

HARASSMENT AT WORK

*It is an unwanted behaviour
(gesture, word, attitude, etc.)
practised with some degree of
repetition and with the aim or effect
of affecting a person's dignity or
creating an intimidating, hostile,
degrading, humiliating or
destabilising environment.*

WHAT IS HARASSMENT AT WORK



MORAL HARASSMENT CONSISTS

of **verbal attacks with offensive or humiliating content**, or more **subtle acts** that may include **psychological or physical violence**, with the aim of **lowering the victim's self-esteem** and even **causing them to leave their job** (social isolation, intimidation, systematic threats of dismissal, systematic devaluation of the work done, etc.)

SEXUAL HARASSMENT OCCURS

when these **unwanted behaviours, verbal or physical**, are of a **sexual nature** (invitations or messages of a sexual nature, attempted physical contact, blackmail in order to obtain employment opportunities or career advancement in exchange for sexual favours, obscene gestures, etc.).

WHAT DOES THE LAW SAY?

- The Portuguese Labour Code prohibits harassment. Such practice is considered a very serious one and entitles the victim to compensation (Art. 29).
- It is the employer's duty to adopt codes of good behaviour to prevent and combat harassment at work, whenever the company has seven or more employees. As well as initiate disciplinary proceedings whenever it becomes aware of alleged harassment at work (Art. 127).

Women are the main target of both moral and sexual harassment in the workplace.

Often nationality, immigrant status, racial/ethnic identity, gender identity and sexual orientation are used to carry out harassment, which is often based on stereotypes in which the worker is devalued or offended. For example, when an immigrant in an irregular administrative situation is exploited and suffers threats of denunciation and deportation.

WHAT CAN I DO?

Don't ignore harassment in the hope that it will pass. Pretending that nothing has happened may give the situation time to get out of control.

- **Talk to work colleagues** to find out if the same person is harassing or has harassed other colleagues.
- **Talk to someone you trust.** Sharing the story of harassment while it is happening can be important to get witnesses and produce evidence.
- **Know your rights.** Go directly to CITE or to your trade union and state your case.
- Find out if your employer has mechanisms in order to deal with harassment complaints and **file a complaint internally within the organisation.**
- If your company does not have specific resources or mechanisms for this type of situation, **file a complaint with the CITE and your trade union.**
- **If you have been sexually assaulted or attempted to be sexually assaulted by someone at your workplace, file a complaint with the police.**

HOW CAN YOU PROVE A SITUATION OF SEXUAL OR MORAL HARASSMENT?

Complainants need to **gather enough evidence to prove** their claims, in particular by creating a trail of events, a detailed record of the situations or obtaining witnesses. The burden of proof is one of the biggest difficulties faced by people who are the target of bullying and/or sexual harassment at work.

TIPS TO HELP GATHER EVIDENCE:

1

Be an assertive person and explicitly tell the harasser to stop.

If you have been the victim of harassment, try to overcome your fear and shyness and say incisively:

"I don't like what you're doing.

It offends me and I want it to stop.

I don't want this to repeat".

2

If "saying no" wasn't enough... Send a text message by mobile phone or email and save it by screenshot or by other means. Remember that the harasser may claim that they didn't know you were uncomfortable.

3

Write a letter to the harasser.

A formal letter can be more effective in making the harassing behaviour to stop than a verbal request or informal message. You can consult legal support when writing the letter if you feel that you need it. The letter should have three fundamental parts:

- a) A description of all the events, if possible with details of date, time, place, what was done and said.
- b) How you felt about what happened.
- c) And that you want the harassment situation to end immediately.

4

Don't delete evidence. Don't delete emails, text messages, social media posts, paper notes, etc. sent by the person harassing you. These can be fundamental means of proving that harassment has taken place.

5

Record all incidents in detail. Include in a notebook or diary the date, time, place and detailed description of each incident of sexual harassment. Often the proof is within the details and the existence of evidence is crucial to filing a complaint.

Sources:

¹Torres, A., Costa, D., Sant'Ana, H., Coelho, B. & Sousa, I. (2016). Assédio sexual e moral no local de trabalho em Portugal. Lisboa: Comissão para a Igualdade no Trabalho e no Emprego (CITE).

² Coelho, B., Torres, A., Costa, D., Sant'Ana, H., & Sousa, I. (2016). Manual de Formação para Prevenir e Combater o Assédio Sexual e Moral no Local de Trabalho: Trilhos para a Tolerância Zero. Lisboa: Comissão para a Igualdade no Trabalho e no Emprego (CITE).

DON'T
BLAME
YOURSELF!

**THE ONLY PERSON TO
BLAME IN A SITUATION
OF HARASSMENT AT
WORK IS THE
PERPETRATOR.**

USEFUL CONTACTS:

ACT - Authority for Working Conditions

www.act.gov.pt | 300 069 300
(working days, 9.30am - 12pm / 2pm - 5pm)
Call free of charge via the CALL US (LIGUE-NOS) button available on the homepage of the ACT portal.

CITE - Commission for Equality in Labour and Employment

www.cite.gov.pt | 800 204 684
Appointments for face-to-face and telephone legal assistance.
(working days, 2.30pm - 4pm) | geral@cite.pt

CIG - Commission for Citizenship and Gender Equality

Legal Information and Psychosocial Support Service in situations of discrimination and gender-based violence.
www.cig.gov.pt | cig@cig.gov.pt
217 983 000
(working days, 9.30am - 12pm, 2pm - 5pm)

CAM-UMAR - Alternative and Response Women's Union

Psychological, legal and social support for women victims of domestic and gender-based violence.
umar.almada@sapo.pt
212 942 198 (working days, 9.30am - 5.30pm)

CICDR - Commission for Equality and Against Racial Discrimination

www.cicdr.pt | cicdr@acm.gov.pt
218 106 100

Migrant Support Line

808 257 257 (local call cost)
218 106 191 (9 am - 7 pm on working days)

CLAIM (Local Support Centres for the Integration of Migrants)

offices that provide information and support throughout the process of integrating migrants. Find a CLAIM near you by following the link www.plim.acm.gov.pt/contactos/contactos-rede-claim

CLAIM Sintra - Sintra Town Hall

claii@cm-sintra.pt
219 236 925/26 or 219 236 016
(Working days, 9am - 4.30pm)

Social Security

www.seg-social.pt
210 545 400 / 300 502 502

Casa do Brasil de Lisboa

www.casadobrasildelisboa.pt
213 400 000

Public Prosecution Service (PPS)

www.ministerio-publico.pt/ministerio-publico-e-os-trabalhadores/?lang=en

FEM - Feministas em Movimento

Assistance Centre for Victims of Domestic and Gender-Based Violence, part of the National Support Network for Victims of Domestic Violence.
218 170 671 / 910 646 040 / 800 918 245
lisboamaisigualdade@fem.org.pt



Código do Trabalho

Promotora:



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