina Georgieva, Vice President in charge of Budget and Human Resources, which like its predecessors has, in turn, insisted on the implementation of measures to prevent and, if necessary, to severely punish any proven cases of harassment.

And to draw all the lessons from that...

To this end, to improve procedures, **R&D** proposes to draw lessons and teachings of the only proven case of harassment and of all other cases which were the subject of a formal procedure. Particular attention should be given to the duration of investigations, the conditions in which the victims were placed and the measures taken by the administration to provide an interim solution to the conflict, pending the findings of the investigation of the IDOC to ensure protection of witnesses called, to cooperate with the investigators and to adopt measures to indemnify, or compensate the victims of the consequences of both harassment and pressures faced.

R&D analyzed this file for you and makes proposals.

R&D, faithful to its commitments regarding its communication and action policy, conducted an analysis of the file concerning psychosocial risks based on expert studies, on the specific indicators of the Commission from administrative sources and makes proposals that will be complemented by the launch of a psychosocial survey with the help of a consulting firm.

On this basis, R&D will invite all concerned players to organize GENERAL STATES of psychosocial risks in order to establish a shared view of the current situation, to draw conclusions, to propose a genuine action plan and implement without delay concrete steps to no longer be limited to good intentions.

In this area, more than ever ... FACTA NON VERBA!

*Cristiano Sebastiani
President*

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In recent decades, the world of work has changed substantially. The industrial era has given way to the tertiary sector. Thus, the individual had to adapt his/her relationship to work according to the needs of his time.

In the recent past, physical health was the basis of a solid foundation of the company. Therefore, the employer and the social partners have undertaken the establishment of highly effective policies to preserve the physical health of workers.

Today, due to multiple factors, including the revolution of the digital world, new risks called "psychosocial" arose. These affect the emotional and mental health of workers and thus directly the health of the company and the administration, given the "turnover", repeated sick leave, early retirement and applications for disability pensions.


Thus, mental health experts were faced with patients with new occupational diseases. These practitioners have studied the causes of these conditions. Thus, a substantial number of medical researches, academic studies, and expert reports deal with this negative phenomenon and bring some answers

It took over twenty years to identify changes in work organization specifically involved in mental health in the workplace identified since the 1980s ([C. Dejours](#)). The European Union is primarily concerned with this phenomenon since it must respond to it in two areas on two fronts:

- first, as "guardian of the treaties" through the European Commission, ensuring that guidelines safeguarding health and safety are well respected in the Member States,
- the second, as an employer, ensuring that its staff enjoys the same rules of prevention imposed on Member States.

R & D does not absolve itself from trying to help in the management of the emergence of these new risks. In fact, we receive more and more colleagues in a moral state of suffering, suffering bullying situations, stress, burn-out ... Since those complaints have become recurring and we don't generally practice the "ostrich policy", we have invested a large part of our time in the study of these situations at the institution.

Indeed, our political vision is based on the analysis of the causes of a given situation by studying the consequences, proposing sustainable and effective solutions for our professional environment. **As trade unionists and workers, we have the duty to study and understand the risk factors that could cause a failure in the working lives of staff and thus develop, with the relevant services, a real staff policy focused on wellness at work, including a policy of prevention of psycho-social risks.**



Quality of work life was central to our platform for the renewal of the Brussels Staff Committee (2015-2018), R&D is committed to all the staff to implement effective prevention of psychosocial risks based on:

- ⇒ **A psychosocial risk prevention policy**
- ⇒ **An audit of working conditions and a measure of evaluation of stress within the institutions, to adopt prevention tools**
- ⇒ **Immediate assistance in case of difficulties within a service**
- ⇒ **An information to staff about the different consequences on health**

The professional context in which we live is certainly a multicultural wealth and a jewel of diversity, however it is essential to know how to manage this human capital for optimum operation of our services in preserving the health of our colleagues.

It is also important to remember the core values of the construction of the European Union: Peace and Solidarity!

On 20 September 2001 the European Parliament adopted a resolution on harassment at the workplace, highlighting the need for further studies on this growing phenomenon and proposing effective measures against this problem throughout the European Union. It urges the European Commission, the Dublin Foundation and the European Agency for Safety and Health at Work to initiate in-depth studies on harassment.

The research report of the European Foundation for the Improvement of Living and Working Conditions, Prevention of harassment and violence in the workplace, published in February 2003, highlights the general trend of increasing harassment based on race, gender, age and sexual orientation. It highlights the vulnerability of women in the workplace, and the costs that this phenomenon leads to both employers and in terms of productivity.

The European Court of Auditors points out in its report 3/2003 that some evidence shows that a sense of frustration in the working environment is felt by some members of staff of the European Institutions, which eventually retire for health reasons. The report also shows that mental disorders account for about half of the diseases causing disability in the Commission. The Court therefore recommended the adoption of adequate administrative measures for prevention and early treatment.

That same year, the European Commission adopted a policy (C (2003) 3644) of primarily preventative nature against all forms of harassment and violence.

Commission Decision (C (2006) 1624/3) of 26 April 2006 on the European Commission policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment at the European Commission has updated and consolidated this policy.

In 2004, the Staff Regulations incorporates Article 12a which becomes the legal basis of reference to deal with cases of harassment and sexual harassment ("any official shall refrain from any form of harassment and sexual harassment").

In order to respond to the concept of welfare, the Commission adopted a multiannual action programme 2006-2009 ("Towards a Strategy for Well-being at work at the European Commission").

To analyse the shortcomings, the Commission has launched three surveys of staff (opinion of staff survey in 2004, evaluation survey relative to work environment in 2005 and evaluation survey relative to welfare in 2005). One of those surveys noted that the working environment at the Commission appeared fairly stressful.

The requirements for the post, insufficient mastery of tasks to accomplish and lack of resources for the successful completion of the latter are the main reasons put forward to explain occupational stress. Moreover, a significant percentage of respondents (18.2% of 10 450 respondents) claims to have suffered at one time or another, from bullying at the workplace. The victims appear to be particularly prone to health problems (from the Commission Communication "Towards a strategy for well-being at work at the European Commission).

Other actions and initiatives followed...

Now, where are we?

The various policies and actions have they been enough to curb these risks? How does our institution, as employer, get through each day? Are managers sufficiently informed and trained to these risks? Which corporate culture would be best equipped to deal with the cultural diversity of our institution? What is the role of the Mediation Service? Does occupational medicine dispose of substantial resources to support colleagues in a state of mental and emotional suffering? Men and women of law have they enough material to defend or handle harassment cases?

Above all, can we differentiate, recognise and preserve ourselves from a situation of **moral harassment, sexual harassment, interpersonal conflict, violence, stress, burnout...?**

Too much ink has flowed with the words, used simply as a "magic shield" in situations that could have been resolved through dialogue and willingness on the part of the parties concerned.

R&D as a trade Union close to Staff will not only put into action its election commitments to all colleagues but also provide the first answers based on information in its possession and propose areas for discussion as well as solutions to ensure that our Institution is an example of welfare to work!

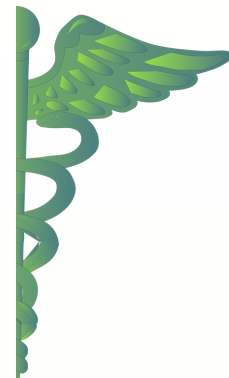
Our Mental Health

or the respect owed by the employer to his staff

Mental Health is available in two dimensions according to whether or not it is respected by the employer.

Health is a state of complete physical wellbeing, mental and social, which is not merely the absence of disease or infirmity (World Health Organization -WHO).

Mental health is a state of well-being in which a person can fulfil her or himself, cope with the normal stresses of life, do productive work and contribute to the life of her or his community. In this positive sense, mental health is the foundation of well-being of an individual and of the proper functioning of a community (WHO).



What are the two dimensions of mental health?



The consequences of non-compliance of mental health will encourage the emergence of psychosocial risks, particularly of "moral harassment".

This dimension will be exploited in this special issue of the "Renard Déchaîné".

What are psychosocial risks?

Psychosocial risk takes all aspects of work organization and management as well as the social and environmental context, asking could they harm the social, psychological and physical plans? (Cox et al. 2000). It is defined as a risk to the mental, physical and social health, the determinants of which are to search both in working conditions, work organization and interpersonal relationships that can interact with the mental functioning of workers (Combalbert and Armand 2016).

According to the European Agency for Safety and Health at work, psychosocial risks are the result of poor design, organization or labour management and of an unfavourable socio-professional context.

Among the working conditions which may lead to psychosocial risks we can mention: **work overload, conflicting demands and lack of clarity on the function to fulfil them, staff non-participation in decisions concerning it and**

its absence of influence on the embodiment of its business, organizational changes mis-managed and job insecurity, ineffective communication and lack of support from management or colleagues ...

These risks are the cause of various occupational diseases: depression and burnout syndromes, chronic stress, crossing over into aggressive acts, psychosomatic diseases, musculoskeletal disorders, etc. (Combalbert and Armand 2016)

Bullying is one of the most difficult psychosocial risks to define. It emerges, usually after a period of stress, violence, burnout ... We will bring some answers to identify it on time, to protect and, in extreme cases, to defend against it.

Psychosocial risks include verbal and physical violence, stress, burnout, moral and sexual harassment.

A new risk is emerging in recent times, 'boron-out' or boredom at work.



Psychological and sexual harassment are the only psychosocial risks recognized by the Staff Regulations of officials and other servants of the European Union.

Legal definition

Article 12a(3) of the Staff Regulations

'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.

Case F-52/05

The Court interpreted for the first time this article. It held that: *"For a moral harassment within the meaning of that provision is established, it is not a requirement that such physical behaviour, spoken or written language, gestures or other acts were committed with the intention of undermining the personality, dignity or physical or psychological integrity of the individual. It is sufficient that the actions have led objectively to such consequences."*

This definition is similar to the clinical definition given by Marie-France Hirigoyen

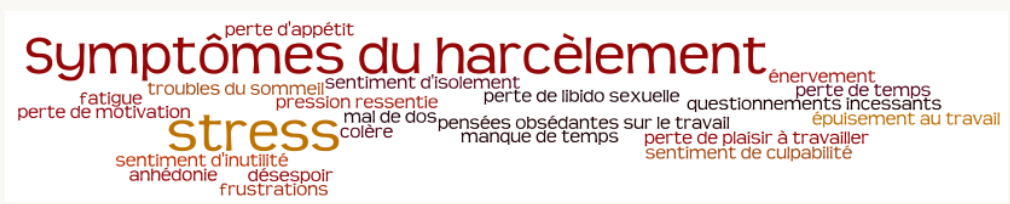
Concept of psychological harassment according to experts

Given the complexity of bullying, it is important to define the concept so that staff can benefit from effective tools to identify it and react in time.

As stipulated by [Sean Van Raepenbusch](#), in his study "The judge facing harassment in the disputes of the European civil service" while Judge at the Court of the EU Civil Service (today, he holds the role of Chairman): *"it is imperative to carefully define bullying to prevent that, under the cover of this concept, are in fact implicated the poor working conditions, an overload work, poor administration, a quarrel between people at work, or a reorganization of services, a decision to reassign, a resented assessment of merits. Thus, the fact that an official has a difficult relationship or conflict with colleagues or superiors or that she/he considers it wrong that her/his views or recommendations are rejected, does*

not constitute, by itself, a demonstration of harassment... The facts or acts in question should aim specifically to undermine the dignity of a person by creating humiliating or degrading working conditions, making such acts particularly serious."

We have used expert definitions covering the concept of harassment.



How to recognize it?

Harassment is considered a psychological violence consisting of words or actions that aim to destabilize or injure another, but also to submit or control her/him, in order to keep a position of superiority (M-F Hirigoyen).

The origin of psychological harassment is based on various psychological, sociological and managerial factors that interact and reinforce each other.

The psychological pressure caused by the demands of the professional environment causing more and more antisocial behaviour, interpersonal conflict, lack of respect and recognition has become a major concern, especially as the world of work does not always match with a professional development to some.

Management methods in recent years do not help to prevent these situations. Instead, a production-centred management involves pathogenic psychological pressure. Each employee is accountable and must be evaluated on objectives.

Overwork is real and psychological. It results in a mental load that occurs when one has trouble not thinking about work, not sleeping peacefully and the release of this professional stress seeping into the private life. Anti-social behaviour, disrespectful methods of management, lack of recognition, the constant pressure, the implicit threat of losing his/her job makes the work environment threatening (Harcèlement moral au travail— Comprendre et se défendre—Dunod 2014)



Marie-France Hirigoyen

Psychiatre—Psychanalyste

[VOIR LA VIDEO](#)

https://www.youtube.com/watch?v=_sv6acUmZ7Q

Marie-France Hirigoyen confirm this statement.

These situations are fertile ground to sow and cultivate harassment. .

Recognize the risk at the organizational level

According to experts, some changes will create a situation that will weaken people. These changes include **permanent restructurings, reorganizations** and / or **moves** that are a source of concern to the staff. All studies show that if the changes are not accompanied by a healthy communication and dialogue, they are a bullying risk factor. The fear of being in a position of incompetence, of losing her/his professional identity or job, develops.

These changes also undermine managers who serve as a buffer between their team and the hierarchy. They must know how to manage the fears and frustrations of their colleagues. Sometimes, lack of managerial experience and / or lack of hierarchical superior support during these changes will promote harassment situations of which the affected person is not really conscious.

Mr Sean Van Raepenbusch also states in his report that the surveys confirm that cases of harassment tend to emerge in particular under stressful environments, service restructuring or frequent task reorganizations, which maintain the culture of excellence and of continuous improvement and uses assessment tools, including individual, based on rating scales and objectives. This does not call into question the management of policies, but only the awareness of this reality...

The recognition at the individual level

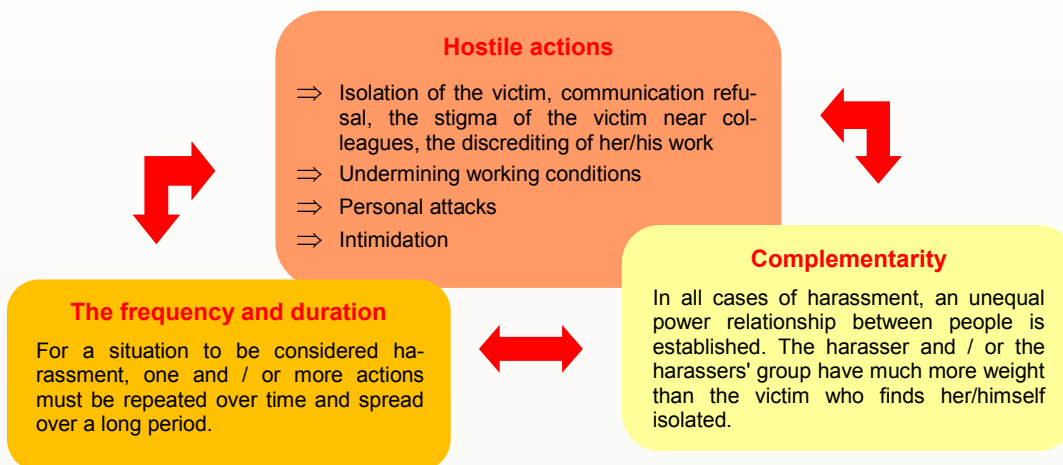
According to [H. Leymann](#), harassment is a sequence over a long period, from external and hostile behaviour expressed or displayed by one or more persons to a third person. Its essential process of action is the **manipulation** and then the **destruction** of the target.

