



# UGT General Workers' Union

## Harassment at the Workplace



Lina Lopes

Chairwoman of the Women's Committee

[lina.lopes@ugt.pt/comissao.mulheres@ugt.pt](mailto:lina.lopes@ugt.pt/comissao.mulheres@ugt.pt)  
Telephone +351 213 931 200/+351 912292471

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- UGT- Workers General Workers Union - leading Portuguese Trade Union Confederation
- 52 Trade Unions
- 6 Federations

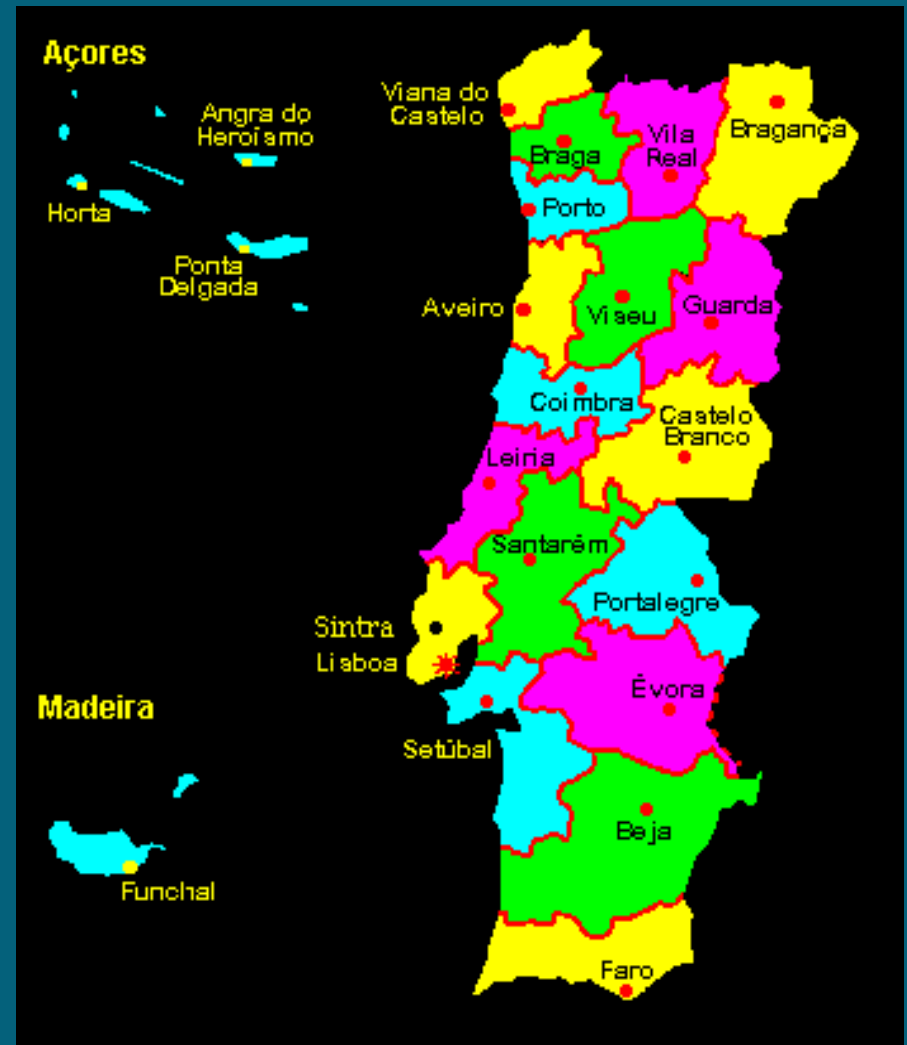


# COMMITMENT

Principles of representative  
democracy and the values of the  
independent trade union movement



- Represented all over the Portuguese territory
- 18 districts
- 2 autonomous regions
- Office's mission: to support the unemployed and to monitor the labour conditions



# XII Congress UGT

(20-21 April)

- Action measures to prevent and fight against Harassment at the work place



# Action Measures

**1. Promoting social dialogue – promoting the reflection on the crisis' impacts on women's lives and setting strategic goals leading to the commitment of the parties in their implementation, as a way to fight poverty, social exclusion and discrimination;**

# Action Measures

**2. Reinforcing collective bargaining – fighting in the negotiation tables for joint solutions regarding equality and non discrimination, as a way to fight gender stereotypes and to raise awareness on the role of women in the working place;**

# Action Measures

**3. Promoting greater involvement from the affiliated unions of UGT in defending the rights of workers, equal opportunities and treatment and taking immediate action against any form of discrimination;**



# Action Measures

**4. Promoting awareness raising and training actions regarding gender themes, where the involvement of men is essential. The struggle for equality is achieved with both men and women.**

# Action Measures

**5. Striving for the creation of mechanisms to prevent sexual and moral harassment at workplaces – through specific awareness raising, information and training campaigns and the introduction of clauses in collective agreements promoting job security and protection of workers with lower hierarchy positions;**

# Collective Bargaining

Central Department of collective bargaining

- monthly meetings with all trade unions and federations
- my main concern: include more women in bargaining staff
- section on gender equality and non-discrimination in UGT's reference form of the labour contract



# Collective Bargaining

- UGT's collective bargaining department did a research on all clauses concerning the subject matter published in WEB in recent years, the analysis was thorough and targeted collective agreements subscribed by UGT and CGTP.
- The aim was to analyse the published texts and draft a standard clause for dissemination among trade unions.

