

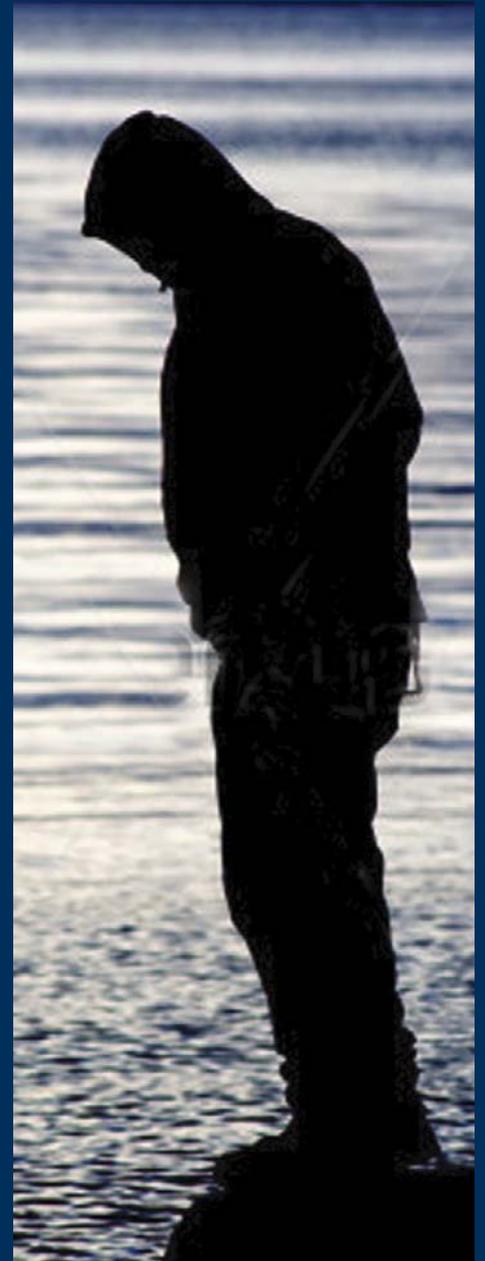
ELIMINATING WORKPLACE

HARASSMENT AND BULLYING

**European Community Shipowners'
Associations**

**European Transport Workers'
Federation**

**Equality of Opportunity & Diversity
in the European Shipping Industry**



**Guidelines to
shipping
companies**

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Statement by Armindo Silva

Director, 'Employment and Social Legislation, Social Dialogue' EU Commission



To address the major shortfall in the number of Europeans embarking on careers at sea, it is essential for the shipping industry to present itself as an attractive industry to work in, where all those employed are treated with respect and are encouraged to fulfil their potential. Against this background, the Social Partners for Maritime Transport — ETF and ECSA — issued back in 2004 the, 'Guidelines to shipping companies on eliminating workplace harassment and bullying', which were the first text issued by any EU Social Partners on this type of occupational risk. Since then, they have paved the way for many others, such as the 'Framework agreement on harassment and violence at work' signed at cross-industry level in 2007, complemented by the "Guidelines on third-party violence" at sectoral level in 2010.

We know that bullying and harassment at the workplace can have serious consequences for the physical and emotional health of workers, such as decreased motivation, increased absenteeism and a fall in productivity. But they can also have negative effects for the companies themselves, resulting in a deterioration of working conditions with huge organisational, economic and potential legal consequences too.

Harassment and bullying can take a wide variety of forms, ranging from simple verbal aggression, ill-treatment, cyber-bullying or sexual discrimination through to various forms of physical aggression resulting in serious injuries. Aggression may take the form of body language, intimidation, contempt or disdain. While the physical effect of harassment and bullying is fairly easy to identify on account of the obvious external signs, the same cannot be said of the emotional effects of harassment and bullying which are often denied or distorted.

There is increasing awareness across the EU of the problem of bullying and harassment in the maritime workplace, stemming from the work of the Social Partners, and this challenge is taken more and more seriously in all Member States. It was, therefore, important to update the 2004 ETF/ECSA Guidelines not only as regards their role in the analysis, identification and prevention of such phenomenon, but also in relation to the constant underestimation and reporting of the problem. This update will also ensure the widespread dissemination of the Guidelines in maritime academies and shipping companies across the EU. Moreover, the updated Guidelines have been structured in such a way that it becomes easier for individual victims to find the information they are looking for to help them in addressing their cases.