The actions must be repeated. It involves a complementary relationship: either the harasser creates an inequality or strengthens an existing one in order to dominate better.

Harassment that lasts more than 6 months is considered very serious and dangerous to the health of the victim.

Three elements constitute harassment

According to medical experts, a bullying consists of frequent hostile actions, spread over time and based on a complementary relationship.



The Court of the European Civil Service has also identified three elements: duration, infringement of privacy, dignity or physical or psychological integrity of a person - real aggression - and intent.

Intention is retained as the criteria that will help to establish the bullying case. Sean Van Raepenbusch recounts in his study that "*the intention of harming precisely explains the trauma of harassment and can make it particularly serious, especially when the person perceives the malevolence which her/him is subject. Certainly, there is not always conscious malice in the treatment by a supervisor or colleague to a worker. But the lack of consideration can be malicious by the consequences it entails when such consequences are usually predictable ... This intention is, most of the time difficult or impossible to prove, as this demonstration can*

lead the victim to have to scrutinize mobile secrets of the harasser, who will avoid, in general, any conduct that might suggest her/his intention to discredit her/his victim or degrading working conditions thereof, for unmentionable reasons (under envy, jealousy, rivalry, fear or denial of difference, the settlement account). In addition, malicious intent can be unconscious, repressed, in the sense that the harasser can not measure the consequences of their actions and not be able to feel any empathy for her/his victim."

**There are three types of bullying situations:
descending vertical harassment, ascending vertical harassment and horizontal harassment**

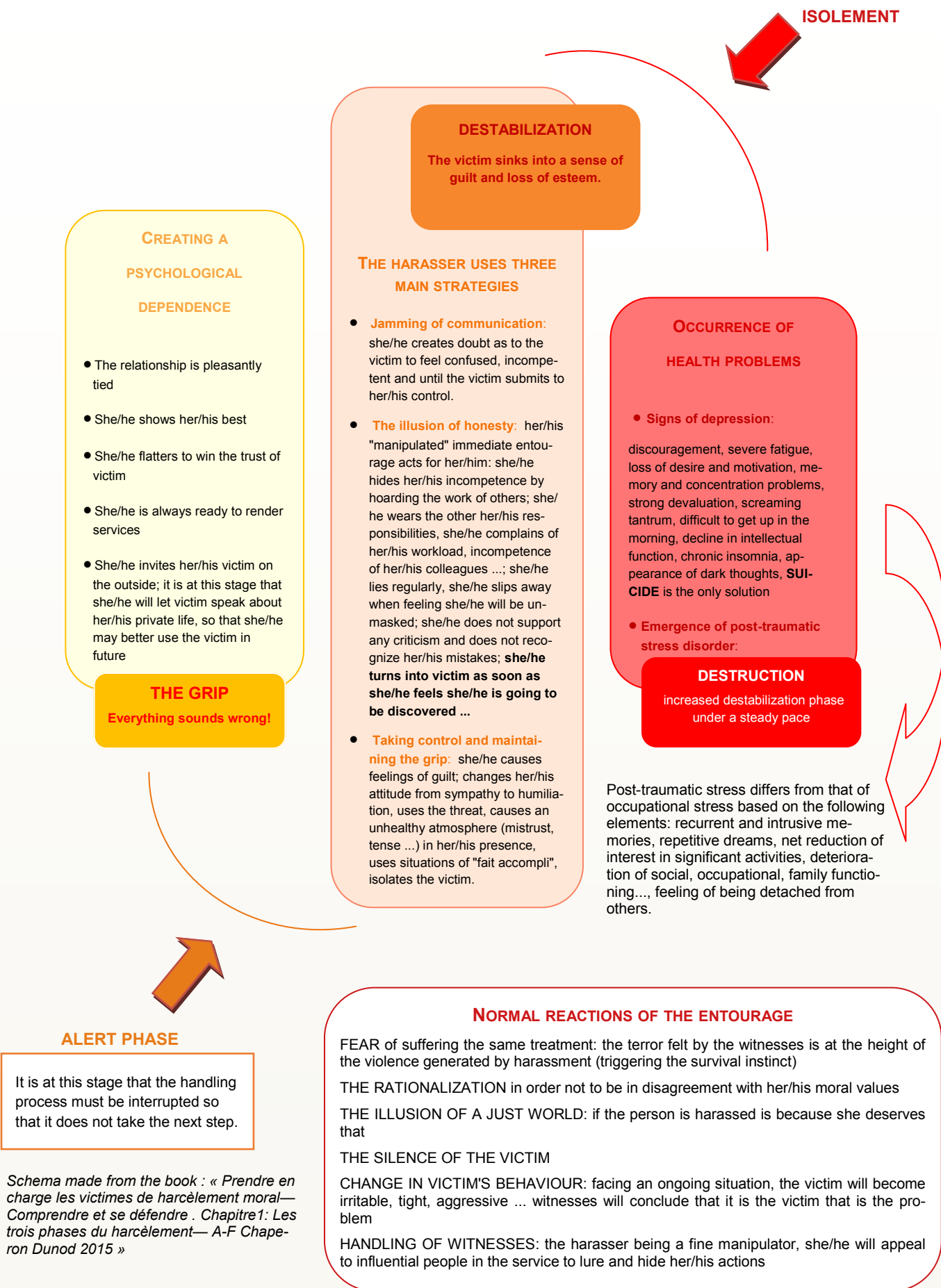
To cope with bullying, it is important to understand the different situations in order to identify and protect oneself

<p>Descending vertical harassment</p> <p>Collaborator harassed by a superior,</p>	<p>Ascending vertical harassment</p> <p>Harassed manager * (manager function questioned)</p>	<p>Horizontal harassment</p> <p>Harassment between colleagues without hierarchical link *</p>
<p>Key triggers</p> <ul style="list-style-type: none"> ◆ Contexte organisationnel anxio-gène: incertitude, changements ◆ Manquements chez le manager ◆ Top management trop autoritaire ou trop laxiste ◆ Résistance à l'autoritarisme du manager ◆ Estime de soi menacée chez le manager, en lien avec un sentiment de jalousie envers son subordonné <p>Key behaviours the harasser</p> <ul style="list-style-type: none"> ◆ Re-appropriation of subordinate's skills and achievements ◆ Abusive demands ◆ Conflicting orders ◆ Humiliating or degrading instructions ◆ Malicious remarks ◆ Lack of clear guidelines ◆ Failure to communicate ◆ Fuzzy Communication that leads to errors ◆ Shelved: not convening to meetings, information retention, etc. . ◆ Marginalization: office isolation, removal of files and equipment ... <p><small>* Most common cases according to the European Foundation for the Improvement of living conditions at work</small></p>	<p>Key triggers</p> <ul style="list-style-type: none"> ◆ Jealousy from the subordinate who thinks he deserves the job ◆ Not accepting the change of manager ◆ Rivalry, power struggle <p>Key behaviours the harasser</p> <ul style="list-style-type: none"> ◆ passive aggressive behaviour: repeated delays, repeated absences, more or less obvious opposition, non-respect of deadlines, work not done or badly done ◆ Rumours ◆ Regular reporting of objectives ◆ Challenging of manager's style ◆ Reviewed the skills and personality of the manager ◆ Undue harassment accusations since the manager gives instructions, makes remarks ... <p><small>* Approx. 9% of cases according to the European Foundation for the Improvement of living conditions at work</small></p>	<p>Key triggers</p> <ul style="list-style-type: none"> ◆ Management approach too vague, leaving people without true benchmarks and delivered to themselves ◆ Pressure related to the context of the company (reorganization ...) ◆ Jealousy ◆ Rivalry ◆ Difference, minority <p>Key behaviours the harasser</p> <ul style="list-style-type: none"> ◆ Teasing, taunting ◆ Rudeness ◆ Threat ◆ Treason ◆ Isolation, no longer speak, denied contact ... <p><small>* Approx. 44% of cases according to the European Foundation for the Improvement of living conditions at work</small></p>

*Tableau made from the book : Harcèlement moral au travail—Comprendre et se défendre .
Chapitre3 : Dans quel sens se fait le harcèlement ? Odile Jacob 2014*



The three steps of harassment: grip, destabilization and destruction



Schema made from the book : « Prendre en charge les victimes de harcèlement moral— Comprendre et se défendre . Chapitre 1: Les trois phases du harcèlement— A-F Chaperon Dunod 2015 »

Recognition of various disorders of the harasser

The harasser is someone who builds relationships with colleagues based on power relations, mistrust and manipulation.

In general, the purpose of the manipulator is to reach quickly across the hierarchy and to take power. If he/she can not reach it or if he/she has already achieved and he/she feels threatened, he/she will address the colleague with the right skills for the job in question.

Commonalities/shared features can be found among harassers at the level of their personality. They suffer from "narcissistic perverse" pathology.

Other disorders are grafted to this personality, such as paranoid, borderline, obsessive and anti-social.

It is important to note that those affected by these personality disorders do not necessarily have all of the behaviours of harassers. It is a set of characteristics, related to childhood that may or may not favour, **in a particular context**, acts of harassment.

For these reasons, we must be very vigilant to work conditions, management methods and workspace within our Institution.

Why this need to harass?

Harassers are acting out of fear, lack of emotional intelligence and social skills, need to assert, by envy or jealousy, passivity

The harasser chooses her/his target...

The harasser acts as a predator. He/she will look at the other what lacks, her/his skills, energy, psychological balance, self-esteem ... he will pour all his frustration at a colleague who has no way/means to defend her/himself. He/she needs to feed on the qualities of her/his victim. He/she will pump her/him up to make a scarecrow if no one intervenes.

According to H. Leyman, isolating the target is the preferred approach of the persecutors. There are many ways to isolate: do not say hello, do not speak, withholding information, do not invite to meetings, office removal, spreading rumours, distort and interpret remarks, raising people up against people, convey the idea of madness ...

For these reasons, it is important that colleagues with knowledge or having witnessed such a situation can refer to different stakeholders as stipulated in Point 4.6., 2nd paragraph, of Commission Decision of 26 April 2006 C1624/3: "**Any person who is made aware of, or is a witness to, someone's conduct which appears to be improper according to the above descriptions, has both the right and the duty to so inform whichever of the parties mentioned in this point (departments of DG ADMIN, Confidential Counsellors, Mediation Service, Human Resources Managers, Hierarchical Managers) They are also obliged to cooperate in the smooth running of all enquiries carried out as part of the formal procedure.**"



How to protect her/himself psychologically?

It is paramount that the victim takes the initiative to be heard and have recognized her/his situation by professionals. It is the recognition of the status of victim that will trigger the understanding of the situation and take the victim to the road to recovery.

Faced with a situation of harassment, it is important for the victim to:

- ⇒ Develop a social network and not to let the harasser isolate her/him, as one of her/his first intentions will be the isolation to better control her/him. She/He will try several times...
- ⇒ Maintain stress moderators
- ⇒ Learn to manipulate against: She/He must feel that the victim is indifferent to her/his actions



Anne-Françoise Chaperon

Clinical Psychologist

[SEE THE VIDEO](#)

<https://www.youtube.com/watch?v=oHnHZOnJEB4&feature=youtu.be>



Few examples of psychological harassment situations « [my intracomm – definition of psychological ant sexual harassment](#) »:

- ⇒ 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;
- ⇒ setting clearly unattainable individual objectives;
- ⇒ not being allocated any task corresponding to the job description or systematically being given tasks which do not meet their profile.
- ⇒ stalking.

What does not generally constitute harassment

- ⇒ allocating work;
- ⇒ following up on work absences;
- ⇒ requiring performance to job standards;
- ⇒ 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 carried out in a manner that is offensive, humiliating or embarrassing rather than in a constructive and sensitive manner.

According to the 2015 report of the DG HR E3, on the policy to prevent bullying and sexual harassment at the European Commission, 78% of cases handled by trusted individuals could be conflicts.

Difference between harassment, violence and conflicting relationships

People who consider themselves harassed often rely on their feelings. It is therefore important to distinguish between a situation of harassment and a situation of violence and conflictual relations. In the table below, you can distinguish the difference between these two situations.

Harassment	Conflict
The harasser denies any problem or puts all responsibility back on the victim.	Mutual accusations are clearly expressed by both sides.
The harasser is in a strong position, and makes more or less explicit threats and never questions her/himself.	Les deux parties s'affrontent d'une manière symétrique.
The harasser does not attempt to solve the problem; rather, seeks to maintain it. Harassment situations last very long.	Both parties, by competing, have the desire to find a solution to the conflict. Conflict situations, if they do not degenerate into harassment, generally have a limited period of time
The harasser is pleased with the situation, and enjoys destabilizing his/her victim.	Both parts suffer from the situation.
The victim is trapped with opportunity to defend her/himself.	Everyone tries to defend her/himself by bringing /herhis own arguments. .

Source: « Prendre en charge les victimes de harcèlement moral—A-F Chaperon Dunod 2015 »

Difference between a genuinely harassed person, a person who lives in interpersonal conflict, and harassers posing as a victim

Unlike the harasser or a person living a conflict, the victim of bullying will live the situation in a guilty way even including excusing her/his harasser. It is usually in an advanced state of the situation, when the victim can no longer cope with her/his day-to-day life, or when she/he develops a disease related to her/his experience, that the harassment will be diagnosed.

People harassed	People living a conflict	Harassers
In most cases, people who suffer from bullying are not demanding, do not come to complain directly about harassment but wonder what is wrong with them for suffering so much.	The situation of conflict is usually clearly described by patients. They do not necessarily feel guilty or responsible for the situation.	Some harassers victims are pushed by those around them to see their doctor, they can sometimes respond to a duty of care. In this case, they tend to victimize themselves, they overwhelmingly reject the blame on each other but are not willing to challenge themselves.
People under the influence of a manipulator tend to excuse the behaviour of their hangman/ woman.	They generally believe that the blame is shared.	They use virulent and accusatory language towards their victims.
People under psychological domination are rarely procedural, which is not the case of real harassers.	They seek an accompaniment to exit the conflict as soon as possible.	Harassers are procedural, they thoroughly prepare their "defence". They often exhibit paranoid traits in their personality.
The clinical picture is characteristic: in the case of persistent harassment, there are symptoms that suggest a post-traumatic stress disorder. Early in the process, the patient has not yet developed symptoms.	The picture can show an anxious type of disorder and / or depression, but without traumatic component.	Harassers rarely suffer from depression and have no major complaints on a physical level. They have a great emotional coldness.

Source: « Prendre en charge les victimes de harcèlement moral—A-F Chaperon Dunod 2015 »

The consequences of harassment

Harassment consequences are catastrophic both in the health of the victim and at the financial and organizational level of the employer. All studies and experts are unanimous about that.

Effects on Health

Psychological harassment affects the physical and mental health of the victims.

According to MF Hirigoyen, bullying causes or promotes many psychological or psychosomatic disorders, but given that this is an evolutionary process, the severity of symptoms depends on the stage of evolution: the more the harassment continues and hardens in frequency and intensity the more the health of the victim is deteriorating ... The impact on health also depends on the support that the person will benefit from, as well as of her/his personality traits that may constitute a protective factor or an aggravating factor.

