

Industrial relations and social dialogue

Workplace bullying, harassment and cyberbullying: Are regulations and policies fit for purpose?



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Introduction

Background and scope of the report

Over the last decade, information and communication technologies (ICTs) have changed the way employees work and communicate with each other. According to 2022 European Union Labour Force Survey data, almost 30% of employed people (aged 15–74) in the EU use digital devices¹ for all or most of their working time (Eurostat, 2023). Also, data from Eurostat’s ICT usage in enterprises survey point to a significant increase in the share of enterprises in the EU using social media (59% in 2021 compared with 37% in 2015) (Eurostat, 2022).

Despite the many benefits of the digitalisation of work, widespread access to digital devices in working life has created new forms of antisocial behaviours, including cyberbullying and online harassment. These behaviours may be regarded as by-products of the increasing digitalisation of work and the growing use of and reliance on ICTs at work (Kowalski et al, 2008; Heatherington and Coyne, 2014; Snyman and Loh, 2015).

A 2018 European Agency for Safety and Health at Work (EU-OSHA) foresight study identified cyberbullying as an emerging psychosocial risk in the workplace. According to EU-OSHA, the shift from face-to-face to virtual communication may lead to a loss in understanding social cues or diminished social skills, which may result in acts of incivility or hostile interactions from superiors, co-workers or third parties from outside the workplace (EU-OSHA, 2018).

The increasing digitalisation of work may have also increased customers’ expectations for fast and more efficient service delivery, with workers being the target of disgruntled customers when automated systems do not function as expected. Workers can also be targeted on social media and other platforms, as was the case for healthcare workers who experienced online abuse and harassment from anti-vaxxers during the COVID-19 pandemic (BMA, 2021; DW, 2021). These online attacks can also originate from co-workers or supervisors through emails, text messages or instant messages on online collaborative platforms, forums or group chats. Such behaviours can result in exclusion and reputational harm for those targeted, adding to their distress and creating a hostile work environment with significant legal and professional ramifications.

In an ever-more data-driven and datafied workplace, (cyber)bullying and (online) harassment may also extend to forms of micromanagement with remote and hybrid working, where workers may feel harassed due to pervasive digitally enabled monitoring and surveillance practices. There is evidence of an increasing trend in the use of digitally enabled performance monitoring – through keystroke-logging and screen-monitoring software, webcams or digital CCTV, productivity scoring and social media monitoring – which cannot be easily circumvented (Negrón, 2021; EU-OSHA, 2022a, 2022b). While in the past, performance monitoring was limited to the workplace, the rise of teleworking has extended monitoring into people’s homes, causing private and professional spheres to overlap. This greater invasion of privacy can instil fear and anxiety in surveilled workers.

The pervasive and boundaryless nature of antisocial behaviours perpetrated through digital means may amplify the negative effects on employees’ physical and psychological health, making it even more difficult for employers to fulfil their duty of care to their employees. With digital technologies extending the boundaries of the employment relationship beyond the physical workplace, employers are confronted with a broader spectrum of liabilities for unlawful conduct in the employment context.

It should be noted that this report uses the term ‘workplace’ in relation to bullying, harassment and cyberbullying in a loose manner. The term ‘workplace bullying’ does not imply that such antisocial behaviours are confined to a specific physical workplace. Instead, these behaviours can occur outside traditional work settings and be perpetrated not only by colleagues or supervisors but also by third parties, such as clients or customers, in various settings.

Drawing from information collected through the Network of Eurofound Correspondents on a semi-standardised questionnaire, this report maps existing national regulatory instruments to counteract antisocial behaviours at work, particularly bullying and harassment. Legislative reviews indicate that in many Member States online forms of abuse are often viewed as extensions of the traditional form of face-to-face bullying or harassment rather than as a distinct phenomenon requiring separate regulation. Some countries have amended existing legislation and

¹ Use of digital devices refers to use of computers, tablets, phablets and smartphones for work-related tasks, excluding phone calls.

policies on antisocial behaviour to include cyberbullying and online harassment. The report reviews to what extent such conduct is regulated. As regulatory change may also be influenced by evidence of an increasing prevalence of bullying and harassment, the report also examines available empirical evidence documenting the issue or that potentially indicate a rise in the phenomenon.

Sexual harassment is outside the focus of this report, as it deserves more in-depth investigation due to its specific dynamics, which may differ significantly from those related to bullying or psychological harassment at work, whether online or face to face. Furthermore, the drivers behind policy and regulatory changes for sexual harassment may also differ significantly, necessitating separate treatment of these issues.

