

Social Dialogue and Tripartite Cooperation:

Methods and instruments to combat Moral and sexual harassment in promoting dignified / decent work for all

On behalf of CGTP-IN - General Confederation of Portuguese Workers, I want to salute all the organizations attending this meeting and express my thanks for the invitation to participate. Hopefully this will allow us to have a better understanding of the labour and social situation in Norway, and to exchange experiences in fighting bullying and sexual harassment in the workplace.

I would start by highlighting that social dialogue must go hand in hand with the promotion of decent work, collective bargaining and the existence of socially responsible companies.

The male and female workers in Portugal are facing great sacrifices and a loss of fundamental rights, due to government policies of "stability and growth pact" and measures of the Troika programs, which have led to an increase of exploitation and impoverishment, deepening inequalities, injustice and social exclusion.

Massive unemployment, job insecurity, cheapening of labour costs, intensification of the pace of work, the employers' disregard for collective bargaining, are the everyday reality at workplaces, both in the private and public sector. This happens simultaneously with the reduction of skills and means of supervision bodies/ inspectors and increased difficulties in accessing the courts, which contributes greatly to the increase in cases of harassment and psychological violence in the workplace.

The harassment appears sometimes following issues as simple as a request from the employee to have flexibility of the work schedule, in legal terms, in order to conciliate work and family/personal life; or the exercise of the legal right to breastfeeding; for not achieving the sales goals imposed to employees of the

financial sector; or by the exercise of trade union rights, among others.

Many employers use harassment as a management tool! They do so in many cases because they consider that impunity is possible, due to the difficulty of the employee in collecting proof and witnesses. To this we must add the delays and high costs of justice/courts.

Unions deal daily with serious situations associated with the growth of harassment and bullying.

We can give some recent examples: - A union official was subject to disciplinary proceedings due to the legitimate exercise of her trade union activity, in a well-known chain of grocery stores in Portugal; - Portuguese nurses, mostly women, are pressured and virtually required to make consecutive shifts without having guaranteed basic rights such as holidays and vacations, breastfeeding legal time, working student status.

There are reports of threats of dismissal, use of "internal mobility" for many kilometres away from the family and changing without prior notice working time schedules, as attempts to intimidate those who exercise their rights or complain about the violation of the same.

In some "call centers" of the largest telecommunications company, where precarious jobs are rule, one the most basic rights, such as holidays, is strongly limited beyond five days a year and a permanent pressure is exerted by the threat of unemployment always present. Any and all of these workers resist and fight together with the Unions for the exercise of fundamental rights, we cannot accept the social and civilisational regression that is doing its way in the workplaces. Neither can we accept the emerging of new occupational health hazards (emotional and psychosocial) specifically the moral and sexual harassment. We reaffirm our ongoing commitment fighting harassment at work.

Therefore we joined the official working body from CITE (Commission for Equality in Labour and Employment) who in 2013 conceived an informative

guide for preventing and fighting moral and sexual harassment, as part of a democratic culture within companies. This concept has to ensure the non-existence of situations of constraint due to the legitimate exercise of the rights of the workers.

We noticed with concern that the final guide has not received the agreement of the employer's associations that constitute the tripartite committee of CITE.

We firmly believe that only with the effective engagement of all partners in the fight against all harassment situations, we can answer the challenges faced by the world of work. For sure, the climate of pressure, intimidation, insecurity and fear that has been growing in workplaces in Portugal is not in favour of this construction.

Although our legal framework already considers harassment as a crime, this is not enough to effectively penalize offenders and put an end to situations that continue to multiply.

The CGTP-IN, through its internal Committee for Equality between Women and Men, chose this area of work as a priority.

We have a plan for intervention in workplaces with the following main aims:

- Encourage the study, knowledge and dissemination of this subject - moral and sexual harassment in the workplace - extending learning and training actions, developing awareness, so that trade unionists and workers, as well as negotiate partners can insert specific clauses in collective bargaining agreements.
- Prevent situations that are likely to generate moral harassment in the workplace, acting at different levels, for the preservation and protection of fundamental rights of workers, such as the right to health, dignity, integrity and equality as they are consecrated in the Constitution of the Portuguese Republic, in the legislation and collective bargaining.
- Establish contacts and collaborative relationships with other organizations and associations that are against bullying in the workplace, both nationally and internationally.

So here we are collecting and maximizing all the contributions of this visit in order to contribute to the improvement of our action and intervention at all levels, in promoting decent work and social and labour progress.

It has always been urgent, but now it's even more urgent: we speak of changing practices, mentalities, policies, towards the building of a culture of equality that respect differences, putting an end to discrimination of all kinds.

With the conviction and commitment of all, the workplace free of violence can only be a better place.

Célia Portela da Silva

CIMH/CGTP-IN (Portugal)