Respecting the other [person] means regarding her/him as a human being and acknowledging the suffering inflicted on her/him.
M-F Hirigoyen

Physical consequences

According to a comparative study* of adaptive mechanisms and psychosocial effects on stress at work and harassment conducted by the psychiatric department of the CHU-Brugmann Brussels, the physical consequences are an increased incidence of **cardiovascular disease, fatigue, sleep disorders, headaches, gastrointestinal disturbances, loss of energy** and a **dry throat sensation**.

Psychological consequences

According to the study*, victims of bullying have a degree of mental suffering significantly higher compared to other stressed people as well as a rate of severe depression significantly higher.

The psychological consequences are numerous and include **decreased self-esteem, depression, anxiety, sleep disorders, feelings of hopelessness, tension, nervousness, impaired concentration**, and symptoms of **post-traumatic stress disorder, burn-out** and even **suicide**...

* « *Stress au travail et harcèlement moral: une étude comparative des mécanismes adaptatifs et des conséquences psychosociales—CHU Brugmann, service de Psychiatrie, Université libre de Bruxelles* ».

According to a study * of the INRS (National Institute of Research and Health -FR) performed on 94 patients harassed, two symptoms are often repeatedly mentioned in over half of the cases, it is **anxiety** or **distress** with **physical manifestations** and **nightmares**. Seven other symptoms are common in over a third of people: **reactive insomnia, cognitive impairment, frequent crying, affects of fear on the way to work, loss of self-esteem, specific identity confusion** and **somatic damage**.

Phase de décompensation	Hommes	Femmes	Ensemble
Stress post-traumatique	54,8	69,8	64,9
Affects de peur sur le chemin du travail	32,3	47,6	42,6
Anxiété, angoisse avec manifestations physiques	61,3	77,8	72,3
Cauchemars intrusifs	64,5	76,2	72,3
Réveils en sueurs	22,6	14,3	17
Insomnie réactionnelle	41,9	49,2	46,8
Retour en boucle des scènes violentes, etc,	29	36,5	34
Pleurs fréquents	16,1	60,3	45,7
Dépression	35,5	30,2	31,9
Désarroi identitaire spécifique	41,9	38,1	39,4
Sentiment de culpabilité, position défensive de justification	22,6	36,5	31,9
Perte de l'estime de soi, ...	45,2	38,1	40,4
Restriction de la vie sociale et affective	16,1	20,6	19,1
Atteintes cognitives	41,9	49,2	46,8
Atteintes somatiques	35,5	39,7	38,3
Raptus suicidaire	19,4	17,5	18,1
Répression de l'agressivité réactionnelle	12,9	6,3	8,5
Atteintes de la sphère gynécologique	-	28,6	19,1

Problèmes de santé les plus récurrents—Tableau INRS (documents pour le médecin du travail)

* « *Etude d'une cohorte clinique de patients harcelés: une approche sociologique quantitative* »

Fortunately, it is possible from a clinical point of view to identify and diagnose a bullying state. Indeed, the symptoms of bullying allows a clinician with experience in this type of situation, to diagnose the reality of bullying, only from its consequences on human health, and distinguish it from other psychosocial risks and of abusive complaints.

Note that the team of Psychiatry of CHU Brugmann (Brussels) is specialized in the field of identification and diagnosis.

Extreme case: Suicide

According to C. Dejours "Suicide and work, what to do? *" Multiplication of suicides at work result not only from the injustice, disgrace or harassment. It results mainly from the excruciating experience of the silence of the other, abandonment of others, the refusal to testify of others, and cowardice of others.

The victim of harassment resists psychically much better if she/he enjoys the moral support and thoughtfulness of others.

While standing alone facing attacks, the victim does not know whether to understand the cowardice of others as treason or rather as a pejorative judgment shared by all, on the poor quality of her/his work ... She/he runs out ... until she/he makes

The silence of others when confronted with the harassment of a colleague precipitates the disintegration of the common sense of justice, dignity, solidarity, i.e. what constitutes the common "soil" on which is built the "world", the one where we live together in the plurality of women and men.

Hannah Arendt

Suicide case in a company

Ms Rachel Saada spoke at the conference "Health and Work: Rethinking links" organized by the association "Travail Santé Société Terri-toires" (TSST) in France, on the case of a suicide at Renault.

She explained in her speech the difficulty of defending a man "Antonio" who decided to end his life at his workplace. She outlines the method she used to gain recognition of the suicide as a consequence of psychological harassment.

Ms Rachel Saada invoked in her arguments the obligation to ensure security results of the employer by highlighting the following 3 points:

1. **Culture of shortage of staff:** the same work must be done with less staff
2. **The cult of performance included in the evaluation interviews** since the performance was the key to those interviews and that it can be part of the day-to-day life of staff. The performance required being exceptional, the staff cannot be so continually throughout the day, weeks, months, years...
3. **The continuous workload** invading the privacy and sleep of the person.

Antonio was only the singular event of an abnormal collective risk

mistakes that aggravate harassment and convinces her/himself that she/he is guilty and deserves disgrace.

So the spiral of depression, with feelings of fraud, misconduct, etc., may seize the employee with such brutality that she/he can commit suicide.

One suicide is, de facto, a problem that affects the entire working community, insofar as its occurrence indicates in depth deterioration of all the human and social fabric of the workplace.

When an employee commits suicide for reasons that are related to work, it's actually the whole working community that is already suffering.

* « Suicide et travail, que faire? Briser la loi du silence. C. Dejours, F. Bègue PUF 2012 »

The Court reached two conclusions:

1. **Health is not just a matter for the occupational health department but the responsibility of the whole company**
2. **The workload must be obligatorily assessed especially if the person is working on several tasks**



Me Rachel Saada

Lawyer specialist in labor law
Paris—France

[SEE THE VIDEO](#)

<https://www.youtube.com/watch?v=2KbioaaqGw>

Financial implications

Cost of absenteeism

According to a study by the CHU Brugmann, harassed persons are twice as often on sick leave than people suffering from stress (35.9% against 17.5%) and the duration of the leave is longer (11 months).

Early retirement departures and disability pensions have to be added to sick leave; besides the European Court of Auditors in its report (No. 3/2003) had pointed out that some evidence shows that a sense of frustration in the working environment is experienced by some staff of the European Institutions, which end up taking retirement for health reasons. The Court therefore recommended the adoption of adequate administrative measures for prevention and early treatment.

According to the EP report on harassment at work, the absence of a worker costs between 100 and 400 € per day. In one year, a worker feeling harassed can cost between 17,500 and 50,000 € for the employer. For only one post, staff costs reach a flow estimated between 7,500 and € 400,000, depending on qualifications.

Cost of a formal procedure

According to the mediation service, if harassment is treated formally as required by the Staff Regulations, the cost would average € 50,000 per case.

Thus, the intervention of the mediation service would have produced a saving of about € 1 000 000 just for 2014 considering that it has found a solution to approximately 200 cases.



Collateral impact

In addition to the health consequences and in financial terms, bullying affects the family and colleagues of the victim.

Impact on colleagues

Colleagues witnessing these acts and who do not intervene in this process do nothing but to reinforce it.

And complacency and complicity of colleagues allows the perpetrator to continue when they could stop her/him by their disapproval.

Moreover, their silence and lack of support are a further aggression to the targeted person that accentuates her/his isolation.

But it may be that colleagues have not seen this process due to the subtle character of the actions (do not forget that we are dealing with a joystick); it is also possible that colleagues do not intervene for fear (they are therefore affected by the situation and may also have a high level of stress). Sometimes colleagues may have an incorrect assessment of the situation, attributing responsibility to the victim.

Impact on family

Psychological harassment affects the privacy of the victim sometimes causing a separation or divorce.

According to Ms M-F Hirigoyen, given that it is a chronic disease of which the family do not know the origin, the family can doubt the partner or parent. In her practice, she has found that the wives of a male victim feel badly that their spouses are poorly defended. This victim status "emasculates" their partners.



What are the possibilities to appeal against the psychological harassment for the officials and agents of the European Union?

The European Union and its institutions are very sensitive and openly condemn any harassment. In 2004, the Staff Regulations was given a specific article so that every officer and agent shall refrain from any form of harassment.

Legal framework

Article 12a of the Staff Regulations

1. Officials shall refrain from any form of psychological or sexual harassment.
2. An official who has been the victim of psychological or sexual harassment shall not suffer any prejudicial effects on the part of the institution. An official who has given evidence on psychological or sexual harassment shall not suffer any prejudicial effects on the part of the institution, provided the official has acted honestly.
3. "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.
4. "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.

Article 24 of the Staff Regulations

The Union shall assist any official, in particular in proceedings against any person perpetrating threats, insulting or defamatory acts or utterances, or any attack to person or property to which he or a member of his family is subjected by reason of his position or duties. It shall jointly and severally compensate the official for damage suffered in such cases, in so far as the official did not either intentionally or through grave negligence cause damage and has been unable to obtain compensation from the person who did cause it.

Article 31.1 of the Charter of Fundamental Rights of the European Union

Every worker has the right to working conditions which respect his or her health, safety and dignity.

Decision (C (2006) 1624/3) du 26th April 2006 on the European Commission policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment.

Jurisprudence

Accuracy of the concept of harassment

(F-26/09 du 09/03/2010; F-45/10 du 04/04/2011; F-100/09 du 13/09/2011; F-42/10 du 16/05/2012; F-61/10 du 16/05/2012; F-41/10 du 25/09/2012; F-124/10 du 26/02/2013)

- Harassment is defined as an abuse that materializes by behaviour, words, acts, gestures or writings manifest a sustainable way, repetitive or systematic, which means it is in the term that the conduct must be repeated, and continuous volunteers, as opposed to accidental.
- The actions are undermining the personality, dignity or physical or psychological integrity of a person. There can be no harassment there is evidence that the stalker had heard through his actions discredit the victim or deliberately degrading working conditions. Simply that these actions, since they were committed intentionally, led objectively have such consequences.
- Regarding the abusive nature of the conduct: there is harassment provided it is of sufficient objective reality, in the sense of an impartial and reasonable observer, with normal sensitivity and placed in the same conditions, consider the behavior or the measure in question as excessive and criticism.

Harassment is a form of discrimination

Art.2 §3 of the Directive 2000/78 / EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation "*(it) is considered harassment as a form of discrimination. When unwanted conduct related to any of the grounds referred to in art. 1 takes place with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating, offensive.*"

Article 24 of the Staff Regulations

Its aim is to protect EU officials against harassment and against any treatment whatsoever, not only from others but also from their hierarchical superiors or colleagues (ICTY 25/10/2007 T-154 / 05)

Removal measures

After three stops (F-52/05 of 09/12/2008; T-80 / 09P 12/07/2011; F-52/05 RENV of 02/10/2012), of title to removal orders preventive, in the presence of sufficiently strong evidence to establish a suspicion of harassment, should be put in place to protect the health and human security.

Belgian national court

Act 04 August 1996 on the welfare of workers in the performance of their work

Belgian Social Penal Code

Any harassment proved is subject to criminal sanctions and this also applies to officials and agents of the institutions.

Obligations of the institution as an employer

The European Commission has the duty and obligation to ensure that any member of staff works in conditions fostering and preserving her/his health and wellness. It also has the duty to assist anyone claiming harassment.



The European Commission will take the necessary steps to prevent and punish, under the Staff Regulations and the relevant EU legislation, any conduct that prejudices the dignity of its staff in the workplace and undermines its good name.¹⁷ Any conduct deemed to constitute psychological harassment or sexual harassment is regarded by the Commission as unacceptable and will be punished regardless of the rank of individuals formally recognised as guilty of such conduct. (COMMISSION DECISION of 26th April 2006 on the European Commission policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment)

Duty of assistance (article 24 of the Staff Regulations)

The institution has an obligation to protect its staff by giving it security for the present and the future, in order to enable it, in the interest of the service, to better fulfill its functions.

The Court of Civil Service (TFP) held that a decision closing without following a request for assistance based on an allegation of harassment infringes art. 12a(3) of the Staff Regulations when it is particularly motivated by the absence of malicious intent of the alleged harasser (Case T-80/09).

Duty of care

The duty of care reflects the balance of reciprocal rights and obligations that the Staff Regulations created in relations between the public authority and public civil servants. That duty implies in particular that the appointing authority take into consideration, when deciding on the situation of an official, all the factors which may affect its decision and that, in doing so, takes into account not only the interests of the service but also the interests of the official concerned.

Obligations for the administration deriving from the duty of care are substantially enhanced in cases concerning the situation of an official whose physical or mental health is demonstrably affected. The administration must examine applications from her/him in a spirit of openness (Case F-119/07 & F-62/10)

Compliance with Health and Safety Standards (Art. 1 sexies§2)

Officials in activity must have working conditions that meet health standards and appropriate safety at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties.

Application of Directive 89/391-Framework Directive on Health and Safety at Work

- The Directive aims to establish an equal level of safety and health for workers.
- **The Directive requires employers to take appropriate measures to make work more safe and healthy.**
- The Directive introduces as a key element the principle of **risk assessment** and defines its main elements (eg hazard identification, employee participation, introducing adequate measures with priority to eliminate risks at source, documentation and periodic reassessment of dangers of the workplace).
- **The new obligation to put in place preventive measures** implicitly highlights the importance of new safety and health management forms integrated into general administrative process.

Obligations of official or agent



The officer or agent has the obligation to respect in the strictest sense the jurisdiction in force in order not to undermine the moral and / or physical integrity of colleagues.
In this context, all staff working within the institution must refrain from any form of harassment and sexual harassment (Commission decision of 26 April 2006)

Article 12 of Staff regulations

An official shall refrain from any action or behaviour which might reflect adversely upon his position

Article 12 bis of Staff regulation

Art.4.6 §2 of the Commission Decision (C (2006) 1624/3) of 26th April 2006

Any person who is made aware of, or is a witness to, conduct which appears to be improper

according to the above descriptions has both the right and the duty to so inform whichever of the parties mentioned in this point (departments of DG HR, Confidential Counsellors, Mediation Service, Human Resources Managers, Hierarchical Managers) They are also obliged to cooperate in the smooth running of all enquiries carried out as part of the formal procedure.

Procedures implemented by the European Commission

Above all, it is the employer's duty to conduct a risk assessment, to set up a prevention policy, to organize training sessions and information for the Staff's attention in order to know the different criteria for recognition of a bullying situation and actions to protect themselves.

If the official or agent has no other choice but to resort to a procedure whether formal or informal, that will mean that the institution as employer has failed in its role!

As noted by the lawyers in charge of harassment cases, a case brought to Court reflects a triple failure of the employer since initially a violence would be installed in the service without success to stop it, which necessarily leads the person to feel a victim and to use the means within reach to protect her/himself. At this stage, the person needs to understand her/his situation, to be listened to freely expressing her/his words and feelings and to feel safe.

