

# National Report Italy

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## Index

<b>1. Desk Research.....</b>	<b>3</b>
1.1 EU Legislation on SH and its transposition in the Italian Legal Framework.....	5
1.2 Available researches, publications, projects on the topic .....	8
1.3 Responses to the phenomenon and successful stories .....	12
<b>2. Empirical survey .....</b>	<b>17</b>
2.1 Methodology of the quantitative research .....	17
2.2. Evaluation on the online survey of employees .....	18
2.3. Evaluation on the online survey of employers .....	25
<b>3. In depth interviews .....</b>	<b>34</b>
<b>4. Conclusion and recommendations .....</b>	<b>39</b>
<b>References .....</b>	<b>40</b>

## 1. DESK RESEARCH

### The Context

- a. Information about the local context in which the analyses were conducted**
- b. Nationally recognized definition of sexual harassment / abuse**
- c. Each country should present its reporting system**

In Italy, the Teamwork project research (bibliographic research and collection of qualitative and quantitative data) was carried out by Oxfam Italia from June 2020 to the end of September 2020. The Teamwork project partner Adeccco Training actively collaborated in the data collection phase and activated its network of contacts and collaborations in various production fields in order to involve businesses in the project. The research was carried out mainly in Lombardy and Tuscany.

Various kinds of companies in the production and services sectors, as well as trade unions, institutions, trade associations, and non-governmental organizations were involved in the study. These same sectors served as a basis for qualitative and quantitative research as well as for bibliographic research, primarily for the collection of good practices, legislative references and implemented procedures.

The main purpose of the research was to establish what the phenomenon of sexual harassment consists of and how it is expressed. This was done in order to provide a common frame of reference that would serve to identify harassment cases, risk situations and systems of prevention, protection and law enforcement in the territories where the involved organizations operate.

The Italian civil law (Legislative Decree 2006, Code of Equal Opportunities between men and women) describes sexual harassment as "*discrimination consisting of undesired behaviors with a sexual connotation, expressed in physical, verbal or non-verbal form with the purpose, or effect, of violating the dignity of a female or male worker and of creating an intimidating, hostile, degrading, humiliating or offensive environment*", a definition that we will later analyze in more detail.

This kind of discrimination is considered equivalent to gender discrimination; in the most serious cases, harassment can be regarded as private violence. Behaviors defined as "undesired" may include not only physical and verbal harassment of a sexual nature, but also acts of exhibitionism, tailing, obscene phone calls, sharing pornographic material, and sexual blackmail at work (ISTAT, National Institute of Statistics, 2002). The definition of sexual abuse and violence in the workplace also covers more serious offences that undermine a person's psychological and physical integrity, such as attempted and committed rape.

The dimension of sex crimes, particularly those concerning the environment where people work (especially women workers, given the higher incidence of cases), is a phenomenon mapped out at national level by ISTAT. The Institute of Statistics periodically conducts investigations and collects significant data to understand the forms and incidence of cases nationwide. Over the years, the survey involves a sample of up to 60,000 people; its aim is to understand not only the case history, but also the perception of the phenomenon from the point of view of the interviewees and its consequences on a personal, social and economic level.

The analysis of data collected in Italy show that the phenomenon of sexual harassment is still very widespread despite a national system of protective regulations and decrees, (though these are fragmented and not included in a single text). While regulations appear to be in line with European directives, an in-depth study of the phenomenon reveals that their effective and efficient application is still difficult and limited.

The study also highlights that the number of sources analyzing the subject is limited and the published data are not recent: the last significant study dates back to 2016.

On the contrary, data collected by the anti-violence centers in collaboration with the Department of Equal Opportunities refer to 2019. This research analyses more closely the phenomenon of violence against women and children in relational contexts (such as violence that takes place in the family, by partners and/or strangers), while not examining the working environment in depth.

In Italy, the activities of the main trade unions (CGIL, CISL and UIL) are particularly important in identifying and responding to the phenomenon of sexual harassment in the workplace. Trade unions are called upon to monitor the incidence of cases in work contexts and to protect people who have suffered sexual harassment and violence.

Today, it is the trade unions that play a role in applying the procedure for reporting cases of sexual harassment in the workplace across the various production and services sectors and monitoring the implementation of rules in those same contexts.



## 1.1 EU Legislation on SH and its transposition in the Italian Legal Framework

### Harassment and gender violence in the workplace: regulatory aspects

A majority of Italian women report having suffered sexual harassment in the workplace during their professional life. In spite of this, there is not yet a universally recognized definition of violence and harassment in the workplace.

Harassment and gender-based violence are generated by asymmetric power relations and are fuelled by gender stereotypes and social and behavioural norms that lead to exclusion, supremacy and role discrimination in all areas of public and private life.

Violence against women and gender-based violence at home have been successively defined and regulated at international level by means of a series of conventions, declarations and resolutions of the United Nations<sup>1</sup> and the European Union<sup>2</sup>. In contrast, the phenomenon of gender-based violence in the workplaces is very fragmented both at the conceptual and legal level. The concept of "workspace" itself needs to be reformulated in order to overcome the idea of a single "workplace/workspace" and to reflect both the complexity of work environments and spaces which are very different from one another, and the dynamics of a changing work organisation. According to recent research, at least 60 countries have promulgated laws regulating this phenomenon; but few of such laws are able to deal with its complexity.

From a social point of view, the issue of violence and harassment in the workplace has earned international public attention thanks to the #MeeToo campaign, launched in October 2017, which collected millions of testimonies in around 85 countries worldwide. The rapid spread of these campaigns and the amount of testimonies they have collected call for reflection on how much more needs to be done to bring to light and combat the phenomenon of gender-based violence in the professional world, in all its complexity and breadth.

Violence is a broad concept used to describe the different types of attitudes, behaviors and practices used to humiliate, harass or degrade a person, causing damage to

<sup>1</sup> For example, the Declaration on the Elimination of Violence against Women, 1993; the Women's Agenda for Peace and Security and Related Resolutions, 2000; the Beijing Platform for Action, 1995; the ILO Convention on Discrimination in Employment and Occupation, 111/1958; the 1930 and 1957 Conventions and Protocol 82014 on the Elimination of Forced Labour; the 182/1999 Convention on the Worst Forms of Child Labour; the 155 /1981 Convention on Safety and Health at Work; the CEDAW, 1979.

<sup>2</sup> E.g. the Recommendations No.1450, 2000; 1523, 2001; 1555, 2002; 1582, 2002; 1663, 2004; 1681, 2004; 1723, 2005; 11, 2000 adopted by the Parliamentary Assembly of the Council of Europe; Rec, 2002; Resolutions 1212 and 1247, Council of Europe Convention on preventing and combating violence against women and domestic violence - Council of Europe Istanbul, 2011, EU Council Directives 78/2000 and 73/2002, Framework Agreement on harassment and violence in the workplace, 26 April 2007.

her/his dignity and to her/his physical and mental wellbeing. Definitions, legal frameworks and perception of harassment and violence in the workplace can vary according to the contexts and cultures where they occur. The terms used in the legal and social field to define the various forms of gender-related violent behavior in the world of work are harassment and sexual harassment, sexual blackmail and gender-based violence. There are also other behaviors such as mobbing, bullying and bossing which belong to the unacceptable practices related to violence in the world of work.

The concept of harassment in the workplace has gradually taken shape since the 19th century. The definition of sexual harassment as gender discrimination linked to a sexist work culture is owed to the feminist activist, lawyer and professor Catharine MacKinnon, who defined it as an "unwelcome imposition of sexual demands in the context of an unequal power relationship". She added that the problem is not the result of excessive sexual attraction of men towards women, but rather a question of "eroticized domination".

At European level, Directive 2000/78/EC of the Council of the European Union of 27 November 2000 defines harassment as discrimination aimed at violating a person's dignity and creating an intimidating, hostile, degrading and humiliating environment. This is followed by Directive 2002/73/EC (2002) of the European Parliament and of the Council of the European Union, which establishes a general framework for equal treatment in employment and working conditions. Also at European level, the first legal document that accurately defines and criminalizes various forms of violence is the "Convention of the Council of Europe on preventing and combating violence against women and domestic violence", adopted in Istanbul in 2011. The Istanbul Convention is of particular importance in that it makes it clear from the preamble that violence against women is a manifestation of historically unequal power relationships between sexes, and it aspires to create a Europe free from such form of violence<sup>3</sup>.

In Italy, the legislation regulating sexual harassment and gender-based violence in the workplace is rather fragmented and refers to civil law (including health and safety at work), criminal law on sexual violence and persecution, and anti-discrimination law.

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<sup>3</sup> The Istanbul Convention's aims are: (a) to protect women from all forms of violence and to prevent, prosecute and eliminate violence against women and domestic violence; (b) to contribute to the eradication of all forms of discrimination against women and to promote real gender equality, including by strengthening women's autonomy and self-determination; (c) to provide a comprehensive framework as well as protection and assistance policies and measures for all victims of violence against women and domestic violence; (d) to promote international cooperation in order to eradicate violence against women and domestic violence; (e) to support and assist law enforcement organizations and authorities so that they can effectively cooperate to adopt an integrated approach to the elimination of violence against women and domestic violence.

With regard to harassment and sexual harassment of female and male workers, Article 26 of the 2006 Code of Equal Opportunities (Legislative Decree no. 198/2006) deals with the notion of discrimination in that it establishes "the equivalence between sexual harassment and gender discrimination" (Civil Court of Cassation, Labour Section, Judgment no. 23286 of 15 November 2016). Sexual harassment is considered as discrimination consisting of *"undesired behaviors with a sexual connotation, expressed in physical, verbal or non-verbal form with the purpose, or effect, of violating the dignity of a female or male worker and of creating an intimidating, hostile, degrading, humiliating or offensive environment"*.

In Italian civil law, Article 2087 of the Civil Code establishes "a general obligation of safety at work, imposing on the entrepreneur to take all necessary measures to protect the physical integrity as well as the psychological well-being of workers". Article 28 of Legislative Decree 81/2008 - Consolidation Act on Health and Safety in the Workplace, which implements the aforesaid obligation, includes "among the work-related risks that each employer is required to assess, those involving groups of workers who are exposed to particular risks, including (...) the risks connected with gender differences".