While most of the information collected for this report is based on desk research conducted by national correspondents in EU Member States and Norway, additional insights were obtained, where possible, through consultation with national experts, government representatives and/or social partners. The desk research and data collection took place in the last quarter of 2023, and the review process was completed in the first quarter of 2024.

Note on terminology and concepts

Workplace bullying and harassment

Both bullying and harassment at work involve harmful behaviours, leading to a hostile environment for the victims and often encompassing similar actions, such as verbal abuse, intimidation or exclusion. Although the two terms are sometimes used interchangeably, they are distinct concepts.

The term ‘harassment’ is generally used in relation to discriminatory or offensive behaviour typically tied to protected characteristics. Furthermore, as noted by the European Union Agency for Fundamental Rights (FRA), harassment based on protected characteristics involves additional legal, social and psychological dimensions that make it distinct from other forms of harassment (FRA, 2023). FRA research on online content moderation found high levels of harassment on social media, particularly against women and ethnic minorities. The expression of hate against people because of their protected characteristics is a key consideration in determining if online content constitutes ‘online hate’ in accordance with legal thresholds.

In the 2019 International Labour Organisation Convention Concerning the Elimination of Violence and Harassment in the World of Work (ILO Convention No. 190), violence and harassment are broadly defined as:

a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and [include] gender-based violence and harassment.

The term ‘bullying’ denotes a wider range of negative behaviours. EU-OSHA (2002) defines workplace bullying as ‘repeated, unreasonable behaviour directed towards an employee, or group of employees, that creates a risk to health and safety’. While the terms bullying and mobbing are often conflated and used as synonyms, they are conceptually distinct, with bullying typically involving a single individual targeting another, and mobbing involving a group collectively targeting an individual (Eurofound, 2003).

According to the literature, the defining characteristics of bullying relate to the hostility or underlying negativity of the behaviour, the repetition of the negative acts over time and the imbalance of power, which makes it difficult for the victims to defend themselves (Monks et al, 2009; Einarsen et al, 2011; Samnani and Singh, 2012). Views vary as to the frequency and duration of exposure to negative behaviours, generally ranging from 6 to 12 months (Samnani and Singh, 2012). Some scholars (Einarsen et al, 2011; Coyne et al, 2017; Vranjes et al, 2020) question the relevance of the intent to cause physical or psychological harm as a defining criterion of bullying on the basis that, for example, bullying can be perpetrated unconsciously and without any explicit intention to cause harm, but is nevertheless damaging for the victim (Coyne et al, 2017). In several national jurisdictions, bullying or moral harassment can be established regardless of the perpetrator’s intent.

Workplace cyberbullying

Most of the definitions of cyberbullying originate from the research literature on cyberbullying among children and young people, but these can nonetheless be useful to conceptualise workplace cyberbullying. Coyne et al (2017) propose conceptualising workplace cyberbullying simply as ‘traditional bullying via electronic media’, similar to some conceptualisations proposed in the context of school cyberbullying research (Campbell, 2005; Li, 2008). According to Farley et al (2021), workplace cyberbullying is conceptually similar to face-to-face bullying at work and characterised by the repetitive or persistent nature of negative behaviours and the power imbalance between the perpetrator and the target. The proposition that cyberbullying is an extension of traditional bullying, or closely related to it, is supported by evidence.

Employees who are cyberbullied often experience face-to-face bullying as well (Privitera and Campbell, 2009). Previous research also found that face-to-face bullying and online bullying do not differ significantly (Cowen Forssell, 2019).

ILO research states that the phenomenon has been used to describe ‘aggressive conducts carried out through information and communication technologies ... and can involve picture/video clips, emails, or social network sites, among others’ (De Stefano et al, 2020). The ILO Convention 190 also recognises that harassment may occur ‘through work-related communications, including those enabled by information and communication technologies’.

It should be noted, however, that some ICTs are commonplace in workplaces. For example, email communication is a well-established and standard mode of interaction. This illustrates how the distinction between conventional bullying and cyberbullying can be rather fluid. Furthermore, drawing a clear line between conventional workplace bullying (moral or psychological harassment) and their online counterparts may be challenging, as antisocial behaviours may overlap and manifest face to face or on social media, in emails or through other digital means.