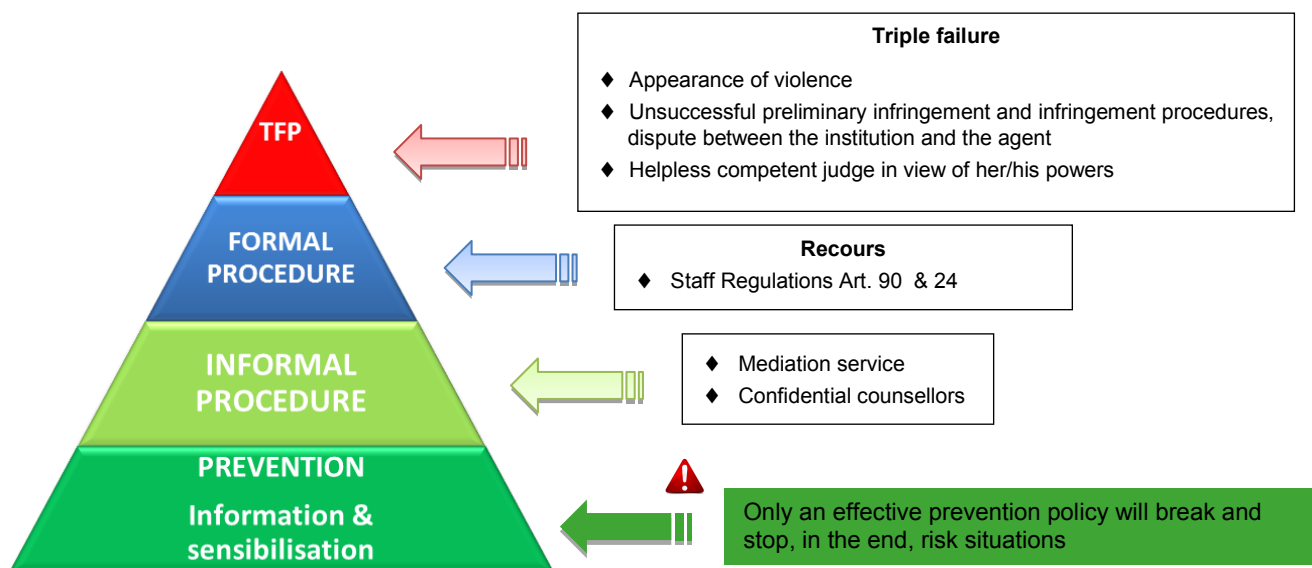
Individuals will have the choice either to turn to an informal procedure by contacting the mediation service, HR managers or someone they trust; or to turn to a formal procedure by introducing a request for assistance. And in this case, an internal investigation will be initiated that could result in very rare cases to disciplinary action.

Sometimes these steps are not enough and the person is forced to go to the Court of Civil Service,

which will make it an even more sensitive and delicate situation since the victim will end up in dispute with the institution, her/his employer, and not with the person or group of persons in question.



The various steps of procedures for the recognition of a harassment situation



To meet its obligations as an employer, the Commission has established two procedures, one informal and one formal.

Informal Procedure

The informal procedure is to try to resolve the case through conciliation and find a solution quickly enough so that the person who requests it is supported. This procedure is amicable and in any case the facts will be recognized formally and no sanctions will be imposed.

There are three ways to use this procedure: the mediation service, support Person and HR Unit E3.

The main principles are based on: the presumption of innocence, confidentiality in all procedures, no characterization of the facts or decision or prosecution under the informal procedure (that is to say, the support to alleged victims search of friendly solutions and conciliation), no action taken without the prior consent of the person concerned (except in situations where the person is in danger or in cases of sexual assault or suicidal behaviour), the moral obligation to all colleagues to report misconduct to the appropriate services or testify in investigations.

According to Marie-France Hirigoyen, in all surveys, the public service is highlighted and we see that bullying lasts longer there on average. This is probably a perverse consequence of the relative protection that civil servants enjoy. The rule of lifetime employment explains the low mobility of people and the increasing conflicts resulting.

The confidential counsellor

The network of confidential counsellor is maintained by unit HR E3 "Ethics and Ombudsman - (56666)" in charge of the prevention of bullying and sexual harassment in the European Commission. All work is confidential.

Her/his role

The confidential counsellor aims to recognize and reduce suffering of the victim with an approach of welcoming and listening without reservation or judgment. She/he accompanies and guides her/him in the approach to take. Any approach taken by the support person can not be conducted without the prior consent of the victim and must remain within the mandate that was given to her/him.

The support person can also meet the other party and play a conciliatory role in resolution of the problem amicably.

She/he has in principle a period of one month that may be extended to two months, if necessary. After this period, if no solution has been implemented, the support person may suggest the victim to contact the mediation service or lodge a formal complaint. In this case, the support person can be called as a witness.

Cases dealt with

In 2015, according to the report of DG HR E3, 181 cases have been submitted to an informal procedure. This figure is rising. These cases do not refer exclusively to cases of bullying but also to cases of sexual harassment and conflict in the workplace.

Colleagues who have used this service often have a wrong perception of a situation of harassment.

In 2015, 53% of those who have been "implicated" in situations of harassment had a hierarchical link while in 2014 the percentage was 72%.

Just over two thirds of colleagues who were followed by a support person perceived their situation as bullying while in reality only 19.2% were actually considered as bullying.

Furthermore, just over a quarter of colleagues perceived the experienced situation as a conflict

when in fact more than three quarters of situations resulted from workplace conflict.

Regarding sexual harassment, both colleagues and support persons trust agreed on the situation. To note that cases of sexual harassment are minimal and have dropped significantly between 2014 and 2015. R & D can only welcome such a result and support communication actions and training to reduce that percentage to zero.

Women are by far the colleagues who feel victims of hostile acts (including bullying, sexual harassment and workplace conflicts) at their place of work (over three quarters). This finding is increasing.

Men, meanwhile, are in the majority (54.1%) the persons involved in situations of hostile actions in the workplace.

By analyzing the data of this report, we can see that 45.9% of women are questioned in situations of hostile actions at the workplace, leaving an impression that conflicts between women are greater than mixed ones or conflicts between men; or that men have more difficulty in expressing their discomfort.

In most cases, it is officials who complain about such situations. It is noteworthy that very few other staff and external staff complain.

The defendants are mostly officials.

Two thirds of colleagues who have used this service are, in the majority of cases, AST or equivalent and less than a third are AD or equivalent.



Given these results, R&D questions:

- **working conditions of our colleagues with the status of "other agents"**, because they are very few daring to knock on the door of the network of support persons, although according to our everyday experience, these colleagues also undergo hostile actions, but their precarious situation certainly stops them in their efforts to protect and defend themselves
- **the type of harassment**, since descendant harassment (from the manager to an employee) is decreasing. This is likely due to discouragement of victims having viewed the experiences (doomed to failure) of colleagues who found themselves in the same situation. This also leaves us to assume that other types (horizontal, ascending and mobbing) are rising.
- **the victims and defendants, depending on the nature of the conflict**



Her/his role

The mediation service is a facilitator in the conflict that can arise in the context of labour relations. She/He works informally in confidentiality, independence and impartiality.

Mediation is often cited by experts as an important point in the fight against bullying and also in resolving interpersonal conflicts.

Mediation can, if both parties are favourable, defuse a situation fairly quickly without degenerating it.

Cases treated

Since its inception, the mediation service has faced several cases of interpersonal conflict, violence and harassment.

People that use the mediation service often feel harassed, because it is at this stage, the only word they can use to define their situation, truly thinking of being harassed.

The work of mediation is to identify the origin of suffering, conflict, ill-being in order to intervene and find a quick solution.

This service has the advantage of treating a group complaint while in the formal procedure only individual cases are treated.

In its 2004 annual activity report, the mediation service notes that the causes of the problems that arise in labour relations, sometimes serious enough to constitute harassment, are numerous and include misunderstandings, neglect of human relationships, the differing views on a specific work program, a clear lack of courtesy, pressure or tension related to excessive workload or over-work, lack of communication or poor communication skills, verbal attacks, requirements and / or unrealistic expectations on the part of a party

against the other, differing perceptions by subordinates of management capacity, the existence of alleged deficiencies in coaching and a lack of staff.

Over the years, other causes are added to them such as the deterioration and instability of working conditions and the increasing pressure on the workplace and the management style.

Colleagues who use the mediation service are expressing conflict within the work, experienced as destructive of their personal image and self-confidence and undermining their motivation. These cases continue to be submitted to the Mediation Service.

In 2014, out of 347 cases handled, 151 were concerned with relational conflicts (44%). It must be emphasised that the number of such cases has increased.

To meet the demands of colleagues, the mediation service initiates a discussion with those involved that leads to oral individual recommendations to facilitate the implementation of a negotiated solution with the parties. Much conflict is settled in this manner. However, in some cases it is necessary to establish a more formal framework detailing the events and the commitments of the parties in writing, especially when the matter requires a particular interpretation of the rules, or to ensure the successful implementation of the proposed solution.

In extreme cases, the proposed solution is mobility, but, since 2010, the mediation service has faced a lack of jobs in Directorates-General. With the policy of "zero" growth, this solution is not really possible.

She/He must then turn to personalized support for colleagues to find a new position with the help of relevant departments.

R&D recommendations

Given the importance of the work dealt with by this service, facing more and more numerous cases, it would be constructive to strengthen the staff of this service by making available the necessary means to assist colleagues in need.



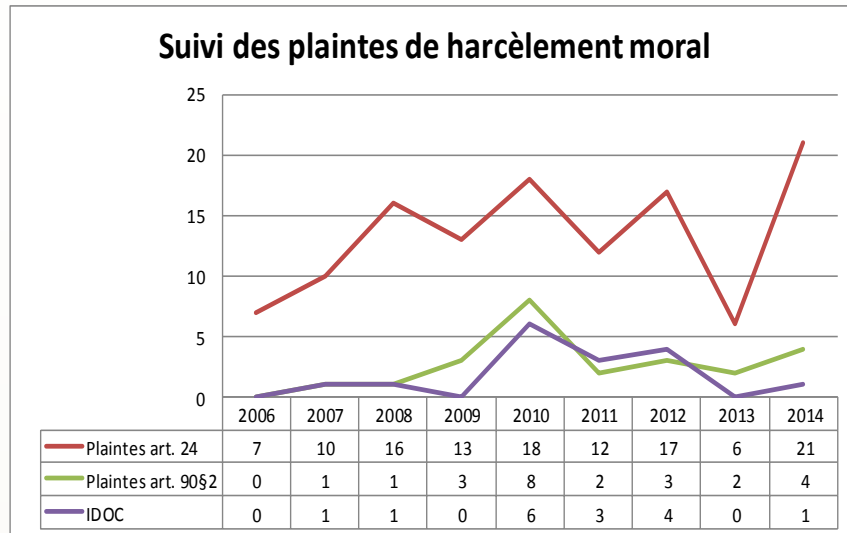
The formal procedure

Recours

Anyone feeling a harassment victim can formally ask the Commission a request for assistance under articles 24 and 90 of the Staff Regulations. If the informal procedure would not lead to an amicable settlement, the person can start a formal procedure.

Depending upon the first conclusions, the appointing authority (DG DGHR) decides to mandate, or not, IDOC to conduct an administrative inquiry.

Following this inquiry, the case is closed or disciplinary action is opened.



Graph based on [statistics](#) on requests and complaints pursuant to Article 90, as well as requests for assistance under Article 24 of the Staff Regulations, published on Myintracomm, and annual reports drawn up by IDOC.

Formal complaints (cf. [suivi des plaintes concernant des cas de harcèlements moral et sexuel ainsi que différentes formes de violences](#)) introduced were terminated without result in all cases, with one exception. In 2014, an official who harassed a subordinate was reprimanded.



IDOC—Investigation and disciplinary office

Its role: IDOC (DG HR service) leads the procedure and prepares the decisions of the Appointing Authority

In cases of harassment, IDOC verifies the allegations. If the facts are not established, the case is closed. On the contrary, if the facts could constitute harassment, IDOC conducts a pre-disciplinary hearing of the alleged harasser before the opening of a disciplinary procedure.

The difficulty in investigating "harassment"

Given the complexity of the file the IDOC team was trained in 2005 in the domain of awareness to bullying and sexual harassment in order to cope with different types of scenarios that may arise in the investigation and hearing.

Check of claims: IDOC searches for objective evidence to support the feeling of the "victim."

During the investigation: IDOC searches for inculpatory or exculpatory evidence vis-à-vis the harasser.

The IDOC reports **errors to avoid** in this kind of inquiry: to isolate the facts out of context, to confound labour or personal disputes with bullying, to consider the malicious intent of the "bully" as a necessary condition.

Disciplinary sanctions

Mild sanctions (without Disciplinary Board): written warning, reprimand (decision placed in the personal file for 3 years).

Heavy penalties (after consulting the Disciplinary Board): step advances suspension, lowering level of temporary / permanent, temporary / permanent demotion, dismissal with / without reduction of pension rights, reduction of pensions / allowance disability (decision placed in the personal file for 6 years).

Sanctioned case

A single harassment complaint was sanctioned with a reprimand (mild punishment) for a servant who had adopted abusive behaviour against one of his subordinates.

This official had expressed in a sustainable way, a consistently negative attitude against his collaborator whose personal and professional skills he publicly called into question.. Removing much of the tasks of the latter, without the job description being changed, had also prevented an objective assessment of her/his service.

The behaviour of this officer, who had objectively infringed the personality, reputation and career of the employee in question, constituted a breach of Article 12a of the Staff Regulations.

The appointing authority, however, took into account the otherwise exemplary career of that official and very particular circumstances in which the event took place for not imposing a more severe sanction.

Closed cases

Since 2006, we can see from the introduced complaints according to Article 24, Article 90(2) and from cases handled by IDOC, that no cases, with one exception, were formally sanctioned.

Moreover, in Case F-46/11, the Court of Civil Service stressed the importance of **motivating comprehensively a decision of taking no further action on a request for assistance** "... the need to give reasons for the contested decision in full was all the more pressing in the circumstances of the present case where, according to the statements made by the applicant at the hearing, the service responsible for conducting investigations into harassment was regarded as being 'the Commission's first defence lawyer'."

Application to the European Ombudsman



The European Ombudsman deals with complaints of maladministration in the institutions and bodies of the European Union.

To this end, it has been engaged several times on harassment cases, including a case dealt with by IDOC. **In case 944/2014 / AN, complainants and witnesses asked to receive feedback in a harassment case against their superior.**

Throughout the proceedings, colleagues remained in the same department under supervision of the superior in question. They waited for three years for feedback.

It is thanks to the intervention of the Ombudsman that these colleagues were able to access the conclusions of the case.

The Ombudsman reminded the Commission the Code of good administrative behaviour, so that this situation does not happen again.



Several cases of harassment have been brought before the Civil Service Tribunal.

Despite the limitations of the judge in this kind of cases, as she/he can not rule on the legality of a decision that is, in principle, that of the employer; he was able to rule on two cases involving the European Parliament.

Case F-26/14 of 26/03/2015

Parliament was ordered to pay € 45,789.29 in compensation.

Case F-129/12 of 12/12/2013

Parliament was ordered to pay € 50,000 in compensation.

According to L. Levi, the judge is not the useful player to adjust and change the harassment situation. If this situation has not been resolved upstream, the time of the formal procedure, pre-litigation and litigation can not give a judgment, even if an annulment judgment, a real benefit to the victim, except possibly the recognition of the legitimacy of its action by the judge.

If the case has come before the judge, it must be because there has been a refusal, denial, deprivation of the institution in the management of harassment. It is rare, unfortunately, that the latter, even sanctioned by the judge, agrees to recognize the legitimacy of the action of the victim or even its victim status.