**Examples  
of  
Clauses in the collective  
agreement on harassment  
and violence at work**

# Clauses in Collective Agreements

WEB (BTE) n.º 25 of July 8, de 2014

Company agreement between CEFOSAP -Center for Union Training and Professional Development- and the SITESE- Technical Services Workers Union

## Clause 13.<sup>a</sup>

### **Preventing violence and harassment in the workplace**

**Without prejudice to other obligations, the Center prohibits and condemns any act of violence in the workplace, assessing and monitoring all occurrences**

# Clauses in Collective Agreements

- WEB (BTE) 20 /2013

*Collective Agreement* - PT –COMMUNICATIONS-  
SINDETELCO (Democratic Union of Communications  
and Media Workers)

## **Clause 11.<sup>a</sup> Prohibition of harassment**

1-Harassment is any unwanted behavior based on factors of discrimination upon access to employment, in the workplace, at work, or during vocational training, with the purpose or effect of disrupting, embarrassing, or affecting the dignity of the person, or creating an intimidating, hostile, degrading, humiliating or offensive environment.

2- The practice of harassment affecting the worker gives them the right to compensation for by material and non-material damages, under general law.

# Clauses in Collective Agreements

- WEB (BTE) 3 / 2014

**STAL (National Union of Local and Regional Administration Workers) – EMARP Agreement –**

**Municipal Enterprise for Water and Waste, Portimão**

## **Clause 11.<sup>a</sup> Coercion and harassment**

**1-All workers have the right to exercise their professional activity in an effective manner and without any constraints , while fully respecting the dignity of the human person**

**2- If the violation of nº1 of this clause results from the behavior of a person in a higher hierarquical position, the affected employee may report the situation to the board of the company, which must take disciplinary action, not excluding the possibility of using competent legal means**



- WEB 19/2013 – FEVICCOM (Portuguese Federation of Construction, Ceramics and Glass Unions) – Morais Matias agreement
- WEB 34/2009 – FESAHT (Federation of Agriculture, Food and Beverage, Hotels and Tourism Unions of Portugal)

### **Clause 15.<sup>a</sup> Coercion/ harassment**

1-All employees are entitled to exercise their professional activity effectively and without any constraints , in full respect for the dignity of the human person

2- In case of violation of paragraph 1 by the employer , this constitutes the obligation to pay the employee compensation for the value no less than three times the salary currently received , without prejudice to any other compensation for property or intangible damage

3-If the violation of paragraph 1 of this clause course results from the conduct of a hierarchical superior, the affected employee may report the situation to those in charge of the company , which must take disciplinary action, subject to appeal by competent legal means .

WEB 6/2013 – Company agreement between Santa Casa da Misericórdia de Lisboa and STFPSSRA (Union of Public and Social Functions Workers from the South and Autonomous Regions) and another subscriber

### **Clause 19.<sup>a</sup> Harassment**

**1- Harassment perpetrated upon the job applicant or employee is a discrimination.**

**2- harassment is any unwanted behavior associated with the factors indicated in paragraph 2 of clause 17th ( race , ancestry, marital status etc ..... ) practiced on a candidate to a job or employee , with the purpose or effect of affecting the dignity of the person or creating an intimidating , hostile, degrading or humiliating environment**

**3- sexual harassment means all unwanted behavior of a sexual nature , in any form , with the purpose or effect referred to above**

# Clauses in Collective Agreements

Clause type prepared by the Northern Bank Union (SBN)

## **Equality and reconciliation of work and family life**

- 1 - Equality and reconciling work and family life
- 2- Ensure equal opportunities and non-discrimination among workers
- 3- Protection against domestic violence
- 4- Prevention of harassment

# Training

- UGT / Women's Committee /UMAR

signed a protocol, to form union delegates about the sexual and moral harassment in the workplace.

UMAR- Alternative Women's Union and Response  
(União de Mulheres Alternativa e Resposta)

- Already made two formations- District of Setúbal and now we will do another in the District of Porto



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## Thanks for your attention

Lina Lopes

Women's Committee Chairwoman



[lina.lopes@ugt.pt/comissao.mulheres@ugt.pt](mailto:lina.lopes@ugt.pt/comissao.mulheres@ugt.pt)  
Telephone +351 213 931 200/+351 912292471

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