In maritime transport, situations of harassment and bullying can be a cause of severe hardship, when we think about the shipboard living and working environment, the isolation, the size and proximity of vessel cabins or the necessity to remain at the workplace during rest periods, as the workplace is also the place of residence of the seafarers for the time he or she serves onboard the ship. Despite the adoption of the 2004 Guidelines, reports have shown that less than half of those who had experienced bullying or harassment had felt able to make a complaint, for fear that it would not be taken seriously.

Although all situations of bullying or harassment constitute a risk factor likely to affect health and safety at work and should always be avoided or prevented, a large majority of seafarers or their shore-based counterparts in management have still never received any training on bullying, harassment or discrimination issues.

Consequently, these updated guidelines and the associated online material and workbook constitute a very welcome and timely resource to the European shipping Industry which will contribute to mainstreaming a culture of risk prevention on board vessels and in the shipping industry as well as increasing awareness amongst all seafarers of the phenomenon of harassment and bullying. It will also help assist victims in better addressing their cases should they occur. They have been drafted by the Social partners under the auspices of the Sectoral Social Dialogue Committee on Maritime Transport and with the financial support of the EU Commission. These guidelines and the accompanying support materials (video and workbook) will help dissemination as well as the translations of the guidelines in the languages of all maritime States of the Union, as well as a number of additional languages selected by the Social Partners.

Brussels, December 2013

The social partners



The European Community Shipowners' Associations

(ECSA), founded in 1965 under the name of "Comité des Associations d'Armateurs des Communautés Européennes (CAACE)", is the trade association representing the national shipowners' associations of the EU and Norway (close to 99% of the EEA fleet or about 20% of the world fleet). Our aim is to promote the interests of European shipping so that the industry can best serve European and international trade and commerce in a competitive free enterprise environment to the benefit of shippers and consumers and help formulate EU policy on critical maritime transport-related issues.



European Transport Workers' Federation

(ETF) represents more than 2.5 million transport workers from 243 transport unions and 41 European countries, in the following sectors: railways, road transport and logistics, maritime transport, inland waterways, civil aviation, ports & docks, tourism and fisheries.

Its principal activity is to represent and defend the interests of transport workers throughout Europe. It formulates and coordinates trade union transport and social policy, organises concerted industrial activities, engages in education and training and conducts innovative research on a variety of subjects from workers' health and safety to employment impact studies.

Introduction

All workers have the right to work without suffering harassment and bullying in their workplaces. Unfortunately, there are many workers who do not enjoy this basic freedom. It is the responsibility of all employers to ensure that all forms of harassment and bullying of workers are eliminated from their workplaces. It is also the responsibility of trade unions and workers to make sure that harassment and bullying do not take place.

The European Community Shipowners' Associations (ECSA) and the European Transport Workers' Federation (ETF) representing the trade unions believe that harassment and bullying are unacceptable and have combined to produce the following guidance to shipping companies and others in the shipping industry on what they can do to eliminate harassment and bullying.

Harassment and bullying are examples of conduct that are unwanted and cause detrimental effects. These may include stress, lack of motivation, reduced work performance, absenteeism, resignations and high costs. Harassment includes any inappropriate and unwelcome conduct which, whether intentionally or not, creates feelings of unease, humiliation, embarrassment or discomfort to the person on the receiving end. Bullying is a particular form of harassment that includes hostile or vindictive behaviour, which can cause the recipient to feel threatened or intimidated.

Although, in a minority of cases, those committing acts of harassment and bullying do so intentionally, there are also actions which can be classed as harassment and/or bullying that are carried out unwittingly and result from outdated management styles as opposed to any deliberate malign intention. Hence the adoption and encouragement of management styles that do not involve aggressive and intimidating behaviours would also make an important contribution to the eradication of workplace harassment and bullying.

There are also strong legal and economic reasons for eliminating harassment and bullying from workplaces. There have been instances of employees who have suffered harassment bringing successful claims of discrimination, with expensive consequences for their employers. However, even leaving aside the legal considerations, it is a matter of good employment practice to foster a working environment in which workers are able to work free of harassment and bullying. Workers who suffer harassment and bullying can feel demotivated and are more likely to suffer from stress leading to absenteeism. They are also more likely to want to leave their employment, which entails additional recruitment expenses for the company.