The Judge limits

In a harassment case, the judge is forced to certain limits.

The proof

According to L. Levi (contribution to the workshop on the financial consequences of harassment in the European Institutions), **the issue of evidence is difficult** because it hits the wide margin of appreciation of the Institution. Now, in a case of harassment, it is difficult for the victim to constitute evidence since reference is made to behaviours and that the victim will not identify her/himself as such until later, although only a prima facie case must be provided in order that the administration can take appropriate measures and, in the absence of such prima facie case, to establish an investigation.

The request for assistance

The cases brought before the judge will aim primarily at criticizing a decision rejecting a request for assistance.

Annulment of a decision

The only possibility for the Court to annul a decision will be based on the external illegality which focuses on how a decision was taken: incompetence of the author of the act, flaws, procedural irregularities and defects in internal legality affecting the content of the act: legal or factual error, violation of treaties or of any rule of law relating to their application, misuse of powers.

The proof

If unwanted behaviour continues, it is advisable to document all incidents that occur: dates, circumstances, description of events, potential witnesses, personal reactions at the time and retrospectively, any psychosomatic consequences.

As we have just demonstrated, harassment is not only a very complex phenomenon to understand, identify, defend and judge but it is above all a dangerous scourge for the Mental Health of victims driving them towards a psychological and financial spiral difficult to stop.

The proper functioning of services is affected and then we see a "snow ball" that traps the victim in her/his position until a hand can be given...

The different actors involved in the aid and defence process came to the conclusion that this phenomenon is growing.

While steps have been taken and a harassment prevention policy is in place, it is clear that the phenomenon is not only still present but that cases are increasing year by year.

It should be noted that the Mediation Service in its 2014 report, raised the case of complaints due to inexperience or clumsiness of some middle management staff in managing conflict situations, including group situations, that the intervention in conflicts..

This would suggest that colleagues are badly informed about behaviours and attitudes that promote bullying situations and conflicts.

The fact that cases of harassment between colleagues have increased leads us to the assumption that the manager did not intervene in a conflict situation that could slip to psychological harassment and, therefore, that she/he was not adequately trained and informed about the causes and consequences of conflict situations that can result in bullying.

It is essential to address these gaps in order to detect such situations and to immediately stop the process.

Participants to the seminar organized by the Parliamentary Budgetary Control Committee on 22 September 2015, on the management of cases of harassment have recommended that effective measures are put in place such as:

- ⇒ Sanction recognized harassers by heavy disciplinary proceedings,
- ⇒ Encourage whistle-blowers,
- ⇒ Trigger the duty of assistance (article 24 of the Staff Regulations) of the institution when it comes to an alleged harassment situation,
- ⇒ Shorten the length of proceedings,
- ⇒ Strengthen prevention,
- ⇒ Inform and educate managers,
- ⇒ Creating an environment for advice and support to break isolation
- ⇒ Direct the role of medical service to a space for openness, speech, counselling, protection,
- ⇒ Increase resources both for awareness campaigns and the management of informal procedures including staff representatives who will be trained to manage such conflicts.

Prenant en compte les recommandations des intervenants lors du séminaire de la COCOBU, et...

Considering the obligations of the Commission as an employer

- * **Commission Decision 1624/03 of 26 April 2006 on the protection policy of the dignity and fight against bullying and sexual harassment at the European Commission**
 - ⇒ Promote an organizational culture: bullying and sexual harassment are not accepted
 - ⇒ Information strategies, advocacy, training and support
 - ⇒ Implementing procedures to protect the dignity of people working in the Commission
 - ⇒ Take appropriate measures (if necessary, disciplinary action) against a person convicted of harassment or sexual harassment.
- * **Implementation of Directive 89 / 391- Framework Directive on Health and Safety at Work**
 - ⇒ Employer's obligation to take appropriate measures to make work healthier and safer
 - ⇒ Risk Assessment
 - ⇒ Obligation to implement prevention measures
- * **Article 1e(2) of the Staff Regulations**

The institutions shall pursue a social welfare policy for their officials, including retired officials, covering social assistance, social protection, the provision of social infrastructures and appropriate health and safety standards, wherever possible exceeding the minimum laid down in any applicable national provisions
- * **Article 24 of the Staff Regulations**

The Union assists the official, in particular in proceedings against the perpetrators of threats, outrages, insults, defamation or attack against person and property, which it is, or a member of his family is subjected by reason of its quality and its functions.
- * **Consideration of jurisprudence**

Considering the obligations of the official or agent

- * **Article 12 of the Staff Regulations**

Le fonctionnaire s'abstient de tout acte et de tout comportement qui puisse porter atteinte à la dignité de sa fonction.
- * **Article 12 bis du Statut**

Tout fonctionnaire s'abstient de toute forme de harcèlement moral et sexuel.
- * **Article 4.6(2) of Commission Decision 1624/03 of 26 April 2006 on the protection policy of the dignity and fight against bullying and sexual harassment at the European Commission**

Any person who is made aware of, or is a witness to, conduct which appears to be improper according to the above descriptions has both the right and the duty to so inform whichever of the parties mentioned in this point (departments of DG HR, Confidential Counsellors, Mediation Service, Human Resources Managers, Hierarchical Managers) They are also obliged to cooperate in the smooth running of all enquiries carried out as part of the formal procedure.

Considering the very negative consequences of bullying not only on the Health and Well-being of Staff, both in his/her professional life as in his/her private life, but also

- * **At the level of the service functioning**
 - ⇒ Absenteeism from work overload for colleagues presents higher exposure to work stress,
 - ⇒ Degradation of the working atmosphere...

* **At the financial level**

- ⇒ High cost of absenteeism,
- ⇒ Cost of the procedure whether it is formal or informal

Considering the conclusions of informal and formal procedures

* **At the level of informal procedures**

- ⇒ Few complaints from colleagues having the "other servants" statute
- ⇒ Type of bullying: harassment with a hierarchical link is falling
- ⇒ Virtually no mobility possibility
- ⇒ Strengthening of staff and resources allocated to the Mediation Service

* **In terms of formal procedures**

- ⇒ One sanctioned case only
- ⇒ Recommendation from the European Ombudsman to follow good administrative practice
- ⇒ Limits of the judge from the Court of the European civil service

Considering that a harassment prevention policy must be part of a psychosocial risk prevention policy

R&D supports the recommendations of participants to the Budgetary Control Committee and wishes to strengthen them by offering:

- ⇒ A review of the harassment prevention policy
- ⇒ An official position of the institution by reporting any behaviour creating hostile situations and harassment
- ⇒ Effective protection of victims and witnesses, particularly in formal cases where the superior is quoted
- ⇒ Access to investigation findings
- ⇒ A mandatory training for all managers and future managers in conflict management and prevention of harassment with a close monitoring of the service in case of conflicts or proved harassment
- ⇒ A recurring item on the agenda of monthly meetings of Directions
- ⇒ A training of newcomers on prevention of harassment and conflict situations
- ⇒ An 'away-day' specific to the prevention of harassment and conflict situations for all Directorates General
- ⇒ A genuine psychosocial risk prevention policy adapted to the specificities of our institution
- ⇒ An immediate intervention of the institution as soon as person feels victim of hostile acts, infringing her/his dignity and that can slip into a situation of harassment
- ⇒ An immediate removal of the victim from her/his alleged attacker
- ⇒ The establishment of severe and exemplary penalties to any person recognized as a harasser, including the reimbursement of expenditure and the compensation of the victim
- ⇒ Obligation to monitor therapeutically the harasser

As we have already announced, bullying cannot be eradicated without establishing a genuine psychosocial risk prevention policy.

R&D faithful to its commitments, undertook the identification and analysis of psychosocial risks within the institution, while providing early responses. But first of all, here is a brief definition of these risks that will be developed soon in "the records of the "Renard", what you need to know!"

Stress

Stress appears in a situation of imbalance between a person's perception of the constraints imposed by the environment and the perception that she/he has of her/his own resources to cope.

It is also an alarming risk factor since other psychosocial risks (violence, harassment, burnout) may occur if it is not prevented and managed in time.

WHO estimates that stress negatively affects the psychological and physical health of individuals as well as the efficiency of the company.

Risk factors

In professional life

- ⇒ Excessive constraints
- ⇒ Lack of control of the situation: little weight
- ⇒ Lack of support from the hierarchy or colleagues
- ⇒ Bad relationships (including harassment) unacceptable behaviour, slander, humiliation ...
- ⇒ Conflict between different roles or lack

- of clarity in the definition of tasks
- ⇒ Poor management of changes: lack of staff involvement and information regarding changes in the institution
- ⇒ Violence from third parties

In private life

- ⇒ Balance between private / professional life: stress at work and at home. To ensure privacy is very important to maintain relationships
- ⇒ Major events such as marriage, pregnancy, parenting, divorce, care of elderly parents, moving ...
- ⇒ Social and personal problems: addictions (smoking, alcohol, drugs) already present or beginning to cope with stress, poor living conditions...
- ⇒ Conflicting relations
- ⇒ Financial: debts and / or financial problems
- ⇒ Disease / mourning: support of sick people, loss of a loved one ..



Burnout is the result of a permanent work stress. It is an exhaustion, both physical and psychological caused by long-term involvement in emotionally demanding work situations.

According to C. Maslach (Maslach Burnout Inventory) burnout has three dimensions:

- ⇒ A dimension of exhaustion, physical and emotional
- ⇒ A dimension of depersonalization with non-committal or even cynical attitudes
- ⇒ A dimension of inefficiency where any new project seems unbearable.

The work has no value, offers no more motivation and, to stick, the person sets up a protective cynicism. Thus, creates a pathology of the relationship to the other which may slide towards bullying situations. (M-F Hirigoyen)



Bore-out

When boredom at work makes one 'crazy'...

The syndrome Bore-out is also a symptom of burnout. It is likened to a lassitude, boredom at work, over-qualification compared to tasks, disinterest, lack of challenge, self-contempt...

Bore-out is the opposite of burnout, but it generates the same problems.

According to studies, 10% of people are suffering from burnout while 30% could suffer from Bore-out.

This risk is still hardly discussed in companies, but the consequences are disastrous.

Victims often become depressed if they are not supported in time.



If our coffee break gets longer, if our personal calls multiply, if we consult our personal emails twenty times a day, if we hang-about in the corridors, if, in addition, we experience guilt, then we feel more legitimate and we are probably affected by the epidemic of inactivity and a prime target for the bore-out syndrome.

C. Bourion "Bore-out-syndrome -When boredom at work drive one crazy- A. Michel 2016

Internal violence

According to the International Labour Office (ILO), workplace violence includes any action, incident or behaviour that deviates from reasonable conduct in which a person is assaulted, threatened, harmed, injured in the work or by the fact of work.

The ILO Report "Violence at Work" describes five types of violence: sexual harassment (33% of violent acts), verbal abuse (29%), moral harassment and bullying (14%), physical assaults (14%) and threats (10%)



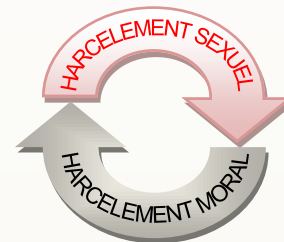
Sexual harassment

Legal definition

Article 12a (4) of Staff Regulations

"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.

Sexual harassment can turn into psychological harassment when the victim refuses the advances of her persecutor. In general, women are victims of sexual harassment.



Exemples of psychological harassment situations

"my intracomm – définition of psychological harassment and 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 innuendos;
- ⇒ 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.

Note that some people do not always realize the impact of their behaviour. When a behaviour is experienced as painful or inappropriate, it is recommended to report it clearly.

Especially in cases of sexual harassment, it is important to make univocal, unequivocal behaviour and react immediately by politely but firmly placing limitations.

In some cases, it may be sufficient to end the situation, that the victim clearly explains to the alleged harasser that her/his behaviour offends her/him, that it is offensive and might damage her/his job and health.

In 2014, Commission staff was faced with two major changes in their professional life: the introduction of the new Staff Regulations and a structural reorganization.

Regarding the introduction of the new Staff Regulations, the staff has had to adapt to new measures

- Switching to working 40 hours per week (earlier 37.5 hours);
- Staff Reduction of 5% and thus the redistribution of tasks among colleagues
- Appearance of a new category of staff: AST / SC
- Revision of individual assessment by adding the concept of "satisfactory" (Article 43 of the Staff Regulations) and the appearance of the concept of incompetence (Article 51 of the Staff Regulations)

In addition to these measures, following a budgetary restriction, a real estate policy supporting workspaces, i.e. "open space", without first consulting the concerned staff.

Regarding the structural reorganization

17 Directorates-General (DG) were affected by this reorganization. Some DGs have undertaken this exercise without first establishing dialogue and consultation with the staff, causing a feeling of incomprehension and frustration against our colleagues

To identify psychosocial risk factors in the European Commission, R&D has based itself on the analysis of different indicators:

- ⇒ Specific indicators from the results of the Staff Survey 2014 and those of the survey launched by R&D during the reorganization of DG GROW
- ⇒ Specific indicators from administrative sources
- ⇒ Absenteeism indicators



The results of the staff survey are negative. In the majority of responses, in comparison to 2013, the satisfaction index declined by several points. Concerning "Well-being" at work, the index fell by 14 points between 2013 and 2014 (from 49 to 35%).

Only half of staff considered that the workload is acceptable, a decrease of 7 percentage points between 2013 and 2014 (62 to 55%) and have a good balance between professional life and private life, a decrease of 9 points between 2013 and 2014 (65 to 54%).

About the professional future

36% of staff feels **limits in her/his choices and in her/his own career path**. We can see an 8 point drop satisfaction from the staff as to his choice of career between 2013 and 2014 (from 53 to 45%).

Mobility is one of the essential elements for the development and well-being of staff and also a psychosocial risk factor if it is not possible within the organization. Yet only 36% of staff is satisfied. We see a 6-point satisfaction decline between 2013 and 2014 (from 42 to 36%).

Only 30% of staff are satisfied with **the relation between job performance and career advancement**. 49% of the staff is disgruntled. We are seeing a satisfaction decline from one year to another of 6 points (36 to 30%). Note that this dissatisfaction was already present in 2013.

The same satisfaction decline observation is made for **training**.

Regarding "middle management"

At the level of teamwork

The majority of colleagues consider that their manager not only encourages them to work in team, but also plans and shares the work between team members. Although for 72% of the staff their manager allows them autonomy in their daily tasks, for only 49% of the staff, their manager regularly reviews her/his progress and provides a clear and useful feedback. Only 48% of staff feels motivated by her/his manager to be more effective in her/his work, down 3 percentage points from one year to another.

At the level of individual relationship

In general, the majority of staff is satisfied with their relationship with their manager.

At the management level in general

Staff perception of the daily support that she/he receives from her/his manager is predominantly positive. However, 41% of the staff believes that the manager has to deal with poor performance in her/his team.

Regarding senior management

In majority, the satisfaction rate for senior management does not exceed 50%, with the exception of her/his role in clearly leading the mission, objectives and tasks of the DG, directorates and units (55%) and the encouraging collaboration and involvement of staff.

Communication is one of the weaknesses of senior management.

In conclusion

From a general point of view, and based on the results of the "Staff Survey 2014", the Staff of the European Commission does not have the necessary conditions to work in an environment promoting wellness in the workplace. Instead, Staff working conditions were rather exposure to the emergence of psychosocial risks and therefore an increase in conflict situations, up to harassment within the services.