The new paragraph 3-ter of Article 26 of the Code of Equal Opportunities specifies the employer's obligation, pursuant to Article 2087 of the Italian Civil Code, to provide working conditions that guarantee the physical and moral integrity and dignity of workers, included by agreeing with the trade unions on the most appropriate information and training initiatives to prevent the phenomenon of sexual harassment in the workplace. It also states that companies, trade unions, employers, and female and male workers are committed to ensuring the preservation of a working environment where individual dignity is respected and interpersonal relations are fostered based on the principles of equality and mutual fairness.

Italian criminal law does not envisage a specific crime of sexual harassment. Sexual harassment includes all verbal, non-verbal and physical expressions of a sexual nature that violate a person's dignity and create a hostile, degrading, humiliating, offensive or intimidating environment to his/her detriment.

The crime of sexual violence (Articles 609-bis et seq. of the Penal Code) does not apply to cases of undesired physical contact of a sexual nature affecting parts of the victim's body other than the genitals or erogenous zones. The crime of coercion (Article 610 of the Penal Code) occurs if violence or threats are applied. The crime of mistreatment (Article 572 of the Penal Code) is applied by courts to punish sexual harassment only within the limited scope of family relationships. Civil sanctions are



inflicted on those who “offend the honor or decorum of a person”, either verbally or by telegraphic, telephone, computer or telematic communication, or by writing or drawing (Article 4, paragraph 1a of Legislative Decree No. 7/2016). However, this kind of conduct does not include all the serious consequences of sexual harassment, in particular when it creates an intimidating, hostile, degrading, humiliating or offensive environment as stated in Article 40 of the Istanbul Convention.

In fact, Law No. 198/2006 (Code of Equal Opportunities) defines sexual harassment in the same terms used in the Convention and envisages civil remedies in cases of sexual harassment in the workplace.

Many countries, including Italy, still lack specific laws on harassment and violence, although it is essential to consider that the effects of violence, especially the psychological and social effects of gender-based violence in the world of work, are devastating: they deeply affect the victims, bring about consequences even on the closest relational sphere, and deeply undermine the victim's serenity and personal development..

## 1.2 Available researches, publications, projects on the topic

The most important studies about sexual harassment in the workplace are carried out by ISTAT, the main Italian national institute dealing with data collection and statistics in the social, economic and productive fields. Research published by ISTAT usually covers a period of two years (e.g. 2013 - 2014); the most recent deals with the period 2015 - 2016. This study is based on a sample of 60,000 people and uses a survey method consisting of qualitative interviews and collection of demographic, personal and sectoral data. The interviewees can report episodes, cases and situations not exclusively pertaining to the years under examination but to their entire working life. According to the most recent data, "One million 404 thousand women have suffered physical harassment or sexual blackmail in the workplace during their working life. This figure represents 8.9% of current or former female workers, including women seeking employment. In the three years before the survey, i.e. from 2013 to 2016, over 425,000 women (2.7%) experienced these episodes. The percentage of those who have suffered sexual harassment or blackmail at work in the last three years is higher than

the average of 2.7% among women aged 25 to 34 (3.1%) and among women aged 35 to 44 (3.3%)<sup>4</sup>.

The methodology used in this analysis included a sensitive and careful formulation of questions. Since an adequate narrative style can be useful in dealing with controversial and painful issues when approaching victims, the interviews are carried out with particular attention to vocabulary and to the proposed topics.

The most recent analysis provided by ISTAT shows a new trend in comparison to the previous ones carried out in 2002, 2008 and 2014: the onset of the phenomenon of sexual harassment among men. According to estimates, 3 million 754 thousand men (18.8%) have suffered sexual harassment during their lifetime; out of these, 1 million 274 thousand (6.4%) over the last three years. The latest ISTAT survey also introduced three new questions aimed at studying new forms of harassment such as showing pornographic photos or images against the will of the person and, for Internet users, obscene or inappropriate proposals or comments, and identity theft on the Internet and social networks in order to write offensive or embarrassing messages about other people. A new question was also included, also addressed to both men and women, on sexual acts suffered in childhood.

With reference to the workplace, the study also highlighted sexual blackmails suffered by women alone in order to be hired, to keep their jobs or to advance their careers. This aspect is analyzed in depth: data not only cover case histories but also analyze risk factors, the consequences of the phenomenon, and the profiles of harassers and victims. Estimates (graphs and tables explained in detail in the text) are calculated by means of a calibration estimator, which is the standard estimation method for most ISTAT surveys on businesses and households.

ISTAT declares that the phenomenon of sexual harassment seems to particularly affect Central Italy and large municipalities. In regional terms, Lazio is particularly affected (16.4%) followed by Tuscany. The victims are often young women (3.1% between 25 and 34 years of age, 3.3% between 35 and 44); 3.8% are graduates. In most cases, the perpetrator of harassment and blackmail is a man, who repeats an act daily (32.4%) or several times a week; to a lesser extent once a week (17.4%) and a few times a month in 29.4% of cases. The dynamics of harassment are not always the same and also vary according to sector; the perpetrators are not only bosses and

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<sup>4</sup> ISTAT Report 2018: Sexual harassment in the workplace in the period 2015-2016.

colleagues, but also clients and staff in third party workplaces. The problem of safety at work is frequent: the workspace, an isolated work position, and the office, warehouse or shop configuration may allow the harasser to act undisturbed.

Another important report was promoted by ILO and published in 2018. The research carried out by Carla Pagano and Fiorenza Derio is entitled "*Analisi preliminare sulle molestie e la violenza di genere nel mondo del lavoro in Italia*", *Preliminary analysis on harassment and gender-based violence in the world of work in Italy* (ILO, April 2019). The aim of this research is to map harassment and gender-based violence in the world of work at international, European and national level, and to investigate progress in legislation and in prevention and response initiatives.

The study examines the situation in Italy in order to provide basic information about strategies and policies to tackle the phenomenon, with the ultimate aim of identifying needs, sharing good practices and proposing enhancements to the prevention and response system. The collection of data focused on trade unions in order to analyze the tools they put in place to react to the phenomenon and protect victims. In this interesting study, sexual harassment is analyzed in the broader framework of gender-based violence and power relations, and the analysis is not limited to harassment but covers other forms of abuse such as bullying, mobbing, bossing, economic blackmail, etc.. In addition, the effects of domestic violence at work are investigated, as well as violence taking place in the home when this is also a person's workplace. The statistical data used in this study also refer to ISTAT sources.

While social and economic data and reflections are the domain of public and international bodies, over the years the country's most important newspapers such as Repubblica, Sole24ore, Corriere della Sera, and Il Fatto Quotidiano have dealt with awareness and public information on the phenomenon of sexual harassment. Promotion, awareness-raising and dissemination initiatives are also undertaken by universities (e.g. in Pavia, Trieste, Venice, etc.): they address the phenomenon from a regulatory, ethical and social point of view, promoting frontal initiatives with students and/or informing the productive sectors through training and publications.

Newspapers investigate the phenomenon whenever striking cases occur that involve renowned people and/or companies, but also public figures in the sports and entertainment industry. In general, there was greater investigation and in-depth study of this issue in the years 2017-2018 following the media stir caused by the #Metoo campaign.

In the academic world, studying the phenomenon of sexual harassment has brought about the adoption of internal protocols to combat sexual harassment in the workplace within universities. The Venetian university Ca' Foscari and others have drawn up internal codes of conduct which are published on their websites.

Patrizia Romito, professor of Social Psychology at the University of Trieste, has published an important essay: "*Le molestie sessuali. Riconoscerle, combatterle, prevenirle*", *Sexual harassment. How to recognize, fight and prevent it* (P. Romito, Ed. Carrocci, 2019). In the essay, the teacher states that women often believe that sexual harassment is "*a price they have to pay to attend public places, such as street and means of transport, schools and the world of work. Cases of sexual harassment are invisible also because of the misleading way in which they are often interpreted: not as an attack on women's freedom and dignity, an act which is often hostile and with serious consequences, both personally and professionally, but as jokes or gags, compliments, forms of courtship or irrepressible manifestations of virility*". The essay summarizes the main studies on the subject. Part of this research is based on interviews conducted at the Social and Community Psychology Laboratory of the University of Trieste. The interviews show how difficult it is for women, and particularly for girls, to give a name to harassment, to defend themselves effectively and to report it. The scholars point out that women's inability to denounce and defend themselves cannot be attributed to them: it is inherent in the patriarchal system.

In Italy, the #Metoo movement was initially featured in the newspapers and had a strong media echo, but it did not integrate effectively into the fabric of social, cultural, economic and legal protection activities in the national context. In 2018, some publications of the homonymous campaign entitled #Quellavoltache were published in Italy. The published texts contained about 250 first-person stories taking place in different professional and life contexts.

In Bologna, during the lockdown period, many students protested in the social media in order to improve and strengthen the Athenaeum's code of conduct against sexual harassment, in open contrast to the first draft. After their online campaign, the document was completed and extended. The points under discussion included the appointment of a reference person for students who experience situations of discrimination and harassment. Finally, the amendments to the code proposed by the Student Council were accepted: the time limit within which to report harassment was abolished (initially, it was 90 days) and the unacceptable possibility of the victim meeting the alleged perpetrator will exist only and exclusively upon the complainant's

request (which is highly improbable), thus giving back centrality and power to those who decide to speak.

In the various Italian regions, the trade unions (in particular CGIL and CISL) have organized a training program for their own staff and for companies in order to disseminate a culture of prevention and fight against the phenomenon of sexual harassment. These activities are carried out by their legal help desks, by trade union representatives within companies, and by Equal Opportunities Commissions which are responsible for monitoring women's conditions in order to prevent and combat various forms of discrimination in the workplace. The Ministry of Labour has drawn up specific memoranda of understanding with the main trade unions to promote a culture of zero tolerance towards sexual harassment in the workplace. This type of action also includes training initiatives (<https://www.lavoro.gov.it/temi-e-priorita/salute-e-sicurezza/>).