Yet certain defining features of bullying may take different forms when perpetrated via digital communications devices. According to some authors, cyberbullying at work has distinct characteristics that set it apart from conventional face-to-face bullying, primarily due to the pervasive effects of ICTs (Altés-Tárrega and Aradilla-Marqués, 2023). For example, in cyberbullying, particularly if perpetrated by third parties (outside the workplace), being anonymous can disinhibit or confer greater powers on the perpetrator while, at the same time, heightening the sense of powerlessness in the victim. Cyberbullying perpetrators may also be less aware of the damage they cause to their targets because it is less visible and tangible for them, as cyberbullying is perpetrated at a distance in cyberspace (Dooley et al, 2009; CIOP PIB, 2022). From a legal perspective, the anonymity reduces the possibility of establishing liabilities for the negative acts perpetrated and applying sanctions (West et al, 2014). Also, the notion of repetition as a defining criterion of bullying becomes elusive when applied to cyberbullying; for harm to be caused, it may suffice for a single email to be disseminated to more than one individual or a post to be published online and accessed by others repeatedly (Sugarman and Willoughby, 2013; Jönsson et al, 2017). The fact that offensive content posted online (in the form of text, pictures or video

footage) cannot be easily deleted means that the negative acts are more difficult to terminate, and the victim is exposed to the online aggression repeatedly, each time the content is accessed (Wolak et al, 2007). De Stefano et al (2020) argue for ‘unwanted reverberations of one act of cyberbullying’ to be considered as an indicator of repetition.

Another distinct aspect of cyberbullying that warrants attention is its pervasiveness and boundarylessness. It can occur at any time, at the employer’s premises, at home or anywhere the victims work, extending beyond working time (D’Cruz and Noronha, 2013; Jönsson et al, 2017; CIOP PIB, 2022). This heightens the victims’ perception of vulnerability and ‘feeling of being trapped’ (Keskin et al, 2016). Langos (2012) also draws attention to different forms of cyberbullying, distinguishing between direct cyberbullying, using private communications to target the victim, and indirect cyberbullying, whereby offensive or humiliating content is broadcast to a wider audience and in the public domain, for example on social media or public forums. This crossing of the victims’ private/public boundaries exemplifies the intrusive and pervasive nature of the phenomenon. These considerations suggest that cyberbullying introduces new harmful risks for workers’ rights beyond health or non-discrimination, encompassing elements related to personal and professional reputation (honour), privacy and the confidentiality of communications, including data protection (Altés-Tárrega and Aradilla-Marqués, 2023).

Report structure

Following this introduction, the report is organised into two chapters.

Chapter 1 gives an overview of relevant regulatory instruments at the level of individual EU Member States and in Norway, with a particular focus on recent changes to regulations and policy developments. The chapter examines the definitions of bullying and harassment, specifically noting any references to antisocial behaviours carried out via digital means. It highlights key legal obligations for employers regarding the prevention and management of incidents. The legal sources reviewed include labour statutes or codes, criminal codes, equality and anti-discrimination laws, occupational safety and health (OSH) legislation, and data protection and privacy acts. The chapter also draws attention to potential regulatory gaps identified through a selective review of case law, legal literature and official statements from regulators, government bodies and social partners, as reported by national correspondents.

Chapter 2 briefly discusses national-level debates on the issue and reports empirical findings on the prevalence of antisocial behaviours at work from studies published from 2018 to 2023. The focus of the review is on workplace bullying and its online manifestations for those countries with available data.

The chapter also points to evidence of predictors of such misconduct in the workplace and its impacts on both workers and organisations.

The report ends with conclusions based on the analysis of the information collected for this study.

1 Regulatory approaches and policy developments

EU and international regulatory instruments

Although there is no EU legislation directly targeting workplace bullying and harassment, certain regulatory instruments indirectly address or partially cover the issue. For example, the EU Occupational Safety and Health (OSH) Framework Directive (Council Directive 89/391/EEC) mandates employers to ensure the health and safety of workers in all work-related aspects. This directive lays down general principles for improving health and safety at work across the EU, putting emphasis on the prevention of occupational risks. The directive states that:

The employer shall implement the measures ... on the basis of the following general principles of prevention: ... developing a coherent overall prevention policy which covers technology, organization of work, working conditions, social relationships and the influence of factors related to the working environment.

(Article 6(2g), Council Directive 89/391/EEC)

The directive addresses various OSH risks, including those not explicitly mentioned, such as work-related psychosocial risk factors. Bullying and harassment are widely recognised as work-related psychosocial risk factors impacting workers' physical and mental health.