Although the relationship of the staff with the middle management both for individual relationships and management methods is perceived positively, the question arises whether the middle management has the necessary support to carry out her/his mission.

Indeed, middle management has a very important, priority and preferred place for the staff and acts as a "buffer" with the Senior Management, itself subject to political desiderata.



Specific indicators from the results of the survey « Reorganisation DG GROW » launched R&D

On 22 April 2015, the new College adopted a first decision to reorganize the Commission's services to achieve better performance and good synergies.

The current DG GROW was the first Branch to go through this exercise which was to consolidate DG ENTR with 3 Directorates of DG MARKT and DG SANCO units. The impact of this reorganization was clearly announced. **The goal is to reduce 15% of staff by 2018, this being in total contradiction with the negotiations held during the 2014 reform of the Staff Regulations.**

Thus, 2 directorates and 7 units have been removed but also foreseen is the reduction of 200 posts in the next 2 or even 3 years.

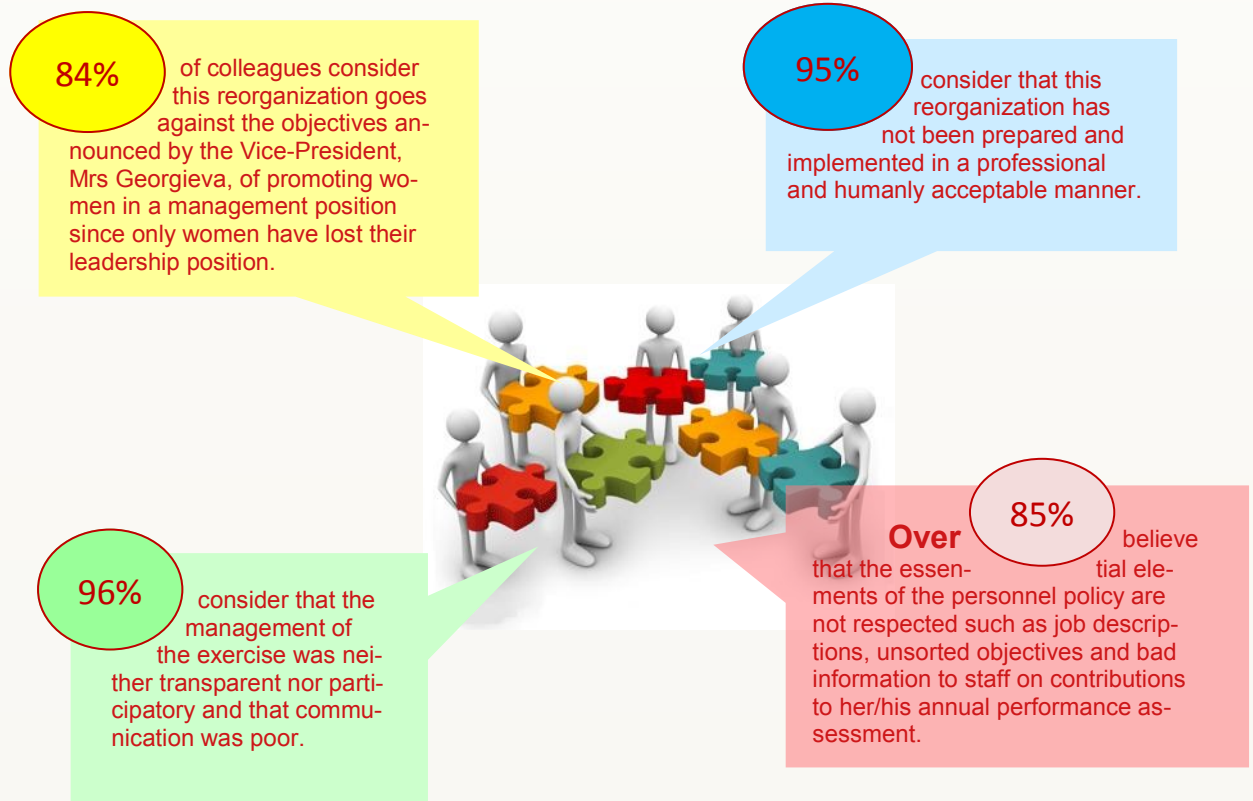
This reorganization was orchestrated without prior consultation of staff while after all the studies of various experts showing, organizational changes, the non-participation of personnel in decision-

making, and a non-effective communication, are psychosocial risk factors.

Faced with this situation, R&D has decided to collect the views of colleagues by launching a survey to all staff. The results of this survey **have only confirmed the gravity of the shortcomings identified, the hasty and not reflected upon nature of that decision and the blatant absence of any adequate measure of support.**

Results analysis

It becomes clear from this survey that nearly half of colleagues believe that neither their jobs nor their skills were allocated optimally.



What comes out...

- * **Poor information quality**
- * **Lack of consultation of staff in relation to the decisions concerning her/him**

Both these aspects are a confirmed trend in the management of career transition in DG GROW. Even after the official publication of the new organization and before its entry into force, 80.25% of colleagues were not involved in the development of the distribution of tasks between the newly created directions and units.

The lack of personal management has affected the staff as 40% of them learned about the change in their situation, not by their superior, but by impersonal ways: SYSPER notification, e-mails, etc.

Later, facing the dismay of colleagues, the new human resources officials from DG GROW launched a survey in February 2016 to gather the opinion of its staff. However, R&D had to intervene because some issues did not ensure the anonymity of colleagues!



R&D recommendations

In order to avoid creating risky situations that are recognized as affecting the morale and health of our colleagues, R&D requests that before any reorganization basic principles are respected, namely:

- Consultation, collection and taking into account of the questions, fears, etc. of all staff
- Creation of a space for dialogue in cooperation with external services of the DG (staff representatives, psychosocial cell)
- Proposition of a draft to all staff
- Establishment of an accompanying measure
- Post-reorganization consultation to develop an adjustment, if necessary

Specific indicators from administrative sources

Report of DG HR of June 2015 Prior identification of psychosocial risks in the European Commission services based in Brussels

To identify psychosocial risks in services based in Brussels, DG HR conducted two analyses.

On one hand, it was assisted by an advisor in the prevention of psychosocial aspects of an external consultancy firm specialized in this field and using the Sobane strategy (this strategy places the worker as the main player of prevention and not as a single object).

Thus, Unit HR/D.2 conducted, in collaboration with other competent services in the matter and an external consultant, on behalf of the Commission, a study on the psychosocial risk prevention policy in the workplace.

Preliminary analysis has identified 3 particular psychosocial risks: occupational stress, absenteeism, burnout; other aspects are also considered in this preliminary analysis.

On the other side, Unit HR/C.3 (Brussels medical service) has set up three focus groups, composed of managers, to collect the qualitative data concerning:

- ⇒ The presence, frequency and intensity of the risk factors in the working environment,
- ⇒ The factors of individual and organizational resilience,
- ⇒ Any difference between the support supply and needs.

With the merging of these two initiatives, DG HR has identified four risk factors:

the requirement of work (35%),

- ⇒ **individual and personal reasons (30%) - this aspect includes the personal origin mentioned by colleagues affecting work**
- ⇒ **social relationships and working relationships between colleagues and the hierarchy (20%),**
- ⇒ **stress and burnout (15%).**

We will develop the risk concerning the requirement of labour, that is to say the organization and content of work since it alone represents a third risk.

On the organization and content of work

In this category DG HR has analysed issues related to the requirement of work (time pressure, workload, work content and absence management and the issue of autonomy in the implementation of tasks.

Work content

DG HR found that the degree of attention requested of staff to perform their tasks is quite important what implies a high workload.

Although some colleagues understand this heavy workload, particularly middle management given the nature of their tasks, others, however, identified this workload is due to a lack of organization.

Time constraints, the pace of work and interruptions

DG HR found that the perception related to time constraints, pace of work and interruptions depends on whether flexibility practices are imposed or freely chosen.

The pace of work is fast for most of staff and seems to depend on the personal organization of each, team work and the type of leadership by the line manager.

For some, delays are perceived as too short, which results in a greater need for recovery, absenteeism and demotivation.

Disruptions are also too frequent (urgent requests to move from one file to another, external stresses, etc. ..), especially for management.

Autonomy and training

In this report, it is recommended to encourage more open participation of employees in decisions that affect their work and the development and acquisition of new skills.

For colleagues occupying a managerial function, the degree of autonomy is reported as satisfactory or important, however recurring changes in priorities and a lack of clarity in communicating with their hierarchy has often been mentioned as reducing the margin of manoeuvre in work, with the risk of increased psychosocial stress.



This action is part of the efforts made by DG HR to allow the institution to comply with national legislation as well as the efforts made by DG HR to enable the institution to achieve its goals effectively and efficiently, and in a context of reduced staff, thus contributing to the optimal management of the Commission's human resources.

Activity reports of the Commission Médiation Service 2004-2014

Colleagues who use the mediation service are relating conflict situations within their work, experienced as destructive of personal image and self-confidence and undermining their motivation. Since 2004, the Mediation Service found that some behaviours are risk factors

- ⇒ misunderstandings
- ⇒ neglect of human relationships
- ⇒ disagreement on a specific work program
- ⇒ lack of courtesy
- ⇒ pressure or tension related to excessive workload or overwork
- ⇒ lack of communication or poor communication skills
- ⇒ verbal attacks,
- ⇒ requirements and / or unrealistic expectations on the part of a party against the other
- ⇒ differing perceptions by subordinates of management capacity
- ⇒ existence of alleged deficiencies in coaching
- ⇒ lack of staff
- ⇒ deterioration and instability of working conditions
- ⇒ increasing pressure on the workplace
- ⇒ management style

Absenteeisme Indicators

The absenteeism rate is a good indicator of the health staff and the institution. At the European Commission, the rate is increasing year by year.

In 2014, it amounted to 4.1%. For a workforce of 29 932 people, there were 451 010 days of occupational disease (see table).

	2011	2012	2013	2014
Calendar days	426.704	433.808	424.926	451.010
Total staff members	29.813	29.771	29.525	29.932
Absence rate (%)	3.92%	3.98%	3.94%	4.1%
Calendar days of sickness per year	14,3	14.6	14.4	15,1

Statistiques générales du taux d'absence à la Commission européenne
Source: Sickness absence in the Commission , some figures, DG HR C3

Main activities of the medical service



The Medical Service of the Commission includes a psychosocial prevention sector composed of 2 psychiatrists, 2 psychologists, three social workers, one social educator, one budgetary advisor and 3 administrative staff.

In 2014, this service has intervened in 1 702 so-called psychosocial cases. Interventions are increasing every year.

In 2015, in Brussels, of 966 interventions, 31% fell within the field of psychiatry and 27% in the field of psychology.

We also see that there were 59 056 medical certificates issued during 2014, down

by 1 648 issued certificates, although we have seen an increase of 26 084 days of illness between 2013 and 2014. This might suggest that sick leaves are of longer duration.

However, we also see an increase in checking of sick leave: between 2012 and 2014, there was an increase of 671 checks at home and an increase of 1 595 checks by appointment with the medical service.

Following some of these checks, assistance was provided to people in need.

ENVOI vers	Secteur psychosocial	Psychologue Psychiatre Assistante sociale
		Retour au travail
	Médecin du travail ergonomie	Matériel de bureau Aménagement bureau Etc...
	RRH	Gestion d'un problème de personnes Problème avec le travail lui-même Nécessité d'un changement de poste

Aide apportée par le Service médical suite aux contrôles médicaux
Source: Sickness absence in the Commission , some figures, DG HR C3

R&D recommendations for medical checks

The medical service has the duty to ensure that staff work in optimal conditions to preserve her/his health. Medical checks should be a "privileged space for dialogue" between the patient and the doctor to detect any indicators that might suggest a hidden suffering by the patient. In no case, should medical supervision be a tool of intimidation or fear for the patient; On the contrary, the patient should be in an environment of trust facing a person sworn to heal her/his fellow!

Analysis of risk factors

Various indicators serve to highlight several risks. R&D gives first priority to the opinion of staff. The 14 points lower in staff satisfaction regarding her/his "Wellness" at work indicates that in 2014, at least 12 642 colleagues who responded to the "Staff Survey" were not satisfied with the measures taken by the Commission as to her/his "Well-being" at work.

Especially since, already last year, this index did not collect the majority of staff satisfaction. Only 6 980 colleagues felt that Commission was paying attention to the welfare of its staff.

We believe it necessary to recall the definition of mental health as set by the WHO: "Mental health is a state of well-being in which a person can achieve, overcome the tensions of life, productive work and contribute to the life of her/his community."

Risk factors that emerge from the different indicators are:

Regarding the professional future

- ⇒ Limit in career choices
- ⇒ Dissatisfaction of the relationship between job performance and career progression

In terms of work organization and content

- ⇒ Heavy workload
- ⇒ Lack of organization
- ⇒ Time Constraints
- ⇒ Fast work pace
- ⇒ Time too short: need to recover, absenteeism, lack of motivation
- ⇒ Work Interruptions: urgent requests to move from one file to another
- ⇒ Difficult mobility
- ⇒ Lack of autonomy
- ⇒ Training

At the management level

Middle Management

Staff in its majority is rather satisfied with the relationship she/he has with her/his middle management. However, we noted some requests:

- ⇒ Better planning and sharing of work in teams
- ⇒ Regular review of progress in providing a clear and useful feedback
- ⇒ Decreased motivation
- ⇒ Dealing with poor performance in her/his team

Senior Management

Staff is in general dissatisfied (less than 50% satisfaction) of her/his relationship with the senior management", especially in terms of communication and listening. Although the index to encourage collaboration and involvement of staff increased by 5 points, it just reaches the 50% level of satisfaction.

At the level of action taken when changes affecting staff are made, such as reorganizations and restructurings

- ⇒ Lack of clear information
- ⇒ Lack of consultation of staff related to decisions concerning her/him

At the level of staff

Under-staffing

At the level of human relationships

- ⇒ Neglect of human relationships
- ⇒ Manifest lack of courtesy
- ⇒ Lack of communication
- ⇒ Verbal attacks
- ⇒ Decrease of personal image and of self-confidence

At the level of absenteeism

The absenteeism rate was 4.1%.

Preliminary analysis by DG HR identified absenteeism as one of three psychosocial risks.

Other.... The exercise of individual assessment

- ⇒ Creating conditions for widespread competition between staff
- ⇒ Threats and blackmail on the part of the evaluator: Evaluation becomes a weapon
- ⇒ Emergence of "satisfactory" and the notion of "incompetence"

... The working area in open space

- ⇒ Impact on the efficiency of work by affecting the working capacity
- ⇒ Noise
- ⇒ Unsuitable lighting

Consequences of these risk factors

Regarding the immediate consequences of the intensity and complexity of work

-strong workload, lack of organization, time constraints, pace of work, deadlines too short, interruptions of workers

- ⇒ **Lack of preparation:** time pressure may result in a reduction of preparedness to work. The activity analysis shows that workers need breathing space during work. The time compression ensures that employees no longer have the time to plan their work, and this becomes even more difficult to achieve.
- ⇒ **Delays**
- ⇒ **Quality defects:** statistical surveys confirm the link between the intensity at work and the feeling of not always doing quality work. There is a conflict between performance and quality of work done.
- ⇒ **Inability to adjust her/his involvement at work:** over-involvement in work can create a hazardous situation. There may be several reasons: psychological characteristics of the worker, organization and working conditions. When the significant investment of staff is raised by the organization of work, management techniques or the competition between staff, where phenomena by physical and mental overload can appear. Organizations that strongly gratify the staff but require difficult performances prove pathogenic in the long run.
- ⇒ **Presenteeism or "burn in":** means working when there are health reasons to be on sick leave. According to studies, the cost of presenteeism in terms of lost of productivity exceeds that of medical care of the concerned pathologies. In stressful jobs, presenteeism increases more than absenteeism. High rates of presenteeism foreshadows a high rate of absenteeism.