### 1.3 Responses to the phenomenon and successful stories

In Italy, the phenomenon of sexual harassment has involved various political and administrative bodies, responsible for the application and control of principles and provisions on equality, equal opportunities and non-discrimination in the world of work. Some of these bodies carry out fundamental activities: the Department for Equal Opportunities (DPO) at the Presidency of the Council of Ministers, the Committee for Equal Opportunities (CPO) and the National Counsellor for Equality at the Ministry of Labour and Social Policies (MLPS), the Single Guarantee Committee for the valorization of workers' well-being and against discrimination (CUG) within the Public Administrations and the Counsellors for Equality operating at regional and large or metropolitan area level throughout the national territory. Other institutional bodies are also called upon to play a role in preventing and combating sexual harassment and gender-based violence at work, such as the Labour Inspectorate and, more broadly, the MLPS itself.

#### What can businesses do to avoid such situations?

In Italy, various businesses, companies and trade unions have taken or are taking action in order to make agreements for the recognition of this phenomenon and for protecting workers from sexual harassment.

Something is changing also from the point of view of contracts, in the wake of agreements made between different companies and trade unions to recognize the phenomenon and defend workers, or at least to protect them.



Several companies have recently implemented the agreement signed in January 2016 between Cgil, Cisl, Uil and Confindustria, which is based on the assumption that any kind of harassment is unacceptable and must be exposed. Another fundamental aspect is the fact that companies must contribute in every way to maintaining a workplace in which everyone's dignity is respected and protected.

This agreement has been taken up by the public administration, by transport companies, by the postal service administration and also by several companies that are proposing or have proposed specific codes of conduct.

The new contracts include, for example, an extension of the leave period for victims of harassment and, in some cases, of the financial coverage.

Some companies rely on the commitment of the parties to respect fundamental rights in the workplace, to combat gender-based violence, but above all, to try to solve the problem at the root through training, monitoring and concrete actions.

At regional level an agreement has been reached between Alleanza delle Cooperative, Cgil, Cisl and Uil with the Emilia Romagna Region, as well as the recent agreement between Confapi Industria Emilia Romagna and Cgil, Cisl and Uil. In this agreement, in addition to declaring that harassment and violence in the workplace are unacceptable, the main focus is on employers: it is necessary to increase their awareness and provide them with a comprehensive framework of actions aiming to identify, prevent and manage this kind of problems.

The spotlight is particularly on prevention through information and training initiatives to be implemented in the territories and companies. In addition, the parties have identified in the offices of the Counsellor for Equality, distributed at regional and territorial level, places of reference to which the victims can turn to.

Though they are barely known, the Counsellors for Equality were established for the first time by Article 8 of Law no. 125, 1991 and their functions need to be promoted more extensively and effectively. The Counsellors for Equality are distributed at national, provincial and regional level and shall work for the promotion and control of the implementation of principles of equality, equal opportunities, and non-discrimination for women and men at work.

They are public officials, appointed by decree of the Ministry of Labour, who remain in office for 4 years (after which they cannot be re-appointed) and must report the crimes brought to their attention to the judicial authorities.

In Friuli Venezia Giulia, Confcommercio and the trade unions have signed an agreement for the introduction of organizational measures in order to ensure equal dignity between men and women in the workplace. Such measures include the possibility of temporary relocation to other departments and offices or to other production units, in line with the company's organizational requirements and in accordance with the employment contract.

In addition to these agreements on the national territory, there is also an increasing number of help desks within the unions and other entities. Help desks are useful channels for identifying cases and activating support and protection programs for victims, in collaboration with local services (medical counselling centers, psychological help, legal guidance, etc.).

### **What happens to a female or male worker who reports her/his employer for sexual harassment or discrimination?**

Help desks and trade union representatives within the companies give the opportunity to activate a reporting channel and, as a consequence, to inspect the case. In these situations, the rule is to protect the parties involved in the accusation: no one may be dismissed or relocated, unless they have acted in bad faith. This is stated in the 2018 Budget Law, which introduced two innovative and important measures that complement the Code of Equal Opportunities : a ban on dismissal after a harassment complaint, and an incentive for social cooperatives willing to hire women victims of gender-based violence.

Victims of harassment can file a criminal complaint or a civil lawsuit for damages; or they can turn to the trade unions or the relevant Counsellor for Equality through their regional sites.

It is important for a company to create a culture of zero tolerance and to understand what kind of working environment exists among colleagues, in order to assess whether there are safeguard and protection networks in the workplace.

It is also very important to inform victims of harassment about their rights in order to take appropriate action and ensure their protection.

In fact, people are often afraid to report what has happened. Either they are frightened, or they worry that nobody will believe them, or they feel they are entering an endless vortex where their dignity will be trampled on.

And yet there are stories with a happy ending. The following one has been divulged by trade unions anonymously in order to highlight how respect for the law can and

must be implemented. An entrepreneur, at the head of a company with about twenty employees, had reported an employee for slander (on the accusation of sexual harassment) saying that there was an informal and goliardic atmosphere in the company. It took some time, but in the end the court proved him wrong and acknowledged that the woman was a victim<sup>5</sup>.

The non-profit sector is not exempt from sexual harassment and abuse. Over the years, many non-governmental organizations operating in Italy and around the world have created structured internal systems for reporting cases of harassment and activating safeguarding procedures. These same organizations, operating in Europe and in other countries around the world, have adopted codes of conduct in compliance with the standards set by the United Nations and IASC, the Interagency Standing Committee<sup>6</sup>. The UN expects all staff to conform to the highest standards of conduct and to act in a professional and ethical manner in any situation. According to the main clauses of the code of conduct, they shall respect local laws, customs and practices; deal with the inhabitants of the host country with respect, courtesy and consideration; and act with impartiality, integrity and tact. In response to cases of harassment, abuse and violence, the United Nations and their Member States ensure that all credible allegations are investigated and appropriate action is taken when the allegations are justified.

In general, the codes of conduct/ethics adopted by humanitarian organizations prohibit acts of oppression, abuse and harassment of colleagues, project partners, volunteers and beneficiaries. Breaking the codes may also lead to termination of the contract and to legal and penal consequences.

One of these organizations is Oxfam International. Following the scandal about abuse committed by some Oxfam UK operators in 2011 in Haiti, it launched a Global Action Plan to ensure transparency at work and to protect communities, partner organizations and operators from all forms of inappropriate behavior and abuse, with the aim of preventing future cases.

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<sup>5</sup> Osservatorio Diritti <https://www.osservatoriodiritti.it/2018/06/12/molestie-sessuali-sul-lavoro/>

<sup>6</sup> Interagency Standing Committee, IASC (2019): Six core principles related to sexual exploitation and abuse ([https://interagencystandingcommittee.org/system/files/iasc\\_six\\_core\\_principles\\_relating\\_to\\_sexual\\_exploitation\\_and\\_abuse\\_sept\\_2019.pdf](https://interagencystandingcommittee.org/system/files/iasc_six_core_principles_relating_to_sexual_exploitation_and_abuse_sept_2019.pdf))

Although it never experienced cases of abuse by and within its staff, Oxfam Italia has also taken action with the aim of enhancing the prevention of any form of inappropriate behavior in all contexts in which it operates, both in Italy and in other countries. A program has been put in place to listen to and involve employees, volunteers, partners, activists, donors, companies, journalists, institutions, NGOs, testimonials, opinion leaders and experts in the third sector, in order to jointly identify effective solutions for greater transparency in the identification and handling of any cases of inappropriate behavior. The participation of all actors involved has guided the Action Plan for Italy. Oxfam Italia has introduced a new code of conduct for staff and partners, new policies for children protection and safeguarding, training programs targeted to operators and partners in order to spread a culture of zero tolerance and promote access to protected reporting channels made available at national and global level<sup>7</sup>.

Other Italian organizations have developed and implemented effective ethical codes and safeguarding procedures that take into consideration the rights of their staff, partner organizations, volunteers and beneficiaries, with a particular focus on children's needs.

## 2. EMPIRICAL SURVEY

### 2.1 Methodology of the quantitative research

From June to mid-September 2020 Oxfam and Adecco promoted the online survey of the Teamwork project with a large audience, in order to understand the perception of the phenomenon of SH among employees and employers in Italy. The online questionnaire was disseminated to work contacts of both organizations (through mailing lists, client services etc). An online event was organized on the 1<sup>st</sup> July 2020 (11.30 am) in order to promote the initiative and engage companies, institutions and NGOs in the data collection phase; 20 participants in total from large companies and NGOs took part in the event. Questionnaires correctly completed were 66 for the employees and 21 for the employers. The analysis of the data gives the opportunity to understand the spread of the SH phenomenon, the security conditions in the workplace, the measures implemented by companies, organizations and institutions to prevent and combat SH. The sample for the data collection was supposed to be more extensive but not all the people we contacted decided to take part in the research. On one hand, the Covid emergency has shifted the interest and priorities of the companies,

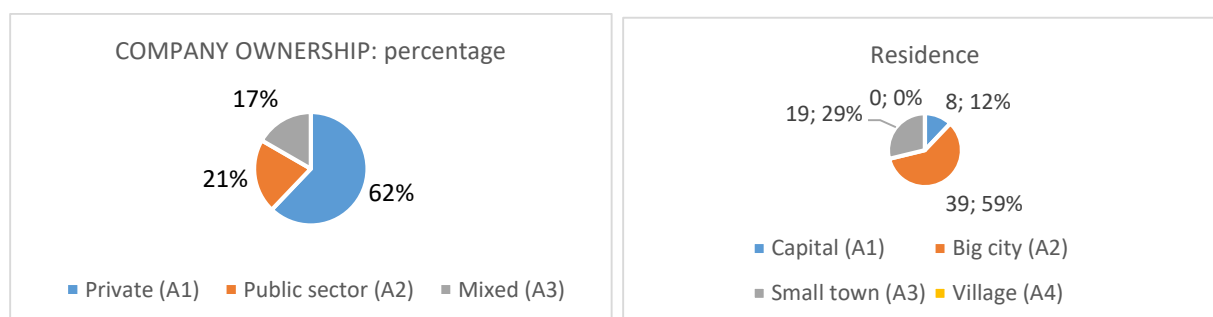
<sup>7</sup> Oxfam Italia <https://www.oxfamitalia.org/pianodazione/>

enterprises that initially demonstrated adherence to the initiative, on the other hand the issue of SH remains a sensitive one (many people started to fill out the questionnaire but have not continued in the activity). For this reason, in Italy Oxfam and Adecco are implementing mitigation measures in order to strengthen the project network and involve other companies and organizations in the next phases of the intervention.

