

You are a victim of stress or harassment at work? The CNE supports you

YOU ARE SUFFERING FROM STRESS OR BURN-OUT BECAUSE OF WORK? YOU ARE BEING SUBJECTED TO MORAL OR SEXUAL HARASSMENT OR VIOLENCE DURING YOUR WORKING HOURS? THE LAW PROTECTS EMPLOYEES AGAINST WHAT IT CALLS "PSYCHOSOCIAL RISKS". THE CNE HELPS YOU UNDERSTAND THE SOLUTIONS AND APPEALS AVAILABLE FOR YOU.

PSYCHOSOCIAL RISKS

There are five categories of psychosocial risks in Belgian labor law:

- **Stress** is a negative state resulting from an excessive workload.
- **Burn-out** is a state of professional exhaustion and demotivation, often resulting from permanent stress.
- **Bullying** is a pattern of abusive behavior that violates your integrity and dignity or makes your working environment intimidating or offensive.
- **Sexual harassment** is a case of moral harassment that has a sexual connotation and requires only one behavior to be punishable.
- **Workplace violence** is every situation when you are threatened or physically attacked at work.

These situations can be linked (e.g. stress causes burn-out, harassment causes stress).

THE IMPORTANCE OF EVIDENCE

If you believe you are a victim of a psychosocial risk, it is important to preserve as much objective evidence as possible. We recommend keeping a journal of events that includes the dates, times, locations, circumstances, and witnesses to the incidents. Even if certain incidents seem insignificant, their repetition can be crucial in demonstrating the existence of harassment or another problematic situation. If there are any written records (emails, text messages, messages, social media posts, or any other relevant documents), it is essential to keep them.

Furthermore, never face such a situation alone: report it promptly to a union representative or someone you trust.

ACTORS WHO CAN HELP YOU

We recommend you to contact a member of the Prevention and Protection at Work Committee (CPPT) or a trade union delegate. This person will be able to provide you with information about your rights and direct you to the right people, such as the psychosocial risks prevention adviser or the trusted person.

The psychosocial risks prevention adviser is a prevention adviser, like the occupational physician, who specializes in psychosocial risks. Every employer must have a psychosocial risks prevention adviser, who is either part of the external service or the internal service for prevention and protection at work. His or her contact details are written in the work regulations or can be found on this website : <https://www.seed-connect.be/fr/home>).

The appointment of a trusted person is compulsory in companies with more than 49 employees. In companies with fewer than 50 employees, it is optional, unless required by the employee delegates. The trusted person is generally a member of staff who has undergone specific

training in dealing with victims of psychosocial risk. This person listens to you, inform you and may intervene or attempt to mediate with other people.

INTERNAL AND EXTERNAL PROCEDURES

If you are experiencing a psychosocial risk, you can turn to the company's **internal procedures** with the trusted person or the psychosocial risks prevention adviser (PRPA). The trusted support person or the PRPA will interview you within 10 days and inform you of the options available. There are two possible courses of action: informal and formal.

An informal intervention consists of seeking a solution informally by means of interviews, discussions with another person in the company or attempts at conciliation.

A formal intervention is analyzed by the PRPA, who classifies them according to whether they are collective or individual. The request is of a collective nature when other workers may also suffer harm as a result of the problem and when it concerns an organizational problem rather than an individual problem. The employer has to examine the situation and takes the necessary collective measures to resolve it. In practice, the responses provided are not always sufficient. It is therefore helpful to stay in touch with the union delegation or the CPPT to ensure that effective measures are actually being implemented.

The request is of an individual nature when the problem mainly concerns the applicant, without involving other workers. Requests related to cases of violence or moral or sexual harassment are automatically considered as individual requests. Requests of an individual nature are dealt with by the PRPA, who draws up an opinion for the attention of the employer in which he or she proposes measures to be put in place.

If the problem is not solved, for example because the employer has taken no action or has taken inappropriate action, you can start the **external procedure**. This involves turning to the Monitoring of Well-being at the Workplace, a branch of the Federal Public Service (SPF) for Employment. An inspectorate checks whether the employer has applied the internal procedure correctly and examines whether he or she has taken the appropriate measures. They may impose measures on the employer. Legal action could only be considered afterwards, if the intervention by the Office for Workplace Well-Being is unsuccessful.

PROTECTION AGAINST RETALIATION

People who have filed a **formal** request for intervention for acts of violence or moral or sexual harassment at work or who have made a complaint with the Monitoring of Well-being at the Workplace because the employer is not complying with its legal obligations regarding psychosocial risks, are protected against the risk of reprisals for a period of 12 months.

Need to mail us ? Please write to : cne.advice@acv-csc.be (English only!)

Need to contact us ? Please call 067 88 91 00 on Mondays, Tuesdays and Wednesdays from 9AM to 12PM and Tuesdays from 1.30PM to 4.30PM (French).

Need to meet us ? Our offices are open on Mondays, Tuesdays and Wednesdays from 1.30PM to 4.30PM and Tuesdays from 9AM to 12PM (French).