Aims of guidelines

These guidelines aim to assist companies in recognising examples of harassment and/or bullying, identifying incidents through the use of effective grievance procedures and eliminating harassment and bullying in a way that shows clearly the benefits to all parties concerned of a harassment and bullying-free workplace. They are of relevance to shipboard and shore-based workplaces.

In doing so the company should involve its workforce and /or trade unions. Where appropriate and taking account of national legal systems, company policies on harassment and bullying should be incorporated into collective bargaining agreements.

What is harassment?

The European Directive on establishing a general framework for equal treatment in employment and occupation states that harassment shall be deemed to be a form of discrimination when unwanted conduct takes place which has the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment ⁽¹⁾.

Examples of harassment

- Displaying or circulating offensive or suggestive material;
- innuendo, mockery, lewd or sexist/racist/homophobic jokes or remarks;
- the use of offensive language in describing someone with a disability or making fun of someone with a disability;
- comments about a person's physical appearance or character which cause embarrassment or distress;
- unwelcome attention such as spying, stalking, pestering, overly familiar behaviour or unwelcome verbal or physical attention;
- making or sending unwanted, sexually suggestive, hostile or personally intrusive telephone calls, text messages, e-mails, social networks, faxes or letters;

⁽¹⁾ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

- unwarranted, intrusive or persistent questioning about a person's age, marital status, personal life, sexual interests or orientation, or similar questions about a person's racial or ethnic origin, including their culture or religion;
- unwelcome sexual advances or repeated requests for dates or threats;
- suggestions that sexual favours may further a person's career, or that not offering them may adversely affect their career;
- leering, rude gestures, touching, grabbing, patting or other unnecessary bodily contact such as brushing up against others;
- spreading malicious rumours, or insulting someone (particularly on the grounds of the protected characteristics of age, race, gender reassignment, marriage, civil partnership, pregnancy and maternity, sex, disability, sexual orientation and religion or belief);

People may also be harassed at work if they are perceived by others as 'not fitting in'. This is more likely to occur in a workforce with little or no diversity. Such people may be shunned and their efforts to integrate with others rebuffed.

What is bullying?

Bullying is a form of harassment and is used to describe a threatening or intimidating behaviour. It results in a work environment in which a group of people or an individual may become fearful or intimidated because of the negative or hostile behaviour of another group of people or individual.

Bullying often involves a misuse of power or position and is often persistent and unpredictable. It may be vindictive, cruel or malicious. However it can also arise when a person is unaware of the effect that their behaviour is having on other persons, or does not have any intention to bully.

Examples of bullying

- verbal or physical threats or abuse, such as shouting or swearing at staff or colleagues, either in public or in private, including derogatory or stereotyped statements or remarks;
- personal insults;
- belittling or ridiculing a person, or his/her abilities, either in private or in front of others;
- sudden rages or displays of temper against an individual or group, often for trivial reasons;
- subjecting someone to unnecessary excessive or oppressive supervision, monitoring everything they do or being excessively critical of minor things;
- persistent or unjustified criticism;
- making unreasonable demands of staff or colleagues;
- setting menial or demeaning tasks that are inappropriate to the job or taking away areas of responsibility from an individual for no justifiable reason;
- ignoring or excluding an individual eg from social events, team meetings, discussions and collective decisions or planning;
- making threats or inappropriate comments about career prospects, job security or performance appraisal reports;
- spreading malicious rumours, or insulting someone (particularly on the grounds of the protected characteristics age, race, marriage, civil partnership, pregnancy and maternity, sex, disability, sexual orientation, religion or belief and gender reassignment).

The following expressions are sometimes used to excuse, define or refer to behaviour or situations between people at work which may involve 'hidden' bullying;

- strong or robust management styles;
- a working relationship that is described as a 'personality clash';
- someone being described as 'over-sensitive' or 'unable to see a joke';
- describing someone as having an 'attitude problem';
- a manager who 'doesn't suffer fools gladly';
- failure to support a member of staff who has made a minor mistake at work.