Regarding management

Relations with superiors can be a risk factor or a protective factor.

Relations with superiors play an important role in mental health: quality relationships can help manage stress and negative emotions, while poor relationships can be a source of stress and therefore act as stressors.

He must be dependent on his subordinates and not a man who only obeys to his superior.

Regarding the lack of autonomy

Autonomy in work includes the leeway available to the staff in her/his work, her/his participation in decisions concerning the use and development of her/his skills.

- ⇒ **Work objective completely determined** but without a choice in how to reach it
- ⇒ **No anticipation in her/his work**, so no power to act
- ⇒ **Gradual devaluation of professional qualifications** which causes anxiety and self-depreciation
- ⇒ **Devaluation of knowledge or expertise**, especially if they are complex and rare
- ⇒ **Monotony and boredom:** psychic penalties for repetitive work may have psychopathological effects

Regarding the exercise of individual assessment

According to C. Dejours, individual assessment breaks the dynamic process of collective work and fosters individualism.

Furthermore, the introduction of new mentions following the new Staff Regulations in 2014 only make the perception of this exercise as one more strain for the staff.



Concerning staff health *

⇒ Symptoms of chronic consequences of stress:

- physical with pain (colic, headaches, tension and muscle pain ...); sleep disturbances, appetite and digestion, sensations of breathlessness or tightness, unusual sweating ...
- emotional with sensitivity and increased nervousness, tearfulness or nerves, anxiety ...
- intellectual, with disruption of concentration causing errors or omissions, difficulties in making decisions ...

⇒ Cardiovascular diseases

⇒ Musculoskeletal disorders

⇒ Mental health:

- depression
- anxiety disorders
- suicide, attempted suicide
- consumption of psychoactive drugs (anxiolytics, hypnotics, antidepressants)
- doping behaviour: use of medication or drugs to face an obstacle or develop her/his performance
- workaholism
- post-traumatic stress
- burn-out

⇒ Immune attacks

- decreased immunity: recurrent infections
- overstimulation of the immune system: asthma, atopic dermatitis ...
- lowering of immunity: rheumatoid arthritis, multiple sclerosis, Crohn's disease, haemorrhagic colitis ...

⇒ Other health impairments

- generalized fatigue
- sleeping troubles
- weight changes
- fertility disorders and pathologies of pregnancy
- accidents and commuting accidents

Financial implications

The heavy financial losses should be evaluated based on several criteria:

- ⇒ absenteeism
- ⇒ presenteeism
- ⇒ medical expenses (JSIS)
- ⇒ decreased productivity
- ⇒ prolonged illness
- ⇒ replace the person on sick leave
- ⇒ disability pension

At this stage, **R&D** is not able to assess the financial losses caused by these psychosocial risks because we do not have any data allowing us to do that. However, according to a study by the European Commission (2002), the annual cost of work-related stress in the EU totals between 15 and 20 billion euros.

The Matrix project (funded by the EU) estimated at 617 billion per year the cost of depression related to work in the EU (presenteeism and absenteeism, loss of productivity, cost of health care, social benefits) .

A study by the Bundesministerium für Arbeit und Soziales, German public administration, dating back to 2012 calculated the loss to 22.8 million days per year due to psychosocial problems, a loss of production of about 2.03 billion euros and a loss gross value of 2.51 billion euros.

Reference: calculation of costs of stress and psychosocial risks at work-European observatory Risk- Literature. European Agency for Safety and Health at Work-2014

* Expositions psychosociales et santé: état des connaissances épidémiologiques—INRS Documents pour le Médecin du travail n°127—3ème trimestre 2011

1 EURO INVESTED IN PREVENTING
=
13 EUROS OF ECONOMICAL BENEFIT*

As an union close to staff, through its listening and various efforts to safeguard the mental and physical health of colleagues, **R&D** does not say that its union mission is accomplished, because it has launched briefings - through conferences, that they alone brought together close to 2,000 colleagues - on the various psychosocial risks (global burnout, burnout, psychological harassment)

Instead, **R&D** exerts itself even further to seek the cause of this malaise, without making it an action of union propaganda, but rather a constructive action for the welfare of all colleagues and therefore the institution.

In any case, **R&D** will put a spotlight on the suffering of a category of staff to extract a program of action, this being in keeping with our moral values.

We could have simply edit general information on the financial consequences of bullying, because that was the basis of this "Renard déchaîné", but after conducting a thorough study of this issue and analyzed all the components, we preferred rather provide constructive contribution which we hope will be an opening and a solid foundation for the launch of a formal dialogue, including all players in this process, so that each brings its collaboration, experience and dynamic in eradicating most of these risks.

Our approach is not to point the finger at a particular service, a particular organization, this or that ... but to bring stable and sustainable proposals for our colleagues who are and remain the main pillar for the proper functioning of our institution !

R&D will also be very attentive to the **COMPLIANCE WITH REGULATIONS**, namely:

- ⇒ **Staff Regulations: art. 1e and 12a**
- ⇒ **Directive 89/391 / EEC on the implementation of measures to encourage improvements in the safety and health of workers at work**
- ⇒ **Decision C (2006) 1624/3 on the policy for the protection and dignity of the person and the fight against moral and sexual harassment.**
- ⇒ **Decision C (2006) 1623 establishing a harmonized policy for health and safety for all of the Commission determining the allocation of responsibilities for prevention and protection at work, and health policy and safety**
- ⇒ **Royal Decree of 10 April 2014 on the prevention of psychosocial risks at work establishes the legal framework in Belgium and is applicable to all Commission buildings located in Belgium**

* Calcul des coûts du stress et des risques psychosociaux liés au travail—Agence européenne pour la sécurité et la santé au travail—2014

R&D offers A PREVENTION PLAN based on a comprehensive reflection taking into account:

- ⇒ specific indicators from the staff survey 2014
- ⇒ the survey launched by **R&D** concerning the reorganization of DG GROW
- ⇒ indicators from administrative sources
- ⇒ analysis of risk factors
- ⇒ the consequences of these risk factors

This plan was developed following the work of experts² and adapted to the situation of the institution. It includes the three preventions: primary, secondary and tertiary.

Given the importance of the role of the proximity Manager and the position of some experts, of which Christophe Dejours, about her/his evolution, the manager is no longer confined to the role of manager, but rather evolves towards a HEALTHY AND PARTICIPATORY MANAGEMENT. R&D will develop this aspect and make concrete proposals.

This prevention scheme will not only prioritize staff health, curb and, over time, remove various risks, but also obtain a consequent benefit, especially because what is at stake is public money.

The primary-prevention —Preventing the risk ²

It is important to intervene at the primary level, which will allow us to directly tackle the causes of the suffering at work to reduce or eliminate them.

This step has the function of analysing the organization and the work environment, taking into account absenteeism, turnover, the frequency of interpersonal conflicts and complaints. It is also necessary to identify organizational dysfunction and improve managerial practices.

Schemes must be based on information, dialogue, and participation of everyone in decisions that affect them. Questions concerning health at work can be processed in specific meetings even without the presence of staff (eg. CPPT, DG HR, Central Staff Committee ...).

Based on various indicators, **R&D** has already been preparing a first job to identify psychosocial risks to the European Commission, taking into account three indicators:

- ⇒ specific indicators from the results of the Staff Survey 2014 and those of the survey launched by **R&D** during the reorganization of DG GROW
- ⇒ specific indicators from administrative sources
- ⇒ absenteeism indicators
- ⇒ It is from this analysis that we will initially provide a series of proposals to be supplemented later with players..

It is from this analysis that we will initially provide a series of proposals to be supplemented later with players..

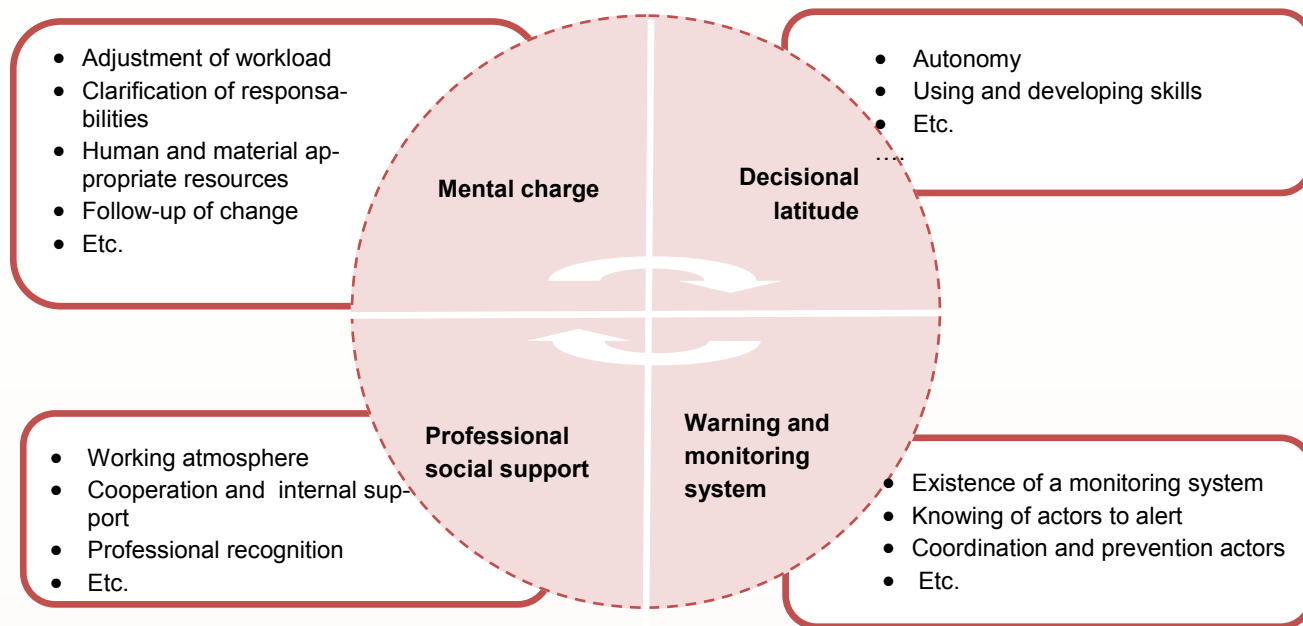
In addition, the first identification of psychosocial risks has established a list of risk factors that will enable us to launch a psychosocial survey based on problems encountered in our institution.

R&D will be assisted by a firm specialized in psychosocial risks in order to establish a questionnaire corresponding to the problem of our institution according to scientifically validated models such as Sobane strategy, Karasek model, or the model of Siegrist ...

¹ Les risques psychosociaux—30 outils pour les détecter et les prévenir—Stéphan Pezé—Vuibert 2015

² Mesurer les facteurs psychosociaux de risque au travail pour les maîtriser—Rapport du collègue d'expertise sur le suivi des risques psychosociaux au travail faisant suite à la demande du Ministre du travail, de l'emploi et de la santé—France

This diagram shows the items that will be developed in our proposal of psychosocial risk prevention policy.



Source: « Prévenir les risques psychosociaux: des outils pour agir sur la pénibilité et préserver la santé au travail » - Dunod 2014

Following an initial analysis, to be completed by the psychosocial survey that we will submit to staff, R&D proposes*:

Regarding mental load

Reassure the career prospects

- ⇒ Involve staff upstream changes by organizing effective participation of staff to give them the opportunity to express themselves and to influence decisions that affect them especially during restructuring and reorganizations of services or DG
- ⇒ Promoting the politics of putting the good person in the right place

Limit organization and work content constraints

- ⇒ Anticipating workload situations by setting up monitoring indicators and business planning
- ⇒ Plan deadlines based on tasks
- ⇒ Evaluate the reality of work to perform and share tasks equitably in the team
- ⇒ Organize regular meetings to identify colleagues in work overload
- ⇒ Promote teleworking to tasks requiring concentration

- ⇒ Know the work of everyone in the team so as not to interrupt the person to focus on a project and delegate the work to someone who can handle urgent requests

Promote clarity of roles and the meaning of work

- ⇒ Refer complete tasks rather than partial
- ⇒ Divide tasks fairly
- ⇒ Explain everyone the ins and outs of her/his contribution
- ⇒ Clarify roles and responsibilities, including what is expected of colleague
- ⇒ Regularly check that colleagues have a clear vision of what is expected from them

* some proposals are from the book: "psychosocial risks, 30 tools to detect, manage and prevent" [S. Pezé Vuibert](#) 2015

Regarding the decision latitude

Promote independence

- ⇒ Encourage room for manoeuvre
- ⇒ Allow more freedom in the choice of content and work schedules, in error handling, dysfunctioning ...
- ⇒ Promote training so that staff can adapt to the demands and requirements of the job
- ⇒ Encourage internal mobility

Improve working conditions

- ⇒ Involve staff to any changes in the particular during removal work environment and especially new workspaces "Open Space" taking into account the needs of the real work, concentration, meeting, exchange, sharing common hardware such as printers, copiers....
- ⇒ Collect the opinions of colleagues on changes of decisions permitting the establishment of a debate on working conditions and best practices to perform the job

- ⇒ Ensuring good working conditions renewing and purifying the air, reducing noise, adjusting the temperature, paying attention to ergonomics, lighting ...

Promote the use and development of skills

Regarding the professional social support

Promote human relations based on respect and fight against all forms of violence

- ⇒ Communicate the commitment of the institution regarding its rejection of violence in all its forms and its intention to systematically punish misconduct
- ⇒ Recall the obligations of officials and agents
- ⇒ Respect the usual conventions of politeness
- ⇒ Train staff in how to deal with violence or aggression and to defuse the spiral of violence
- ⇒ Provide assistance in case of delicate tasks
- ⇒ Provide breaks and relaxing places to unwind after a tense situation
- ⇒ Avoid competition between colleagues systems
- ⇒ Avoid excesses of individual stigmatization

- ⇒ Give enough work to prevent the spread of rumours

Develop social support

- ⇒ Develop team cohesion
- ⇒ Encourage mutual aid

Regarding the alert and monitoring systems

- ⇒ Creation of a cell / independent unit in charge of psychosocial risks
- ⇒ Creation of new posts for prevention advisors for psychosocial aspects, as provided for by the Royal Decree of April 10, 2014

- ⇒ Identification and information to staff of players to alert (Psychosocial Unit, DG HR, CPPT, Staff Representatives, Medical service ...)
- ⇒ Coordination and regular meeting of the actors of prevention

Secondary prevention —Prevent damage

Consists in moderating the effect of current risk factors and to intervene on or near the persons concerned by these risk factors.

