

# 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 EXPLAINS THE SOLUTIONS AND REMEDIES AVAILABLE TO YOU.**

### PSYCHOSOCIAL RISKS

You may be exposed to psychosocial risks at work. It is important to describe them in order to identify and prevent them.

- **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 behaviour 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 behaviour to be punishable.
- **Workplace violence** is when you are threatened or physically attacked at work.

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

### ACTORS

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 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 specialises 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, and make his or her contact details available to workers (you will find them in the employment regulations).

The appointment of a **trusted person** is compulsory in companies with more than 49 employees. In companies with fewer than 50 employees, the appointment of a trusted person is optional, unless required by the employee representatives. 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 and responds to your requests by intervening and conciliating 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. These procedures must be described in the work regulations. A request to intervene informally consists of seeking a solution informally by means of interviews, discussions with another person in the company or attempts at conciliation.

Requests for formal intervention are analysed 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 organisational problem rather than an individual problem. It is dealt with by the employer, who examines the situation and takes the necessary collective

measures to resolve it. The request is of an individual nature when the problem mainly concerns the applicant, without involving other workers. Requests for formal intervention in cases of violence or moral or sexual harassment at work 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 Inspector's intervention fails.

People who have filed a 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 has not appointed a psychosocial risks prevention adviser, has not set up an internal procedure, has not legally applied the internal procedure or because the handling of the request for formal intervention has not led to an end to the acts of violence or moral or sexual harassment, are protected against the risk of reprisals for a period of 12 months.

**Need to contact us?** Call us on 067 88 91 00 on Mondays, Tuesdays and Wednesdays from 9am to 12pm and Thursdays from 1:30pm to 4:30pm.

**Need to meet us?** Our secretariats are open on Mondays, Tuesdays and Wednesdays from 1.30 to 4.30 pm and Thursdays from 9 am to 12 pm.

**Need to write to us?** Just one address: [cne.info@acv-csc.be](mailto:cne.info@acv-csc.be)

**Last update : August 2024**