Harassment/bullying by electronic communication

The increasing availability of electronic means of communication has created a potentially powerful vehicle for bullying or harassment; this has become known as 'Cyber Bullying and Harassment'. Suggestive and unwanted remarks, graphics or threat-centred, abusive e-mails, postings on social networks and mobile telephone text messages are forms of cyber bullying. Therefore companies need to ensure that a statement regarding Cyber Bullying is included in the relevant policies and procedures. An example of a suitable statement could be:

'Cyber bullying and harassment is the use of modern communication technologies to embarrass, humiliate, threaten, or intimidate an individual in an attempt to gain power and control over them. The use of the company's communication equipment for such purposes will be treated as a serious breach of the company code of conduct and result in disciplinary action against perpetrators'.

If any employee complains of having been the victim of any of the above acts or any other act falling within the definition of harassment and/or bullying, it is important that the employer takes the complaint seriously and carries out an investigation.

A company policy on harassment and bullying

The company should draw up a clear written statement of its commitment that makes it clear that harassment and bullying are not acceptable and that the purpose of the policy is to eliminate them from the workplace. The statement should set out clearly as many examples as possible of the types of behaviour that will be classed as harassment and bullying. It should also identify the persons to whom members of staff can report incidents.

The company should discuss the policy with employee representatives and/or the maritime trade unions and obtain their support for it and commitment to its aims.

Once the policy is agreed, the company should ensure that all staff, at sea and ashore, are made aware of it and understand it. They should be presented with copies of documents containing the policy and a similar document should be displayed prominently on noticeboards on ships and in shore-side offices.

The company should also consider running workshops and/or seminars to ensure smooth implementation and acceptance of the policy.

Commitment from senior management

The policy document should contain a message from the Chief Executive or equivalent in the company. The message should set out the company's commitment to the elimination of harassment and bullying from the workplace and the goal of a working environment in which there is respect for the dignity and well-being of all workers. In addition, the company should designate a director or appropriate member of the senior management as the person with overall responsibility for the policy.

Companies need to set a good example. The behaviour of employers and senior managers is as important as any formal policy. 'Strong' management can unfortunately sometimes tip over into bullying behaviour. A culture where employees are consulted and problems discussed is less likely to encourage bullying and harassment than one where there is an authoritarian management style.

Companies procedures

Companies should maintain fair procedures for dealing promptly with complaints from employees. Complaints of bullying and harassment can usually be dealt with using clear grievance and disciplinary procedures. Such procedures should have provision for confidentiality, safeguards against victimisation of the complainant, and for both the person making the complaint and the alleged perpetrator to be accompanied by a fellow employee or trade union representative of their choice. The company should ensure that the parties to the complaint are treated with equal dignity and fairness.

A company statement to all staff about the company's policy, the standards of behaviour expected and the support it will provide to staff can make it easier for all individuals to be fully aware of their responsibilities to others.

It is important to let employees know that complaints of bullying or harassment, or information from staff relating to such complaints, will be dealt with fairly, confidentially and sensitively. Employees will be reluctant to come forward if they feel they may be treated unsympathetically or are likely to be confronted aggressively by the person about whose behaviour they are complaining.

Identifying incidents of harassment and bullying

Reporting

In order to tackle the problems caused by harassment and bullying, it is important that the company actively encourages its staff to bring all incidents of harassment and bullying to its attention.

The authors of this guidance have identified that one of the most serious problems at present is that a significant percentage of incidents are not reported to company management. According to a 2010 report of a survey carried out by Nautilus International entitled 'Bullying, Discrimination & Harassment', 43% of respondents claimed to have suffered bullying, discrimination or harassment in the workplace but less than half (43%) complained to their company. The 2010 report updated a previous study undertaken by the union which had identified that 76% of its female members had suffered sexual harassment at work but only 23% had reported it to their company. Whilst levels of reporting appear to have improved since the first study the level of underreporting remains a concern.

In a shipboard situation it is common for sufferers of harassment and bullying to 'stick it out' until the end of the voyage and ask to be transferred to a different vessel for their next voyage, instead of reporting the incidents. This creates logistical difficulties for their company and does not enable it to deal effectively with incidents.

A special grievance procedure

It is also most important that the company has procedures for the reporting and handling of complaints of harassment and bullying in which all members of staff have confidence. It is recommended that the procedure be separate from the general company grievance procedure but consistent with those drawn up to comply with Regulation 5.1.5 of the Maritime Labour Convention, 2006 (Onboard Procedures) and Title 5 of the Agreement concluded by the ECSA and the ETF on the Maritime Labour Convention 2006 annexed to Council Directive 2009/13/EC.