## 2.2. Evaluation on the online survey of employees

### A. DEMOGRAPHIC PROFILE OF THE RESPONDENTS

66 people took part in the quantitative survey: the group is composed by 49 women and 17 men. Over 50% of respondents are between 31 and 40 years old, 20% of them are between 21 and 30 years old and 18% are between 41 and 50 years old. 6 of them are managers, the remaining 60 are employees. Most of the people involved in the survey work in the private sector and live in a large city, none of the people involved work in rural areas (villages).



Employees involved work mainly in the following sectors: education, social work and "other activities" (the entities invited to participate in the survey that can be included in the category "other activities" are public institutions and NGOs personnel). In Italy, these sectors still have a prevalence of female employees. The classification of the work sectors of the respondents is represented in the table below:

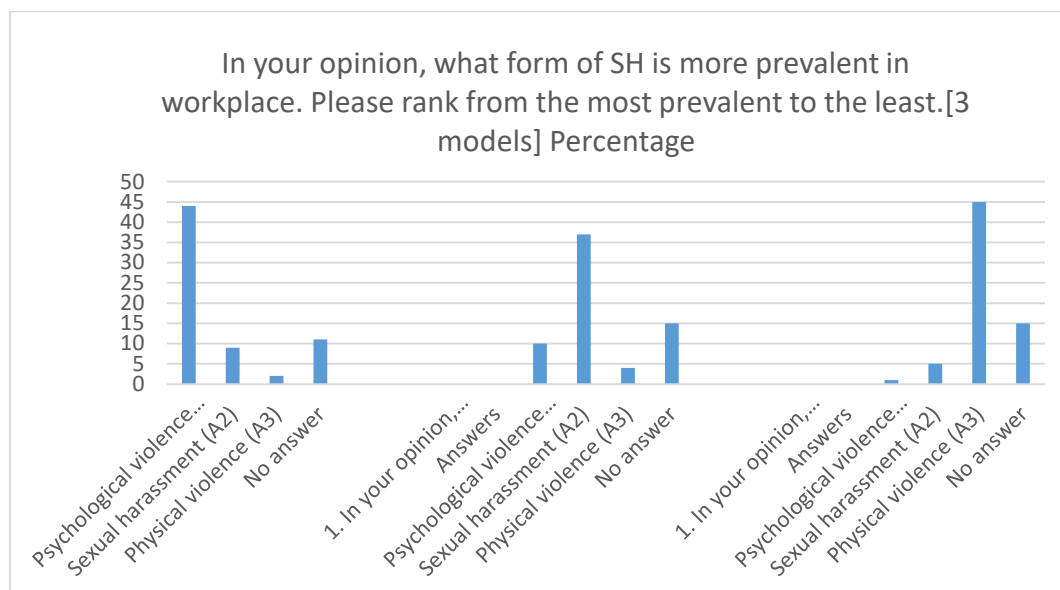


Type of economic activity	Sum of Number	%
Section A: Agriculture, Forestry and Fisheries (Code 1) (A1)	0	0,00%
Section B: Mining and quarrying (Code 2) (A2)	0	0,00%
Section C: Manufacturing (Code 03) (A3)	5	7,58%
Section E: Water supply; sewerage services, waste management and remediation (Code 05) (A5)	1	1,52%
Section H: Transport, storage and mailing (Code 08) (A8)	1	1,52%
Section J: Creating and disseminating information and creative products; telecommunications (Code 10) (A12)	1	1,52%
Section K: Financial and insurance activities (Code 11) (A11)	2	3,03%
Section L: Real Estate (Code 12) (A10)	2	3,03%
Section M: Professional activities and research (Code 13) (A13)	4	6,06%
Section O: Public administration and defence (Code 15) (A15)	1	1,52%
Section P: Education (Code 16) (A16)	8	12,12%
Section Q: Human health and social work (Code 17) (A17)	7	10,61%
Section R: Culture, sports and entertainment (Code 18) (A18)	3	4,55%
Section S: Other activities (Code 19) (A20)	23	34,85%
Section U: Activities of extraterritorial organisations and bodies (Code 21) (A21)	8	12,12%
<b>Grand Total</b>	<b>66</b>	<b>100,0%</b>

## B. SOCIAL SIGNIFICANCE OF SEXUAL HARASSMENT PHENOMENON IN THE WORKPLACE

The survey offered the respondents the opportunity to reflect on the phenomenon of SH and to start a reflection on how it is perceived within their workplace.

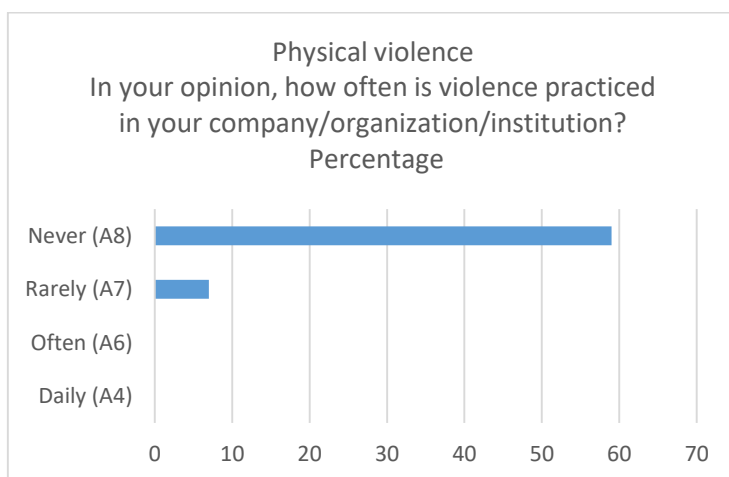
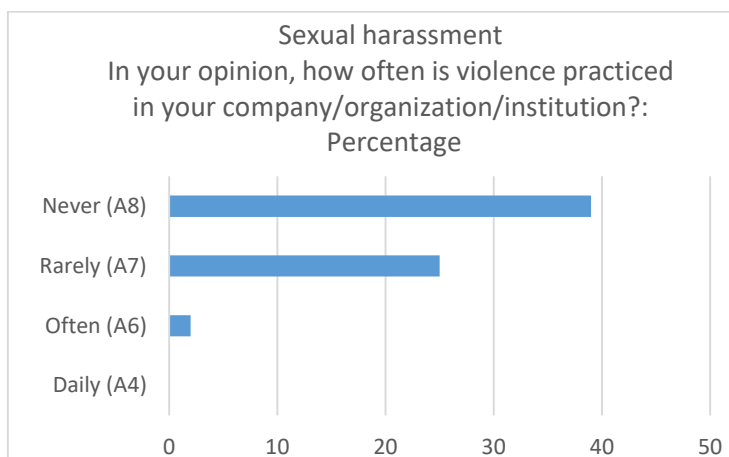
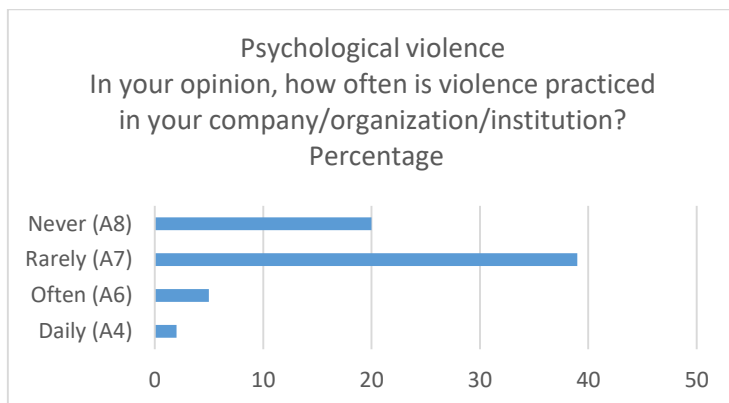
People evaluated the presence of the phenomenon in their context according to a ranking related to frequency (from the most frequent to the least one):



Three models emerge from this graphic: the phenomenon of SH that can more often occur is related to psychological violence, in second instance sexual harassment is mentioned and ultimately physical violence.

In terms of experienced or witnessed SH, the respondents state that in their workplace different situations occur making them feel uncomfortable, such as: sexual jokes or jokes that make them feel offended (56%), discussions about a colleague's sex lifestyle (42%), sexual comments about someone's appearance, body parts, clothes (48%), unwanted sexual hints, suggestions (38%), inappropriate touching, hugging or kissing (25%) and spreading of sexual rumors (22%).

Psychological violence and Sexual Harassment are *rarely* occurring but still are present in the workplace (see charts below):



Regarding the internal management of the phenomenon the employees declare: that their organizations are *completely* committed for the prevention and response to SH (38% of the respondents), 45% of them think that the companies are *somewhat* committed and therefore further steps are needed to reach an internal culture of zero tolerance for SH; 12% and 4% of the respondents believe instead that the management is poorly or not involved in eradicating the phenomenon. Factors that influence the presence of SH in the workplace are mainly the community cultural stereotypes (behavior is not "exceptional") (74%), the lack of prosecution and measures for perpetrators' punishment (40%), the low level of gender equality in the workplace (33%).

### C. SPREAD, SOCIAL PERCEPTIONS, REACTION AND IMPACT OF SEXUAL HARASSMENT IN THE WORKPLACE

70% of the employees reported they have never experienced sexual harassment during their career, 24% of them states instead they have suffered from SH in the workplace and 6% don't want to answer. Similar values are related to having witnessed sexual harassment: 71% of the respondents have never witnessed any case, 21% of them have witnessed SH cases, 8% do not want to respond. Employees who have experienced or witnessed harassment reported that the prevailing feelings after SH were:

- A calm reaction '*Calmly discuss it, I think I have overcome it*' (10%),
- An angry reaction '*I Have anger and aggression attacks*' (8%),
- An escape/refusal reaction '*I quit my job*' (5%).