It also help colleagues to manage their reactions to a situation destabilizing their mental health, for example by offering stress management training, conflict management ... and / or psychological counselling, relaxation sessions, meditation (mindfulness).

The interrogation of employees is essential to find out whether employees subject to the most serious risk factors are those who actually benefit from secondary prevention.

To meet this requirement, **R&D** will include in its psychosocial survey specific questions to help us to evaluate actions already in place to prevent these risks.

R&D is committed to organizing a series of highly targeted conferences on various points raised in this “Renard Déchaîné” and the dissemination of regular information to supplement the chapters of this dissemination.

Tertiary prevention—Limit the damage

It is to restore the health of workers when it was shaken by the risk factors, to help them return to work and to follow up.

Given that those concerned by this prevention in general are on sick leave or disability pension, it is difficult for **R&D** to evaluate the benefit of prevention.

However, the Medical Service should be able to provide this additional information and therefore all stakeholders including staff representatives should have it. Thus, they can position themselves and intervene in the actions put in place to facilitate the return of colleagues' victims of these situations.



The proximity manager, a key role for staff health

The manager plays a strategic role in the implementation of risk prevention policies, although she/he is her/himself exposed to these risks. Insofar as it is at the interface of policy makers and staff, she/he has a regulatory function that allows her/him to occupy a central place in all stages of prevention.

R&D opts for a qualitative and participatory management at every stage of prevention, combining the recognition of actual work done by each colleague, reconstructing new links with colleagues and creating lyrics spaces.

« Everyone is alone, nobody is talking to nobody »

C. Dejours

According to Christophe Dejours in his speech at the conference « [Santé et Travail: repenser les liens](#) » organized by the association Labour Health Territories Company (TSST) in France, it took over twenty years to identify changes in the work organization specifically involved in work mental health, identified since the 1980s.

The role of the manager is an essential component for good work organization. But in the 20th century, the "turning point manager" went down the role of manager to a single manager. Therefore, the organization of work was no more based on the engineering sciences, engineering organization, engineering design, engineering method, production engineering.

Managers took over and the work was summarized in two aspects:

- Upstream: managers prescribe objectives,
- Downstream: managers record performance.

Regarding the hierarchic relationship, not only the level? of all technical assistance is lost, but also the transmission of knowledge that constitutes a substantial share of responsibility of managers and plays an essential role in the creation of vertical cooperation.



Christophe Dejours

Psychiatre-Psychanalyste -Professeur
Conservatoire national des arts et métiers-

[VOIR VIDEO](#)

https://www.youtube.com/watch?v=WrkKSC_zwM

The major change is twofold:

- ⇒ **work organization**
- ⇒ **management** whose role stopped at:
 - the manufacture of figures that are supposed to reflect the work
 - evaluating individual performance has little to do with the actual work (performance measures the result of the work but not the proportionality between the work and the result of the work. For example, one can obtain phenomenal performance without much work and work hard to useful but extremely difficult tasks with results or performance that

remain modest) and generates unfair competition between colleagues, ruining and destroying gradually the confidence and all consideration, mutual respect, etiquette, mutual aid and solidarity ties,.

The destruction of assistance and cooperation are reflected in the explosion of mental illnesses, but also on productivity and quality.

By destroying cooperation, new work organization methods degrade the quality of production, affect productivity and generate to the same extent a deterioration of mental health at work.

The concept of « healthy management »

Components of a healthy management are essentially affirming feedback, the practice of recognition, respect, empathy, support, autonomy, the meaning given to the prescribed tasks.

This human dimension in managerial practices is probably one of the most important ways to reduce stress at work. There should be a criterion for determining the careers of persons called upon to manage a team including top management. (Patrick Le-geron)



Employees need a chief who decides and translates the reality of work to the superior. He must be dependent on his subordinates and not a man who only obeys to his superior.

For a healthy and participative management , R&D proposes:

- ⇒ Establishment of a cooperative management
- ⇒ Assessment of risk situations in each DG
- ⇒ Involvement of Senior Management in all DGs, including a psychosocial risk prevention component with monitoring in Directorate meetings
- ⇒ Establishment of a conflict resolution cell in all DGs
- ⇒ Creation of a unit / Central Prevention Unit of psychosocial risks with prevention correspondents (pre-trained)
- ⇒ Training and takeover of management
- ⇒ Redesign the concept of management by prioritizing the visibility of living labour
- ⇒ Rebuilding conditions of creation of a new cooperation agreement in the three dimensions of cooperation: horizontal, vertical and transverse (beneficiaries)
- ⇒ Reconstitute new links with the staff
- ⇒ Annual evaluation based on the actual work done
- ⇒ Better distribution of workload based on individual skills 'the right person in the right job '
- ⇒ Recognition of the work of subordinates
- ⇒ Evaluation at 360 ° -180 ° of management through an anonymous questionnaire (ability to organize and lead a team, ability to anticipate and organize the work of her/his team)
- ⇒ Creating space for deliberation
- ⇒ Restoration of friendliness
- ⇒ Organization of cooperation between employees

In addition, working in a multicultural environment, emphasis should also be placed on:

- ⇒ Development of intercultural management as a management method combining listening, openness and respect for others in its cultural differences, attempting by organizational and relational activities to include them in the exercise of the institution's functions.
- ⇒ Management of cultural diversity

Enhancing the role of senior expert, head of sector, adviser ...

- ⇒ Transfer of know-how to colleagues
- ⇒ Technical assistance when necessary

Proposed action plan

It is essential to establish an action plan identifying the measures envisaged in order to curb the risk factors, to implement it, to monitor its progress and effectiveness and to evaluate it.

This action plan will be the responsibility of a working group including staff and staff representatives.

It should be public and systematically updated. Staff can consult it at any time and can also contribute via a forum.

R&D has invested itself in the study of this dossier and thereby made a first analysis that will be completed by the psychosocial survey to be launched soon with the help of a recognised expert in this field.

R&D is also committed to train its representatives in the prevention of psychosocial risks.

Thus, **R&D** will make a valuable contribution to all concerned players to meet the requirements of part of primary prevention since some data, including the cost of psychosocial risks, are not in our possession.

Effective primary prevention erases all other preventions!

R&D provide the following action plan:

- ⇒ Identify actions to implement the Working Group following the analysis of risk factors and outcomes of the psychosocial survey
- ⇒ Implementation of the Action Plan at the three levels of prevention (primary, secondary and tertiary) involving concerned players and including the staff and staff representatives, with the establishment of a schedule of the different steps and informing staff via "My IntraComm"
- ⇒ Following the launch of the action plan by a monitoring committee including staff representation by identifying the establishment of indicators for each action of the plan and the overall implementation of the Action Plan
- ⇒ Evaluate the actions implemented and interview staff through a survey on their feelings of the process and its effects
- ⇒ Readjust actions as necessary based on the results of the survey

Harassment and psychosocial risks are the new scourges of the world of work. Although bullying is already identified since decades in certain professions it has become in recent years increasingly pervasive – up to pushing some people to suicide. Others, without coming to such extremes, found themselves immobilised, demolished and deconstructed by such evil and bestiality.

Management methods focused on the production and evaluation of quantitative performance, at the expense of actual work, has been heightened by the discomfort of sore in the workplace and has expanded misunderstanding between staff and employer.

Il est temps de stopper cette machine à broyer le moral et la santé mentale des collègues

Despite:

- ⇒ the clear legal framework emphasizing the obligations of the institution and its staff,
- ⇒ prevention policies and measures in place,
- ⇒ the alarm driven by different actors,
- ⇒ the results of surveys undertaken with staff from the European Commission showing that there is indeed a problem of malaise at work, including persistent workplace stress, for over a decade,
- ⇒ the recommendations made by the European Court of Auditors to adopt adequate administrative measures for prevention and early treatment,
- ⇒ the most alarming finding of lawyers in charge of harassment cases or work conflicts,
- ⇒ the costs directly or indirectly borne by the institution,
- ⇒ the absenteeism factor
- ⇒ the recognized consequences of psychosocial risk factors by different experts at the level both of staff's health and the company's organization,
- ⇒ Ms Georgieva's stance displaying a ZERO tolerance for any cases of harassment.


It is clear the flagrant FAILURE of all prevention policies and/or measures put in place since the beginning of the process. Indeed, certain attitudes within the "Wisdom of the three monkeys policy" only fuel and increase the phenomenon.



In this special “Renard déchaîné” on harassment and other psychosocial risks, **R&D** has chosen openness and firmness.

Openness of a collective approach that includes all players in finding paths, solutions to implement.

Firmness to punish all cases of harassment and hostile acts that jeopardize the dignity of the human being.



So that all the proposals made in this “Renard déchaîné” are taken into account and implemented, R&D is committed to launch soon a psychosocial survey with the help of an expert consultancy and demand the organisation of the 'États Généraux' on psychosocial risks by inviting all players: DG HR, IDOC, Network trustworthy people, Mediation Service, Lawyers, European Ombudsman, COCOBU, Staff Representatives and external experts.



Christophe Dejours

Biography

Psychiatrist

Psychoanalyst

Professor of the Chair of Psychoanalysis-health-work at the CNAM (National Conservatory of Arts and Crafts) - France

Director of the psychology laboratory of work and action

Creator of the psychodynamics of work

His research studies

- Difference between prescribed and actual work
- Defense mechanisms against suffering
- Ethics suffering - feeling out of her/his own dignity, betrayal of her/his ideal or values, when an individual is induced to commit, because of her/his work, acts she/he morally disapproves
- Recognition of the work and the worker
- The affections of the body and their relationship with the psychic functioning

His works

- *Souffrance en France - La banalisation de l'injustice sociale*, éditions du Seuil, 1998, 183 p.
- *Travail, usure mentale - De la psychopathologie à la psychodynamique du travail*, Paris, Bayard, 1980 (rééd. 2000), 281 p.
- *Le Facteur humain*, coll. Que sais-je ? Paris, PUF, 1994 (rééd. 2004), 127 p.
- *L'évaluation du travail à l'épreuve du réel - Critique des fondements de l'évaluation* Versailles, INRA éditions, 2003, 84 p.
- *Le corps, d'abord - Corps biologique, corps érotique et sens moral*, Paris, Payot, 2001 et coll. « Petite Bibliothèque Payot » n° 476, 2003 (ISBN 9782228897488).
- *Conjurer la violence - Travail, violence et santé*, Payot, 2007, et coll. « Petite Bibliothèque Payot » n° 785, 2011 (ISBN 9782228906104).
- *Suicide et travail : que faire ?*, en collaboration avec Florence Bègue, PUF, 2009, 130 p.
- *Les Dissidences du corps*, Payot, coll. « Petite Bibliothèque Payot » n° 01, 2009 (ISBN 9782228904094)
- *Travail vivant*, Tome 1 : *Sexualité et travail*, Payot, 2009, et coll. « Petite Bibliothèque Payot » n° 895, 2013 (ISBN 9782228908399)
- *Travail vivant*, Tome 2 : *Travail et émancipation*, Payot, 2009, et coll. « Petite Bibliothèque Payot » n° 896, 2013 (ISBN 9782228908405)
- *Observations cliniques en psychopathologie du travail*, PUF, coll. « Souffrance et théorie », 2010, 160 p.
- *La Panne*, Bayard éditions, 2012
- *Le Choix - Souffrir au travail n'est pas une fatalité*, Bayard éditions, 2015

Website: <http://psychanalyse.cnam.fr/equipe-de-recherche/christophe-dejours-488797.kjsp>



Marie-France Hirigoyen

Biography

MD
Psychiatrist
Psychoanalyst
Family and Systemic Therapist
Victimologist

In 1998 she published the essay « *Le harcèlement moral, la violence perverse au quotidien* », which has sold 450,000 copies and was translated into 24 languages.

This book described for the first time in France the insidious violence by a person or persons against another person without that the latter can defend her/himself. These actions taken separately might seem innocuous but Marie-France Hirigoyen showed that daily repetition seriously affected the physical or psychological health of those targeted.

Marie-France Hirigoyen named these psychological harassment, a term that was chosen by the French and Belgian legislators, and was accepted in current terminology in Spain and Japan.

In her second book *Malaise dans le Travail. Harcèlement moral : dé-mêler le vrai du faux*, which was released in March 2001. She has refined her analysis and clarified the concept in order to avoid the term is misused and misinterpretations.

Her research studies

La destruction morale, les victimes des pervers narcissiques—Mémoire

Her works

- *Le harcèlement moral, la violence perverse au quotidien*. Syros—Paris—1998 traduit en 26 langues, publié à 450 000 exemplaires en langue française
- *Malaise dans le travail, harcèlement moral, démêler le vrai du faux*. Syros, Paris, 2001 et en 2002 aux éditions Pocket.
- *Femmes sous emprise, les ressorts de la violence dans le couple*. Oh édition, Paris, 2005. puis aux éditions Pocket.
- *Les nouvelles solitudes. La découverte*, Paris, 2007
- *Abus de faiblesse et autres manipulation*. JC Lattès, 2012
- *Que sais-je: Le harcèlement moral au travail*. Presse universitaire de France, 2014



Heinz Leymann

Biography

Psychologist
Psychosociologist
Professor of the Stockholm University, Sweden

He is the first to conduct research on bullying

His research studies

Study on the 45 constituent acts of mobbing
["Mobbing and Psychological Terrors at Work." *Violence and Victims*. 5:2, pp.119-126.](#)

Website : <http://www.mobbingportal.com/leymanh.html>



Anne-Françoise Chaperon

Biography

Clinical Psychologist
Psychotherapist

Psychotherapy specialties

- Anxiety disorders: phobias, social anxiety, TOC
- Impaired self-esteem
- Professional Stress, psychosocial risks, prevention of bullying at work
- Prevention of bullying and manipulation in everyday life
- Prevention of stress-related illnesses
- Eating Disorders
- Population: adult

Other:

- Coaching managers and leaders
- Training

Her works

- L'affirmation de soi par le jeu de rôle, Dunod, 2007.
- 100 réponses sur... le stress, Tournon, 2007.
- Traiter l'obésité et le surpoids, Odile Jacob, 2010.
- Harcèlement au moral au travail, Odile Jacob, 2014
- Prendre en charge les victimes du harcèlement moral, Dunod, 2015



Stéphane Pezé

Biography

Université Paris-Est Créteil, ESIAG

- Management Science Lecturer
- Member of the IRG (pole: Strategy-HR-Logistics)
- Coordinator for the component "Societal Risk" of TFEIP Créteil (with Roberto POMA)

His research/expertise studies

- Proximity management
- Construction of individual identity in organizations
- Health and safety at work, psychosocial risks and quality of work life

His works

- *Les risques psychosociaux 30 outils pour les détecter, les gérer et les prévenir* - Vuybert, 2015

His publications

- [Les managers à l'épreuve de la souffrance de leurs collaborateurs : de la compassion à la régulation](#)
- [La construction identitaire en situation. Le cas de managers à l'épreuve de la détresse de leurs collaborateurs. \(A situation oriented approach of identity construction inside organizations. When managers are facing the trials of their subordinates' distress\)](#)
- [Quelles formations pour positionner les managers comme acteurs de santé mentale ?](#)
- [La formation des managers à la prévention des risques psychosociaux est elle sur la bonne voie ?](#)

Other, see his site web: <http://u-pec.academia.edu/StephanPeze>

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NOTES

A series of horizontal dotted lines for writing notes.