The company should designate a person as the first point of reference for any member of staff who wishes to make a complaint. For complaints from shipboard personnel this person could be another member of the crew of the vessel on which the complainant is employed, a company employee based ashore, or a person from an independent organisation designated for this purpose. The latter two channels could be made available to shore-based personnel.

If the designated person is a company employee, that person should be given the authority to deal with the complaint himself or herself or to choose to refer it to a higher level in the company.

In addition to the formal procedure, the company should provide for victims of harassment or bullying to have the option, at the victim's discretion, of resolving their complaints informally. This could involve the victim explaining the effects of the perpetrator's actions in the presence of another person from the company who has received training in the resolution of complaints. The perpetrator may then be offered an opportunity to apologise for their actions and undertake not to repeat them. Under no circumstances should a victim be made to face an alleged perpetrator if they do not wish to.

The company should also consider making use of an independent third party based ashore to whom those suffering harassment or bullying might address their complaints. The company should make available to its workers a confidential helpline staffed by the third party.

Whatever procedure is chosen, it is essential that all employees have confidence in it. A system whereby complaints are heard by others onboard the ship may be effective on ships with large numbers of crew members, especially if the number of senior officers on board is sufficiently large to provide for peer pressure among that group. This would normally ensure that unacceptable behaviour is not tolerated.

However, even when a shipboard procedure is adopted, it is important to make shore management aware of all incidents. Where a ship has a smaller crew complement, it is advisable for a point of contact ashore to be available to crew members for the reporting of all incidents.

Responding to a complaint of bullying and/or harassment

It is important to investigate complaints promptly and objectively. Employees do not normally make serious accusations unless they feel seriously aggrieved. Any investigation must be seen to be objective and independent.

Employers investigating claims of bullying and harassment should consider all the circumstances before reaching a conclusion and particularly the perception of the complainant as bullying and harassment is often felt differently by different people.

Informal process

In some cases, it may be possible to rectify matters informally, such as through mediation. Sometimes people are not aware that their behaviour is unwelcome and causing distress. An informal discussion can lead to greater understanding and an agreement that the behaviour will cease.

Formal process

If the matter is not resolved at the informal stage, or the complainant feels that the bullying or harassment is of such a serious nature, it may be necessary to invoke a complaints procedure. The employer may decide that the matter needs to be dealt with formally and as with any disciplinary problem, it is important to follow a fair procedure. In the case of a complaint of bullying or harassment there must be fairness to both the complainant and the person accused.

For detailed guidance on how to deal with formal complaints of bullying and harassment you will need to establish procedures in conjunction with the relevant trades union representing seafarers and be consistent with the requirements of Regulation 5.1.5 of the Maritime Labour Convention, 2006.

Training, communication and awareness

A written policy will only eliminate harassment and bullying in the workplace if it is supported by positive action to put it into practice. Therefore regular communication, training and awareness sessions are important to ensure that all employees:

- Understand the company's commitment to prevent harassment and bullying
- Understand their responsibility and role in the process
- Know how to seek advice and guidance
- Know how to make a complaint and are confident they will be heard effectively

The company should ensure that their commitment to eliminate harassment and bullying is communicated effectively through for example:

- Training and awareness programmes to all staff at all levels
- Briefings to employees and trade union representatives
- Posters
- Notices on staff notice boards
- A section in the staff handbook
- Management guides
- Employee guides
- Advisers who can guide employees through the policy and procedures
- Articles in the staff magazines
- Inclusions in briefing meetings
- Inductions

All policies and procedures should be kept under review to ensure they remain effective.

Confidentiality

The company needs to reassure all seafarers that they will not be disadvantaged, victimised or discriminated against by reason of making a complaint of harassment or bullying. The company should investigate every complaint and no seafarer who makes a complaint should suffer repercussions. In addition, the company should protect the employment status of any complainant during the course of any investigation and afterwards. Only where a complaint should turn out to be vexatious or malicious, may it be appropriate to bring disciplinary procedures against the complainant.

Sexual harassment is one of the most common forms of harassment. It is in the interest of the company that an appropriate individual is appointed to deal with the complaint that meets the needs of the victim. Where possible, a complaint of sexual harassment should be investigated by an individual of the same gender as the person raising the complaint.