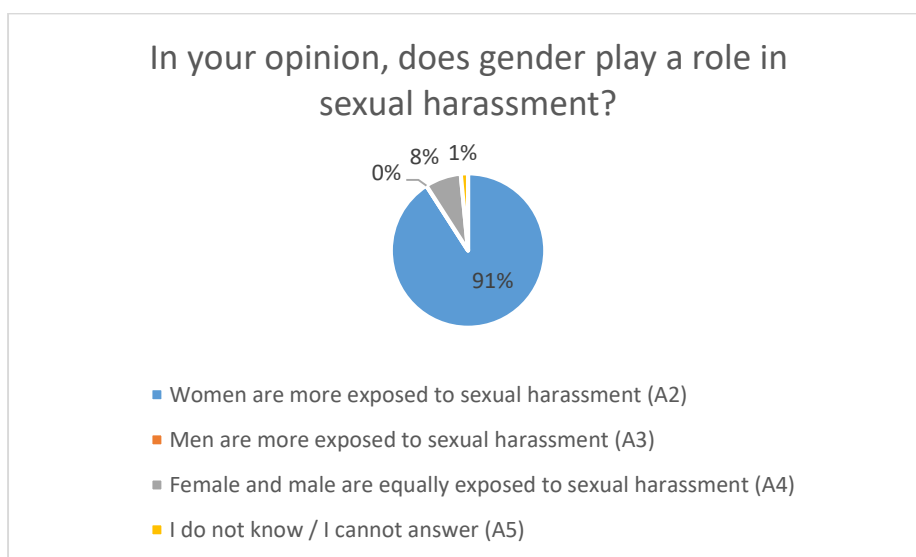
National researches (ISTAT studies mentioned in the analysis above) declare that 8-9% of the working-age population (mainly women) have suffered from SH. From the sample analysed in this research the cases have a higher incidence, since 24% reported having experience SH.

Respondents state that perpetrators of sexual abuse and harassment are mainly colleagues in positions of management, who have a power relation with the victims:

<b>Who is the frequent perpetrator of SH in general? (more answers are appropriate)</b>	<b>YES Sum of Number</b>	<b>%</b>
• Colleague	25	37,88%
• Senior employee	29	43,94%
• Client / patient or supplier	9	13,64%

• Senior representative / Representative of external institution	9	13,64%
• No such cases	23	34,85%
• Don't want to answer	4	6,06%

All respondents agree in stating that “*Women are more exposed to sexual harassment*” (91% of them):



In regard to the case reporting, the reason why cases of SH and abuse are not reported and prosecuted are related to feelings of fear, shame and lack of protection:

<b><i>In your opinion, which factors influence the way of reaction of the victim? (more answers are appropriate)</i></b>	
More frequent answers	Percentage
• Fear for the work position	68,18%
• Sense of shame/ misunderstanding by colleagues	56,06%
• Victim-blaming	36,36%
• Fear of retaliation	46,97%

The question about the consequences for the victims of SH, if they resist such behaviour in the workplace, shows that the 42% of the employees think that there would be no consequences, 35% of them do not know what might happen and 20% think that it can create a hostile environment.



## D. AWARENESS OF PROCEDURES FOR PREVENTION AND PROTECTION FROM SEXUAL HARASSMENT IN THE WORKPLACE - KNOWLEDGE, APPLICATION, TRAINING

The questionnaire collected evidences about safeguarding procedures, implemented in the workplace by companies, institutions and NGOs and detected the level of awareness of these measures by employees.

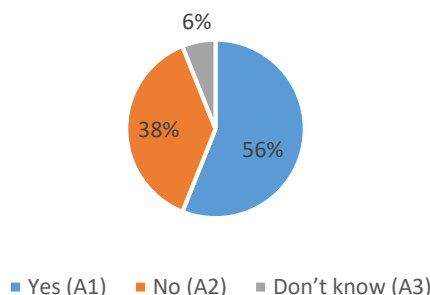
60% of the respondents are aware of the protection measures implemented by their companies / organizations / institutions to protect SH victims, 15% do not know these procedures and 25% of them reported they are not sure they know these measures. 62% of the employees stated that clauses against SH are part of the ethical code, 34% of them reported that clauses prohibiting SH are found in the internal company regulation, while 7% declared that there are no official documents prohibiting and sanctioning these behaviours. Nevertheless over 60% of respondents (between 62-65%) are not aware of how the protection procedures work in details: they do not know if the company offers to be transferred to different working locations/departments upon request of the victim of SH, if it offers temporary leave upon request, or if it provides financial support. 60% of the respondents do not know if their company has partnership agreement with external bodies - police, social services, NGOs in case of SH.

74% of respondents indicate the Human Resources Department as the office delegated to report and investigate cases of SH and abuse in the workplace. Only the 18% of the employees considers Unions as a possible reporting channel for SH, although in Italy they should represent one of the protection systems in place, in line with the national legislation.

57% of employees reported that training related to safeguarding procedures has been held in their workplace, while a consistent group has never attended any course (33% of them, while 10% do not know).

When asked if they are interested in such a training, the majority of employees responded quite positively, even though there's still high percentage of people who are not aware or interested:

Do you consider attending a training on SH  
in your company/organization/institution?



## E. CONCLUSIONS

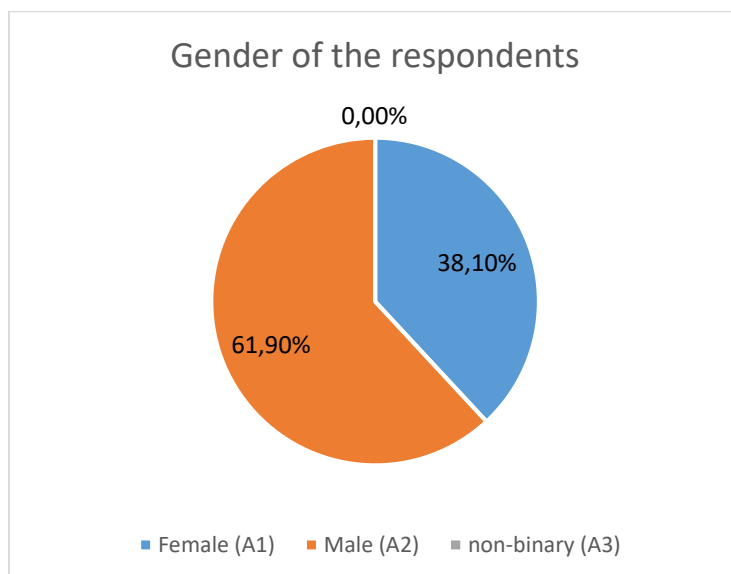
The collected data show a general awareness of the existence of SH at the workplace in relation also to its expressions and consequences. Psychological violence appears to be the phenomenon that has greatest impact on the employees working life (even if it is not a problem that is perceived as daily or frequently occurring). Most respondents know the internal procedures of protection from SH and report the presence of an Ethical code. Nevertheless the in-depth knowledge of what protection measures exist in the company and what the rights of SH victims are still fragmented and low. For this reason, the opportunity of attending a training on SH prevention and response is positively welcomed by 56% of respondents.

The topics covered by the course should concern those measures that most of the respondents stated they did not know and that might be not present or adequately promoted within the company / organization / institution they work in.

## 2.3 EVALUATIONS ON THE ONLINE SURVEY OF EMPLOYERS/HR PROFESSIONALS

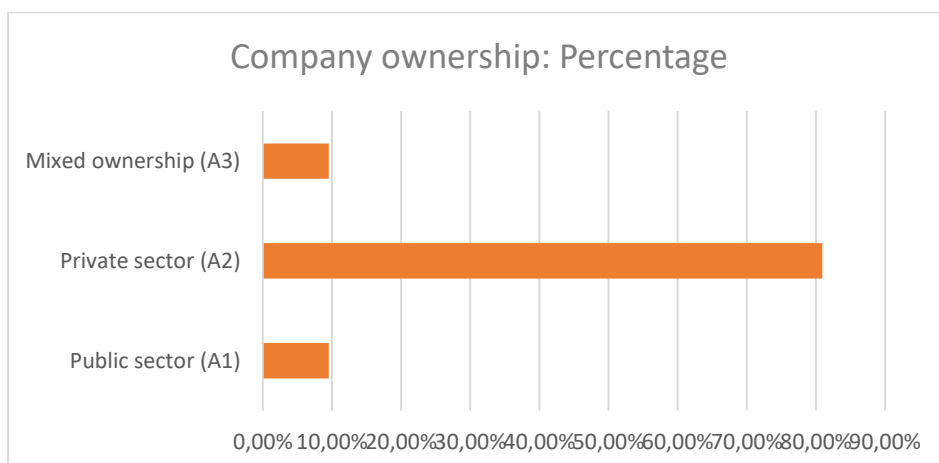
### A. DEMOGRAPHIC CHARACTERISTICS

In total 21 employers/senior managers/HR managers filled in the online questionnaire in Italy: 38,10% are female, while the majority, 61,90% are male (see the chart below):



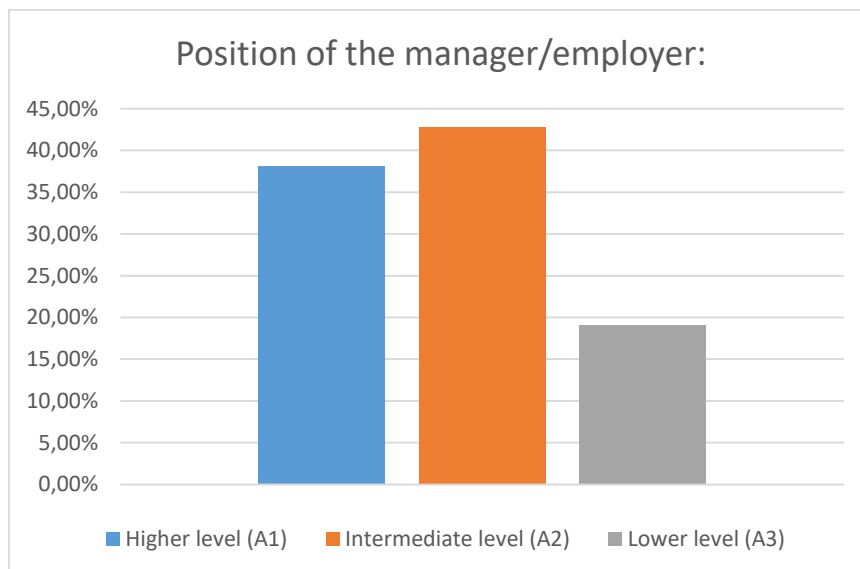
They work mainly in sectors that aren't part of the classification (other activities - 61,90%).and the rest in Activities of extraterritorial organisations and bodies (9,52), with a few in the manufacturing sector (4,76%), Accommodation and Catering (4,76%) Education sector (4,76) Culture, sports and entertainment (4,76).