There are nuances in the legal approaches adopted at national level to tackle health and safety concerns in the workplace. One aspect is the identification, within national legislation, of various risk factors – including psychosocial risks – to be addressed for workplace health and safety. Another aspect is whether there are specific legal provisions addressing mental health outcomes resulting from these identified risks. Although such aspects are intertwined, they are not necessarily addressed in the same legal texts.

There are also EU equal treatment directives that prohibit harassment that constitutes discrimination on specified grounds and promote equal opportunities in employment. For instance, Council Directive 2000/43/EC deems harassment a form of discrimination when based on racial or ethnic origin.² The recast Directive 2006/54/EC specifically addresses harassment on the grounds of sex (and sexual harassment) as a form of discrimination against women in employment and at work.³ Lastly, Council Directive 2000/78/EC connects harassment to broader discriminatory factors such as religion or belief, disability, age or sexual orientation.⁴ Most EU Member States (and Norway) define harassment within their anti-discrimination and equality legislation, drawing from the grounds for discrimination outlined in the equal treatment directives. Some EU Member States, such as Belgium, Bulgaria, Cyprus, Hungary, Poland, Romania, Spain and Sweden, opted for a more comprehensive list of prohibited grounds than those listed in Council Directive 2000/78/EC. However, this legislation does not offer comprehensive protection from workplace harassment unless it is rooted in these specified grounds, nor does it delineate preventive measures.

Another piece of EU legislation of relevance to the issue at hand is the EU Directive on Whistleblowing,⁵ which entered into force in 2019 and has been transposed into national legal and institutional systems in most EU Member States.⁶ The directive explicitly prohibits various forms of retaliation against whistleblowers, including harassment and other types of workplace abuse akin to bullying, and establishes protective measures for whistleblowers. However, this directive does not cover equality matters or workplace health and safety, which are governed by other legal instruments, and it does not explicitly safeguard individuals who report harassment, discrimination, bullying and similar issues. As noted in a European

2 Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

3 Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).

4 Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

5 Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law.

6 According to the EU Whistleblowing Monitor, Estonia and Poland have not transposed the directive into national legislation.

Commission press release, ‘Member States are free to extend these rules to other areas’ (European Commission, 2019). For instance, French law (Act No. 2022-401) implementing the EU directive extends protection to employees who report sexual and moral harassment. In Norway, provisions on whistleblowing are contained in the Work Environment Act and pre-date the EU directive.⁷

At international level, a landmark instrument is the ILO Convention No. 190, setting the first global labour standard explicitly addressing such issues. Adopted in 2019, the convention is complemented by Recommendation No. 206, offering detailed guidance on national implementation. The convention also calls for legislation to tackle harassment by external parties and to address the repercussions of domestic violence and harassment within the workplace.

The ILO Convention No. 190 introduces other novel elements that would impact employment law in ratifying countries. Among these is the recognition that violence and harassment can take place beyond the physical boundaries of the workplace, including in ICT-enabled work-related communication. Furthermore, the convention enhances protection for claimants by extending the coverage of workplace violence and harassment to encompass even single occurrences. This stands in contrast to certain national jurisdictions where workplace harassment or bullying must be repeated over a period to be deemed unlawful and trigger claims for damages.

At the time of writing, a handful of EU Member States (Belgium, Finland, France, Germany, Greece, Ireland, Italy, Portugal, Romania and Spain) along with Norway have formally ratified the convention or adopted laws to this effect (see Table 2). While the convention is expected to prompt significant changes in regulatory frameworks in the countries ratifying it, adaptation to the law is reportedly still in progress in some countries, particularly in France and Italy. In Slovakia, the discussion over the ratification of the convention began in January 2020 but political agreement has not been reached to date. Other countries, such as Sweden, opted not to ratify the convention. A government

inquiry in 2021 concluded that Swedish national law already aligns with the ILO Convention No. 190, making ratification unnecessary. In 2024, the Council of the European Union adopted a decision urging the remaining EU Member States to ratify the convention, signalling a collective effort towards addressing workplace violence and harassment at international level (Council of the European Union, 2024).