Hearings

Procedures should provide that hearings, including any disciplinary hearings that take place in consequence thereof, are held in confidence. Companies should advise the parties involved of their right to be accompanied by a friend or a trade union official or person on board the ship who can, on a confidential basis, provide seafarers with impartial advice on their complaint and otherwise assist them in following the complaints procedure.

As with all disciplinary and grievance hearings, the principles of natural justice should be applied. The respondent should have the right to answer any complaint and give his or her version of events. Both the complainant and the respondent should be able to call witnesses. The company should also keep a written record of decisions taken.

Resolution of case/action

The company should focus on the perpetrator of the harassment when taking remedial action rather than the victim. It would be inappropriate to simply respond by moving the victim to a different job or work site as a way of resolving a case of harassment or bullying.

Measures to eliminate harassment and bullying

Many company disciplinary codes provide that certain acts which could constitute harassment and/or bullying are offences in respect of which disciplinary action against the transgressor is appropriate.

Examples are:

- assault
- intimidation
- coercion
- interference with the work of other employees
- conduct of a sexual nature
- **conduct based on sex affecting the dignity of women and men at work which is unwanted, unreasonable and offensive to the recipient.**

It has been established in case law that, in cases of harassment based on sex, it is not necessary to consider whether or not the harassment suffered by the victim would have been inflicted upon a person of the opposite sex to the victim. This is because sexual harassment is conduct based on the sex of the victim and, as long as the victim suffered a detriment, then sexual harassment has taken place.

However, many acts and omissions which constitute harassment and bullying do not normally fall into any category of offence under company disciplinary procedures. In some cases, the perpetrators may even be unaware of the effects of their actions, which are as a result of poor or outdated management styles rather than actual malice. However, this is no excuse and may still constitute bullying or harassment.

The company should have a policy to support the right of all people to be treated with dignity and respect at work. The policy should actively promote a working environment in which bullying and harassment are not tolerated. It must clearly set out the standards of behaviour expected of employees and managers. Staff should know to whom they can turn if they have a work-related problem, and managers should be trained in all aspects of the company's policies in this sensitive area. To be effective, the policy should be communicated and implemented so that all staff are aware of their responsibilities under the company's code of conduct towards members of staff.

The company should ensure that managers have the necessary skills to lead by example. Managers should be confident to behave in a way that supports the policy and promote positive behaviour.

Staff handbooks are a good way of communicating with employees; they can include specific mention of the company's views on bullying and harassment, the support on offer to staff and the consequences for any employee considered to be in breach of the company policy.

Educational programmes

The company should arrange for their sea staff to participate in educational programmes making clear the undesirable effects of harassment and bullying and setting out the company's policy. Such programmes should also set out the mechanics of the company's procedures for the reporting of incidents. In addition, the company should consider the provision of literature, posters and videos to underpin and reinforce the company's policies. Such training programmes should be available to all new and existing staff.

ECSA and ETF have commissioned an online training aid entitled 'Say No to Bullying, Say No to Harassment' for use by shipboard and shore-side management. Details on how to access this resource are provided in the inside back cover.

Other measures which companies could use, depending on their circumstances, include:

- nominating a suitable and appropriately trained person on board each ship or in offices ashore as Anti-Harassment and Bullying Advisor or Ethics Officer;
- establishing shipboard and /or shore-based management committees;
- appointing a member of staff as Harassment Investigation Officer;
- ensuring that each ship adopts a statement to the effect that harassment and bullying are not tolerated on board;
- establishing a review committee involving company management and seafarers' representatives /trade unions to monitor the effectiveness of the policy.

Case studies

International cruise liner company

This company has for many years had a Code of Conduct, which details a number of unacceptable behaviours in terms of interaction with other fellow employees and customers. Any aspect of threatening, intimidating, bullying, coercive or interfering behaviours are not tolerated and treated as breaches under this Code of Conduct. Likewise any issue which might be discriminatory or offensive in their nature or result in victimisation of another individual, are considered unacceptable. All breaches are investigated and considered accordingly. Where necessary disciplinary action is taken, which can include action up to and including dismissal. All employees are provided with access to this Code of Conduct document which is available internally on the company's intranet. A new Management Development framework has just recently been launched and refresher training is currently being conducted to ensure that the seafaring manager's knowledge is up to date and embeds the values of the Company.