The minority of the participants work in the public or private sector (9,52% both) while the vast majority work in an organization with a mixed ownership (80,95%), as shown in the following chart:



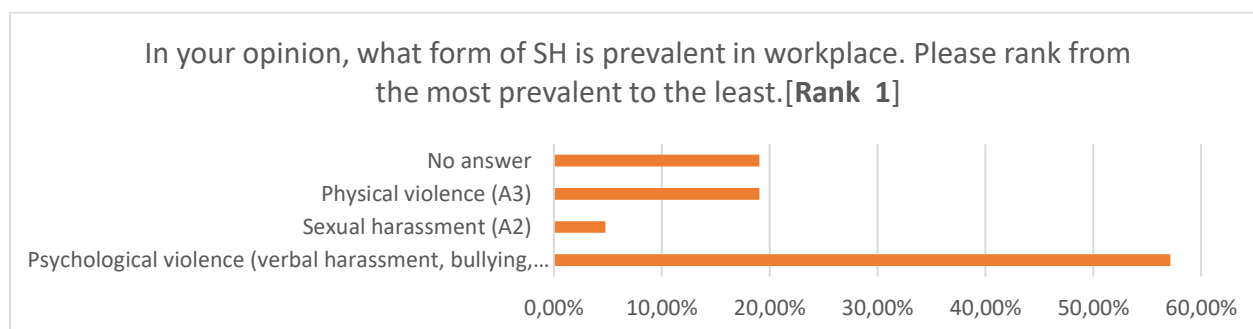
Most of the managers operate in an organization of intermediate level (42,86%) followed by managers of a higher level organizations (38,10%) with the rest of the

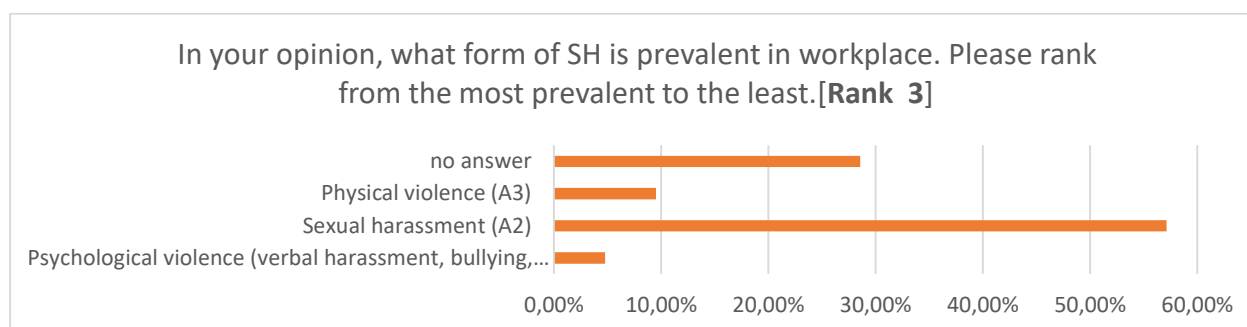
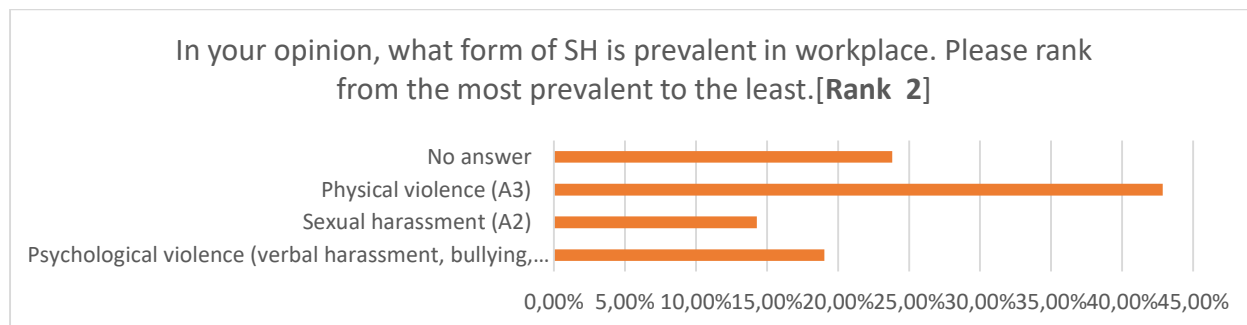
participants who are part of a lower level organization (19,05%), as shown in the chart below:



## B. AWARENESS AND PERCEPTION OF SEXUAL HARASSMENT IN THE WORKPLACE

As illustrated in the chart below, three models emerged when respondents were asked to rank the most prevalent form of sexual harassment in the workplace (from the most to the last prevalent):



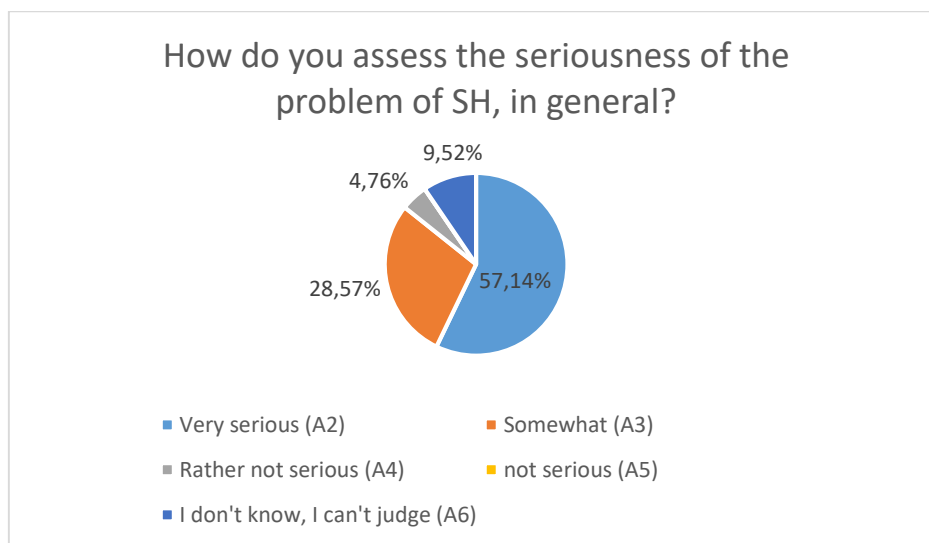


The majority of the respondents think that the psychological violence is the most prevalent type of abuse occurring in the workplace, followed by the physical violence, while the sexual harassment is considered more infrequent.

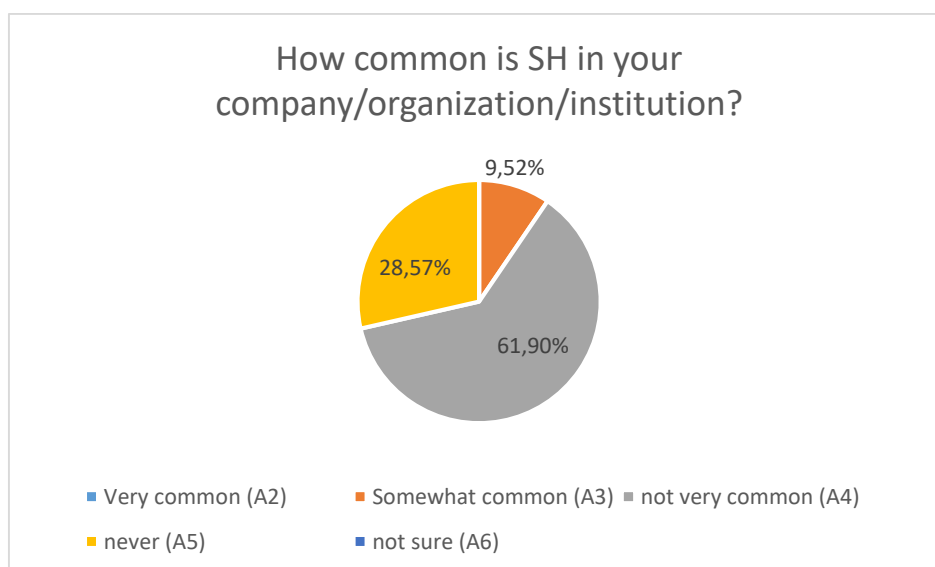
According to the employers who participated to the survey, initiatives to raise awareness on sexual harassment should be taken by the Government (47,62%), the companies (33.33%), the NGOs (19.05%), the Unions (14.29%) and by the media (9,52). More than half of the sample (52,38%) thinks that all the above mentioned actors should raise awareness on the phenomenon of SH.

Speaking about the significance of the phenomenon, the majority of the sample (57,14%) think the problem of sexual harassment is very serious. Many respondents still (28.57%) find it to be somewhat serious and less (4.76%) rather not serious. A relevant percentage of respondents (9,52%) prefers not to judge.





However, in terms of frequency, 61,90% affirm that sexual harassment is not very common in their company, 28.57% think it never happens but there's still a 9,52% of the respondents who think that it is somewhat common.



Most respondents (42.86%) find that sufficient measures are completely or somewhat taken in their company to prevent and respond to such phenomena, but 14.29% think that the measures are rather not sufficient.

## C. DISSEMINATION AND EVALUATION OF THE PHENOMENON

The vast majority of the respondents (71,43%) believe that the management style cannot tolerate discrimination and in particular sexual harassment, but some find it somewhat possible (23,81%) and a few think it's quite possible (4,76%).

