

ETUC Code of Conduct for Meetings, Events and Courses

Adopted during the executive committee meeting of 9-10 March 2020

Introduction

The ETUC has zero tolerance for any violence and any type of harassment including sexual harassment.

Violence and harassment in the world of work deprives people of their dignity, is incompatible with decent work. It is a threat to equality and equal opportunities and to safe, healthy, and productive working environments.

Violence, harassment and sexual harassment are contrary to trade union values and may prevent persons, particularly women, from participating and advancing in the labour movement.

As part of our ongoing commitment to create working environments that are free from violence, harassment and sexual harassment, the ETUC has adopted the following policy and procedure relating to our Congress, Steering, Executive and other committee meetings and events.

Aim

The ultimate goal of this policy is to prevent incidences of violence, harassment and sexual harassment.

The ETUC is committed to organising events and other activities at which everyone can participate in an inclusive, respectful and safe environment. All members and participants at ETUC Congress, Executive, Steering and other meetings and events are expected to uphold this approach.

Applicability

The ETUC code of conduct applies to all ETUC meetings, events and activities, including Congress, Executive and Committee meetings, conferences, assemblies, receptions, expert meetings, courses, workshops, side event, social events and any other type of event hosted, sponsored or organised in whole or in part by the ETUC wherever it may take place. The code of conduct applies to everyone participating in ETUC events and other ETUC activities. The ETUC code of conduct also applies in case an event or an activity is co-organized or co-sponsored together with another organisation.

Interaction with Affiliates Code of Conduct

Affiliates will have their own code of conduct and those attending at ETUC meetings, events and activities will continue to benefit from their own organisations Code, policy and procedure, for example access to their person of confidence, representation by their union etc. This Code of Conduct does not replace the affiliates Codes rather it provides a bridge between affiliates codes, practices and procedures.

Expected Conduct

The ETUC expects all those involved in ETUC activities and events to uphold our trade union values and to work to achieve an environment that is free from violence, harassment and sexual harassment.

Prohibited Conduct

Harassment constitutes unacceptable behaviour by one or more individuals and can take many different forms, some of which may be more easily identified than others. It can be a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.

Harassment because of gender, gender identity, sexual orientation, physical ability, physical appearance, ethnicity, race, national origin, political affiliation, age, religion, class, and any other reason is unacceptable.

Sexual harassment is a particular form of harassment. It denotes any unwelcome conduct of a sexual nature. Such conduct may be of a verbal, non-verbal or physical nature, including written and electronic communications, and may occur between persons of the different and the same gender. Some examples include unwanted physical contact, suggestive texts or images, unwelcome sexually-charged comments or propositions.

Complaint Process

It is in the interest of all parties to proceed with the necessary discretion to protect the dignity and privacy of all. Complaints should be made in the first instance as follows: ETUC Congress, Steering and Executive meetings and associated events to the President of the ETUC or to a person nominated by the President (this person will be sufficient standing and experience to deal with the matters),

ETUC Committee meetings or events to the member of the Secretariat with responsibility for the Committee or event; or to a person nominated by the member of the Secretariat (this person will be of sufficient standing and experience to deal with the matters),

Complaints will be dealt with in a timely manner and in agreement with the parties and according to the guiding principles below. If necessary and agreed, external assistance or a 'person of confidence' may help. If it is established that harassment or sexual harassment has occurred, appropriate measures will be taken. This may include measures up to and including excluding persons who do not respect this policy from ETUC meetings and events.

Guiding Principles for the Procedure

The procedure is by agreement and is carried out in a manner that respects fair procedures and the principles of natural justice.

Confidentiality will be assured in so far as it is reasonably practicable.

The terms of reference will be agreed and will set out the issues, objectives and scope of the procedure, its interaction with the affiliates own procedures and the languages and the relevant law that applies. The Terms of Reference should be clear and concise and not legalistic. It should be designed to fit the allegation and should include time frame, deadlines and the method of report.

Conciliation between the persons concerned is promoted but not required.

Everyone can be represented by their union during the process.

The procedure needs to strike a balance between involving the complainant and at the same time not expecting or making the complainant responsible for deciding the process, recommendations or outcomes.

The person undertaking the procedure will aim for agreement and will produce a report to the parties and the President or Secretariat member detailing the recommendations and outcome.

Dispute about facts:

If there is a dispute about facts the President or member of the Secretariat may also choose to establish an up to five-person Commission of inquiry. The members must be of sufficient authority and unrelated to the organisations to which the person involved belongs and will undertake actions necessary to determine the facts such as:

- interview the parties directly involved separately;
- interview other relevant third parties separately;
- produce a report detailing the inquiry, findings and any recommendations;
- determine on balance of probabilities whether or not the incident(s) of harassment or sexual harassment took place;
- if the inquiry cannot determine, on the balance of probabilities, whether the harassment took place, recommendations can still be made.

Outcomes and Remedies

Appropriate remedies to be recommended can include for example an apology in the context of a consultation, training for the person in breach of this Code of Conduct, recommendation for discipline of the person by their union/ affiliate, prohibition on attending at ETUC meetings and events, or other appropriate remedies. Recommendations can also be made to the ETUC that aim to secure an environment free of violence, harassment and sexual harassment.

There will be follow up by the President with the affiliates to ensure that the recommendations are implemented.

Appeal

Any appeal is to the Steering Committee who will deal with the matter in a confidential manner, this may include the establishment of an up to five-person committee for consideration of the appeal and their decision is final.

Final points

This policy does not replace legal responsibilities of the ETUC, it may be that these responsibilities change according to the relevant jurisdiction. The ETUC will report serious incidents to the appropriate authorities.

This Code of Conduct does not replace the right of a person to refer the matter to a criminal or other authority.

This Code of Conduct does not replace the responsibilities or obligations on employers to ensure that their workers are protected from violence, harassment and sexual harassment at work and to manage their workers.

This policy will be interpreted and applied in a manner that supports our staff and their policy and procedures relating to the prevent of violence, harassment and sexual harassment at work.