Eliminating workplace Harassment and Bullying

The Company also provides a 'Compliance Hotline' which allows employees to anonymously report suspected wrong doings. This hotline is advertised extensively and any issues of bullying and harassment in the workplace can be reported by this and then dealt with under the Code of Conduct where necessary.

International fuel transportation company

This operator produced a Code of Conduct that sets out the basic rules that all staff should follow and failure to follow this Code is misconduct, which could result in disciplinary action and even dismissal. The Code contains a personal message from the Group Chief Executive underpinning his comment to the policy. It explains how the company's core values should guide behaviours and help assist staff in their decision making process. It provides guidance on creating a respectful and harassment-free workplace which includes a comprehensive list of basic rules that staff should consider whether aspects of their behaviours constitute harassment. Staff can access company's policies via useful links to the HR's website and also provides a confidential contact for any member of staff who is the subject of harassment, or has witnessed any form of abuse or bullying in the workplace. The company has a zero tolerance policy on retaliation as it recognises this goes hand in hand with their belief that speaking up is the right thing to do. Any acts of retaliation are considered to be acts of misconduct which, if substantiated, could result in disciplinary action.

In addition, the company recognise that managers and supervisors have additional responsibilities and organises seminars and workshops to promote leadership skills that will help them apply the Code consistently at all levels throughout the organisation.

Short sea ferry company

This organisation has a set of core values which underpin the behaviours that are expected from their staff. Their policies and procedures ensure that when a complaint of bullying and harassment is made the company investigates promptly and objectively. The policy identifies clear grievance and disciplinary procedures that safeguard confidentiality and victimisation of the complainant. Any member of staff is entitled to representation or support by colleagues at each stage of the procedures to ensure that the process is both fair and impartial. It also emphasises that early resolution of any complaint is better for both company and members of staff. As part of the process it encourages the use of mediation as a means to resolve any disputes in the workplace at an early stage.

To supplement the core values, the company holds regular seminars and training sessions ashore for all staff, at which the company's policy on equal opportunity is disseminated and that by following them can prevent bullying and harassment in the workplace is explained.

Suggested text of leaflet for seafarers

Rights and responsibilities of seafarers

No worker should be harassed or bullied in their workplace. All workers have a responsibility for ensuring that their workplaces are free of harassment and bullying and your company takes these issues very seriously.

Do you harass or bully other workers?

Harassment includes any act which creates feelings of unease, humiliation, embarrassment, intimidation, or discomfort to the person on the receiving end.

Bullying includes any negative or hostile behaviour that makes a recipient feel fearful or intimidated.

You may be unaware of the effect that your own actions have on other workers.

For example:

- do you consider that your way of doing a job is always right?
- do you raise your voice at other workers?
- are you sarcastic or patronising to other workers?
- do you criticise individuals in front of others?
- do you criticise minor errors and fail to give credit for good work?
- do you shun any other workers or spread rumours or malicious gossip?

If you are concerned that aspects of your behaviour could be considered harassment or bullying, your company will help you eradicate these aspects. However, you should approach your line manager and seek assistance — don't wait until a complaint is made against you!

Have you been harassed or bullied at work?

Your company will treat all complaints of harassment and bullying seriously and in confidence.

Your line manager on board and personnel manager ashore have been trained in dealing with complaints of harassment and bullying. You may approach either or both to report any incidents you have suffered.

If you do not feel comfortable raising a complaint yourself, you may ask a friend or colleague to do so on your behalf.

You will not be victimised by the company for making a complaint, provided it is not vexatious or made maliciously.

Remember, it is the victim's perception of any actions that counts. If YOU feel you have suffered harassment or bullying, the company will act.

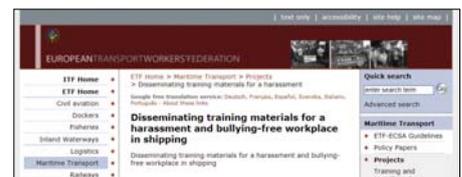
Name of the Company:

Contact person on board:

Contact person ashore:

Weblinks to training materials on the Project Partners' websites

■ **ETF:** www.itfglobal.org/etf/BullyingAndHarassment.cfm



■ **ECSA:** www.ecsa.eu/workplace-bullying-harassment



■ **Videotel:** www.videotel.com/etf/





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