In terms of reactions, the respondents think that it's equally (19,05%) a responsibility of the Union, the Governmental institutions or the NGOs to take action; a smaller percentage (9,52%) think that it needs to be dealt as a personal issue or by following the appropriate internal procedure and only a few (4,76%) think that the problem is insignificant and does not deserve special attention or, on the opposite, that it's a management task as part of the safety and health requirements.

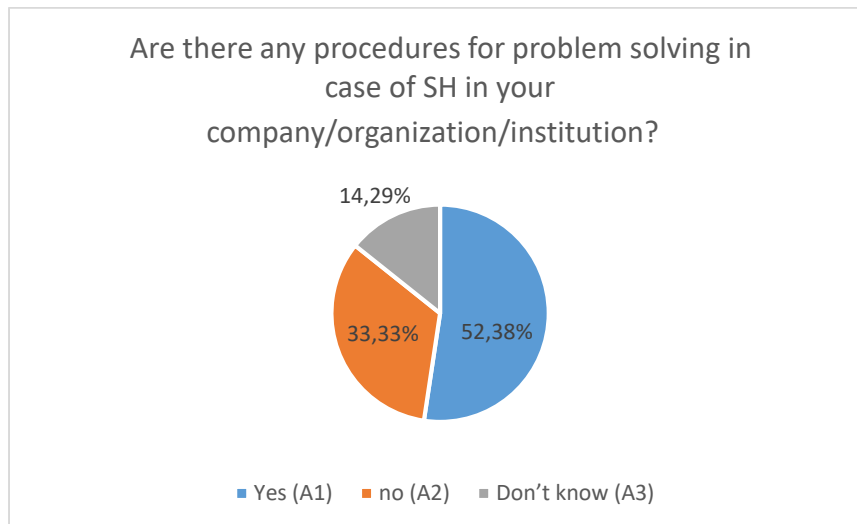
A considerable percentage of managers (38,10%) declare that their organization received allegations about cases of sexual harassment, while the 28% has never received any and the 33,33% is not able to answer, due to lack of information.

## D. COMBATING SEXUAL HARASSMENT IN THE WORKPLACE PROCEDURES

Out of the total sample, 52,38% stated that their company has defined prevention/combating corporate policy against sexual harassment, included in the Ethical Code and Internal Procedures against abuse and violence; 38,10% declare that an anti-discrimination corporate policy is available, with gender equality approach included, 33,33% that specifically developed measures in Company's Internal Rules are available, 23,81% that no specifically developed policies are available, and the rest is equally divided between those who don't know and those who declare that a Collective Bargaining Agreement, with special protection clauses, is available.

In terms of policies and procedures, many employers declare that there is a specific protocol to prevent and act against sexual harassment, with an anonymous reporting system (47,62%), Complaints are addressed to Human Resources Department for the 28,57% or a mail box is installed and opened regularly (28,57%), the 23,81% declare that there are no specific reporting procedures; a smaller group declares that SH reporting is part of the general procedure (19,05%), that in case something happens a signal to the supervisor is given (14,29%) or that they just don't know (9,52%). The 47,62% declare moreover that there is an internal information system, while the 23,81% think there's no system available, or do not know; 19,05% state that regular reports and analyses are produced and 14,29% that statistics and archives are available.

More than half of the respondents declare that they have procedures to address cases of SH in their company, but 33,33% don't have any, and the rest (14,29%) do not know.



## E. PREVENTION OF SEXUAL HARASSMENT IN THE WORKPLACE PROCEDURES

The 42,46% of the participants declare that their company delivers trainings for the staff on SH, but the 38,10% declare on the opposite that no sexual harassment prevention measures are in place. The 28,57% state that a policy of prevention of sexual harassment is promoted through brochures, flyers, posters and the same percentage informs that it is assigned to a certain person or department to raise awareness towards the mechanisms and procedures in their company. Only for the 19,05% a regular monitoring of current situation is held using internal surveys and the 9,52% is not informed.

In terms of seeking assistance from Unions and Employee Representative Bodies presented in the company/organization, 23,81% of the respondents state that there's a collaboration with these bodies and the same percentage declare on the opposite that they don't have any representation in their company.

Several organisations (47,62%) have participated in initiatives organized by external actors for combating sexual harassment. An important percentage (33,33%) is not aware, whilst 19,05% have never participated in any initiative.

## F. TRAINING

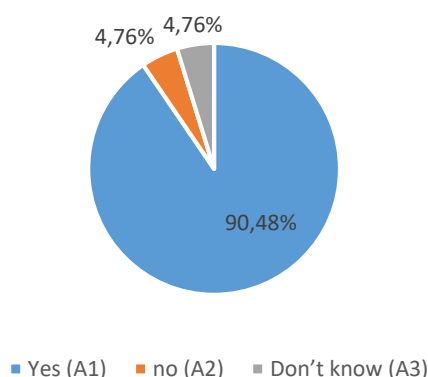
In terms of awareness raising training for the prevention and tackling of sexual harassment, 28,54% employers stated that the organisation provides annual trainings, the 23,81% don't know, the 19,05 thinks it's not necessary, the 14,29% provides frequent trainings, while the 9,52% has infrequent trainings and the 4,76% don't want to answer. The trainings should be attended, in the managers' opinion, by the whole staff (90,48%), by the management (80,95%), by the HR Department (71,43%), by the employess representatives (52,38%).

The main contents of such trainings should comprise the following contents :

Raising awareness towards the issue of violence and SH in the workplace and its adverse effects	95,24%
Gender equality, diversity and inclusion; Management of power relations	95,24%
Rights and obligations of the employer	90,48%
Rights and obligations of the employee	90,48%
Company signal and complaint reporting procedures	90,48%
Organizing and conducting awareness raising and no tolerance to violence/SH campaigns as part of corporate culture	85,71%
Legislation framework	85,71%
Specialized support to the survivors (legal, medical, other)	80,95%
Social partnership (between employer and employees) against violence and SH in context of gender equality policies at workplace	76,19%
Preparation of Action plans	76,19%
Periodical internal surveys to determine if lack of signals really means no harassment	66,67%
Reporting files, internal and external investigations	57,14%
Keeping archive and statistics, regular reports and graphics	47,62%

The vast majority of the respondents (90.48%) are positive about their company being involved in activities for raising awareness of employees towards sexual harassment. Only the 4,76 aren't interested or don't know, as in the chart below:

19. Would you like your  
company/organization/institution to be involved in a  
activities for raising awareness of employees towards  
SH? (only one answer) Percentage



## G. CONCLUSIONS

The phenomenon of violence is still an issue in our country. Managers declare that cases of psychological violence, but also physical violence and sexual harassment can occur in the workplace, in the different sectors, and the same opinion is confirmed by the employees. The majority of the employer-respondents are male, who declare and are aware of the existence of this phenomenon. The response, in employers' opinion, should be massive and raised by the Government, the Unions and the third sector, as the main three different stakeholders that can and should be involved to raise awareness.

Sexual harassment is recognized as a very serious problem, even though employers think that it's not widespread and that the measures already in place are sufficient in many cases, or are at least reasonable. What clearly emerges is that it's a management issue (even though employees think that the management is not enough committed) and that a strong system of procedures is recognized as one of the most important means to combat the phenomenon, but the procedures are still quite incomplete or too generic in order to seriously address the phenomenon and combat it. The number of managers who declare that they don't know anything about the existence of a system or who have never received allegations is still high for a zero tolerance system. Half of the respondents declare nevertheless that once the case has occurred procedures are in place, and a high percentage declare also that some trainings on this issue are being released.

The collaboration between companies, Unions and representative bodies still needs to be reinforced, since only some companies declare it as a standard practice for prevention and management, but there's a notable participation at least in external events, that suggests some rising awareness, both internally and externally.

Manager see as positive the involvement in training and information activities at all levels, for the management itself, for the whole staff, for the HR teams. Moreover, the key contents expected from the trainings are not specific on SH, but are mainly about Gender equality, diversity and inclusion, management of power relations and raising awareness towards the issue of violence and SH in the workplace. This denotes a fair perception of the relevance of these phenomenon, mainly because the registrants are in high prevalence male.

Essential will be having a clearer picture of the main missing policies and procedures on case management, in order to use training to reinforce the existing systems and to implement a set of minimum standards where these systems are weak or still missing. And a further analysis on the key topics of training courses will be essential to disseminate a culture of zero tolerance, and to raise awareness and intimate the impact of such a phenomenon for the psychological and physical health in the workplace.

### 3 IN DEPTH INTERVIEWS

#### 3.1 Stakeholders - Evaluation, opinion and policies to combat sexual harassment in the workplace

- c.1. Assessment the significance of the problem
- c.2. Assessment of the economic and social consequences
- c.3. Impact of applied counteraction procedures - legislative and company level
- c.4. Recommendations for common policies and prevention measures. Partnership with Trade Unions, NGOs. Good practices. Campaigns. Results
- c.5. Recommendations for the development of guidelines and curricula for capacity building seminars and awareness raising trainings

In Italy, Oxfam and Adecco carried out 12 qualitative interviews: 2 interviews with members of the productive sector (senior management/executives), 3 with national and international NGOs, 2 with trade unions, 2 with local and regional institutions, 3 with employers/managers in the public and private sector.

9 of the interviewees were women and 3 men. Their age range from 35 to 65 years, with a higher quota between 35 and 45 years (in management and coordination



positions). Most of them said that they are aware of the problem; only two of the people involved declared that there are only a few isolated cases which, in their opinion, do not represent a nationwide problem in Italy.

The different sector representatives involved in the interview argued that harassment is "someone else's" problem: they do not perceive it as a phenomenon taking place within their own workplace and do not perceive their staff and themselves being threatened by it. The employees of non-governmental organizations declared that the risk of harassment and abuse is potentially higher abroad (in Global South countries) than in Italy, but that in those contexts the measures adopted to prevent and combat abuse are stricter. This is due to the fact that in those countries, marked by higher levels of vulnerability and inequality, unbalanced power relations can be a breeding ground for blackmail, harassment and violence even by humanitarian workers.

The unions, on the other hand, stated that cases of harassment can affect both small and large companies but the phenomenon is likely to escalate in small businesses, especially in productive sectors where women are few and/or isolated. When talking about harassment, the interviewees not only referred to cases of sexual harassment (as defined by the Italian and international law) but they also included other forms of abuse such as threats, coercion, mobbing, bullying, and gender discrimination. The participants in the interviews stated that where there is a corporate culture that allows harassment, other forms of abuse multiply which are linked to a lack of recognition of people's rights, particularly women's rights. They also declared that most episodes of harassment take place against women. According to a female interviewee "A cluster of harassment is never an isolated phenomenon; it is rather inscribed in a more complex situation that needs to be decoded and analyzed. The phenomenon may occur at a transversal level, for example where skills are not recognized and there is a so-called glass ceiling".

In addition, they argued that only in a few cases is harassment brought to extreme forms; in most cases it happens as "veiled" harassment of a psychological nature. This is made up of sexist words and actions and an abusing behavior, and it is more subtle and more difficult to denounce by the victims. Institutional representatives explained that "Statistics on this phenomenon usually indicate the number of complaints and the cases reported through the mechanism put in place by the trade unions. However, numbers are low and not up-to-date". In cases not reported in the complaints system, there may be some sort of agreement between the employer and the victim of harassment: these take place without the involvement of the police and aim at an

internal solution within the company, also to maintain and protect jobs. There is often no news of these cases.

Trade unionists declared that awareness of the phenomenon has increased thanks to the fact that many women have reached the top of their organizations. Female trade union representation in the workplace certainly contributes to shedding light on the phenomenon and to activating prevention and protection actions.

Respondents were unanimous in describing the consequences of harassment in their various forms: personal, collective, economic, and social consequences. They carefully highlighted psychological and emotional repercussions, the impact on the victims' health and, in general, on the workplace, the families and the communities of all people involved. Victims of abuse are also likely to be subject to domination and violence within the family. The cycle of violence destroys the person and undermines her/his personal, family and social role.

They also pointed out that the lack of a suitable climate for maintaining the psycho-physical well-being of workers may undermine productivity (people are not able to show their skills) and trust in the company. If a company is deaf to the phenomenon of harassment, it can become non-competitive, ineffective, and finally damage its image and brand. Whatever sector we are talking about, the human factor is the first real capital; if a company is not able to guarantee the welfare and protection of its workers, it will have little grip on the market. This type of company regresses from a social point of view. Moreover, there is an increase in costs on health and economic productivity: if the victim is not protected and defended and therefore is forced to resign, the job loss contributes to personal and social impoverishment.

As stated by one of the interviewees, the economy is not only linked to profit but should be viewed as a collective good, a common good to which the right to health, work, protection and well-being - and therefore also to safeguard and protection from harassment and violence in the workplace - are linked.

All respondents said they are aware of the existence of measures to prevent and combat the phenomenon; one of the participating companies has its own code of ethics; trade unions have reporting channels and helpdesks; non-governmental organizations have codes of conduct signed by all employees and reporting channels with safeguarding procedures.

However, the trade unionists interviewed reported scarce homogeneity in these mechanisms and in the application of national and European legislation against harassment in the workplace: "In large workplaces with well-structured trade union

representation, there is more awareness and knowledge of procedures and safeguards against harassment and abuse. However, we must consider that in our country there are many small companies (about 5 employees), and it is difficult to think that in such working environments there is a full awareness of rights and adequate measures in place."

In Italy it is difficult to find a real national strategic plan against sexual harassment in the workplace and also on the subject of equal opportunities: the two themes are in fact interconnected and are not structurally integrated into the world of work. Effective action and a culture of protection do not yet exist. A structured, multidisciplinary network for the systematic protection of male and female workers would be required in which trade unions, civil society, institutions and NGOs work together. Best practices are often to be found at local or regional level, but they remain isolated experiences.

The European directive against sexual harassment in the workplace is viewed as a very important tool and a first step in the right direction. The directive has been first adopted by the largest Italian trade unions (Cgil, Cisl and Uil) and by Confindustria, the federation of Italian industrial employers. Other employers' associations have followed.

Confindustria is certainly considered a very important player in the field of industrial representation; however, as of today several Confindustria member businesses have not yet implemented the European directive. The trade unions argue that "companies, especially those registered with the trade associations that have adopted the directive, must be invited to proceed with its implementation, thus making an act of coherence and awareness. In some cases we have found some sort of reticence in addressing this issue. It looks as if some employers thought that, through these instruments, external parties want to interfere in their internal work organization. This is the reason for their delay".

Public administration and trade unions strongly affirmed that the implementation of the European directive alone is not enough: understanding its contents is also essential. They argued that male and female workers must be trained to do so and proposed initiatives such as holding an assembly once a year on the subject of combating harassment and reporting procedures. The contents should be: procedures to be followed in cases of violence; information on workers' rights; promotion of territorial initiatives with trade unions and institutions; enhancement of local good practices; strengthening of existing networks. This could make it easier for victims to report abuses because they perceive and know the protection networks around them. The basic idea is to lift victims of abuse out of loneliness and create an internal prevention system.

An additional good practice consists in setting a quota for female representation in the RSU/RSAs, (the trade union representation bodies within companies) in order to promote policies that support and protect women in the workplace. This can facilitate women who suffered from SH to disclose their experiences to other women in position of trust and protection.

Good practices have many objectives, including the establishment of network systems. By bringing together the educational, productive, cultural and social systems and comparing different experiences, a new culture can be promoted that condemns discrimination and harassment and is more focused on the issue of equal opportunities.

The mandatory two-yearly report required by Legislative Decree 198/2006 is an important tool for providing data and picturing the situation within companies. The report illustrates the working conditions of women in the workplace, but it is only mandatory for companies with more than 100 employees. The report must be submitted to the workers' union representation and to the Counsellor for Equality. It is a very useful tool because, basing on data reported and analyzed in it, companies can take measures to improve women's conditions in terms of wages, turnover, maternity, management roles, recruitment criteria, maternity situations, etc. The report should also be extended to companies with less than 100 employees.

All interviewees stated that training to prevent and combat sexual harassment in the workplace is a fundamental process for reducing the phenomenon and for the social and economic development of companies and organizations. Public administration staff said that "first of all we need to identify the people who need to be trained on this subject: certainly company managers, employers and staff at the same time, in order to develop a general awareness of the issue that encompasses all levels of work". The staff of non-governmental organizations explained how they have already organized many training courses for the implementation of the code of ethics and for disseminating safeguarding procedures.

A female interviewee said, "I believe that during the training programs, it is important to address the issue of shame and guilt. The person in a victim's condition struggles to get out of it because of the emotions and consequences associated with this phenomenon. An anonymous questionnaire, including open questions about possible episodes that the person may have suffered, would certainly be an important element in understanding the atmosphere in a given context and adjust the training accordingly".

Talking about the phenomenon increases people's awareness. Many argue that a course in presence is preferable, also because of the emotional burden that is activated through physical presence, and that it can be useful in order to shed light on a phenomenon that is not deeply known and investigated.

#### 4 CONCLUSIONS AND RECCOMENDATIONS

The National Research of Teamwork project highlighted the opportunities existing in the Italian system (from the legislative point of view and the competences existing in trade unions and CSOs), but also showed the fragility of the protection system (fragmentation of the laws, shortcomings in its implementations, low level of networking between stakeholders dealing with SH prevention and response at local, regional and national level). The phenomenon of SH involves about 8-9% of the working population (ISTAT source), the quantitative questionnaire highlighted among respondents that 20% of them suffered from SH in the workplace. These data shows how this behaviour has not yet been eradicated from organizations and companies; especially considering its less visible forms such as psychological violence incidents.

The companies and organizations involved in the questionnaire declare that they are aware of this phenomenon and are sufficiently committed to prevent and respond. The research shows that this commitment still requires training (90% of senior management declare that they would be willing to implement such a training). A regional and national network, able to protect and respond to victims' needs, is necessary, also to strengthen companies and organization capacity to respond to SH. This network should constantly work on prevention, through reliable reporting and safeguarding channels and implementation of training for employees and managers. According to the research less than 2% of SH cases enter a courtroom and are resolved with the removal of the perpetrator.

The research also highlights the importance of the role that unions play in preventing and responding to SH, through the implementation of the European directive. Nevertheless they are hardly involved by companies to negotiate and manage cases (senior management and employees do not identify them as a possible channel for reporting). Therefore, relations of trust and the capacity for social dialogue among unions representatives and companies personnel should be improved at the regional and national level. For this reason, training on SH prevention and response addressed to employees and managers should involve unions and regional stakeholders involved in the protection of the victims. This collaboration can contribute to enhance existing skills at regional level and to highlight the role played by unions within companies and organizations in supporting people who suffer and have suffered from SH.



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## Legislative and International treats framework (quoted in the text)

- Declaration on the Elimination of Violence against Women, 1993;
- Women's Agenda for Peace and Security and Related Resolutions, 2000; the
- Beijing Platform for Action, 1995;
- ILO Convention on Discrimination in Employment and Occupation, 111/1958;
- The 1930 and 1957 Conventions and Protocol 82014 on the Elimination of Forced Labour;
- 182/1999 Convention on the Worst Forms of Child Labour;
- 155 /1981 Convention on Safety and Health at Work; CEDAW, 1979.
- Recommendations No.1450, 2000; 1523, 2001; 1555, 2002; 1582, 2002; 1663, 2004; 1681, 2004; 1723, 2005; 11, 2000 adopted by the Parliamentary Assembly of the Council of Europe;



- Resolutions 1212 and 1247, Council of Europe Convention on preventing and combating violence against women and domestic violence - Council of Europe Istanbul, 2011,
- EU Council Directives 78/2000 and 73/2002, Framework Agreement on harassment and violence in the workplace, 26 April 2007
- Civil Court of Cassation, Labour Section, Judgment no. 23286 of 15 November 2016
- Legislative Decree 2006, Code of Equal Opportunities - Law No. 198/2006 (Italian Code of Equal Opportunities)
- Article 8 of Law no. 125, 1991 (IT – Equal Opportunity law)

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