National statutory law

A range of regulatory approaches exists in the EU and Norway to address the issue of workplace bullying or harassment. In a few countries – Belgium, France, Greece, Lithuania, Luxembourg, Norway, Poland, Portugal, Romania, Slovenia and Sweden – bullying or moral/psychological harassment⁸ (unrelated to discriminatory grounds) is defined, expressly prohibited and regulated in employment law (or dedicated legislation sanctioning such misconduct) as a distinct form of abuse. The legal definitions typically characterise such antisocial behaviour by the repetition of misconduct and the harmful physical and psychological consequences for the harassed person, regardless of the perpetrators’ intent. In some other countries, such as Croatia, Denmark, Estonia, Finland, the Netherlands and Spain, bullying at work is not explicitly defined in employment legislation but is nonetheless recognised as a psychosocial risk to be prevented under employment law or OSH regulations. In the remaining countries under investigation, harassment is addressed exclusively as a form of discrimination under non-discrimination or equality law.

Table 1 provides an overview of the various statutory approaches taken by different countries to regulate the issue.

In certain jurisdictions (for example, Austria, France, Portugal, Slovakia and Spain), cyberbullying or harassment via digital means is also a criminal offence following amendments to the criminal code. The following sections explore the extent to which digital forms of abuse are mentioned or covered in the relevant legal frameworks.

⁷ When the EU enacts directives concerning the internal market, these directives must also be integrated into the EEA Agreement and subsequently incorporated into Norwegian law. At the time of writing, whether or not the directive should be implemented in Norway is being reviewed by the relevant authorities.

⁸ In Belgium, France and Luxembourg, the broad term ‘harassment’ (*harcèlement moral*) is employed in legal definitions, encapsulating what is typically understood as ‘bullying’ in English.

Table 1: Overview of statutory approaches to address bullying or harassment at work

Statutory approaches	Countries
Bullying or harassment (not linked to discriminatory grounds) defined in employment law	Belgium, France, Greece, Lithuania, Luxembourg, Norway, Poland, Portugal, Romania, Slovenia, Sweden
Bullying not explicitly defined in employment legislation but recognised as a psychosocial risk in OSH regulations	Croatia, Denmark, Estonia, Finland, the Netherlands, Spain
Harassment addressed exclusively as a form of discrimination under non-discrimination or equality law	Austria, Bulgaria, Cyprus, Czechia, Germany, Hungary, Ireland*, Italy, Latvia, Malta, Slovakia
Cyberbullying or online harassment as a criminal offence in the criminal code**	Austria, France, Portugal, Slovakia, Spain

Notes: * In Ireland, bullying (and cyberbullying) is defined in the Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, issued in 2020 by the Health and Safety Authority and the Workplace Relations Commission; ** Country listing may not be exhaustive.

Source: Network of Eurofound Correspondents

Legal definitions of workplace harassment or bullying: Do they capture online forms of abuse?

Workplace harassment (not solely linked to discriminatory grounds) or bullying is defined in legislation in Belgium, France, Greece, Lithuania, Luxembourg, Norway, Poland, Portugal, Romania, Slovenia and Sweden. In these countries, the overarching provisions are generally interpreted to implicitly apply to cyberbullying and online harassment. This suggests that lawmakers view these online forms of abuse as extensions of traditional, face-to-face bullying or harassment, rather than distinct phenomena requiring separate regulation. Some countries, however, have added some nuances to the legal definitions of bullying or psychological harassment to encompass abusive or inappropriate behaviours occurring in the digital sphere. For example, in Greece and Lithuania, recent amendments to the labour codes specify that workplace harassment may also occur through work-related communications, including those carried out through ICTs.

In Belgium, the primary regulatory framework addressing workplace bullying, harassment and other antisocial behaviours is the Welfare at Work Act. Complementing this, the Codex on Well-being at Work consolidates all implementing decrees of the Welfare at Work Act, offering further regulatory guidance. Although the legal definitions of workplace bullying and harassment do not explicitly cover online forms of abuse, they refer to such behaviours as occurring ‘outside or inside the company or institution’. This nuanced definition suggests that workplace bullying transcends physical boundaries and is not confined by time or space, implicitly encompassing online abuse. Furthermore, according to guidance from the Federal Public Service of Employment, Labour and Social Dialogue (2023), monitoring a person’s actions, checking their telephone activity and recording their movements are examples of behaviours that constitute workplace harassment.

The approach adopted in Luxembourg in 2023 was to amend the Labour Code to introduce a new legal framework for protection against psychological or moral harassment at work. Among other things, this involved adding a definition of ‘moral harassment’ to the Labour Code, with a reference to acts or behaviours (perpetrated by an employer, employee, customer or supplier) occurring in online communications at work and outside normal working hours. With this addition, the provision implicitly covers cyberbullying or online harassment. Prior to this amendment, the sole existing mechanism was the convention implementing the autonomous European cross-sectoral social partners’ framework agreement on harassment and violence at work, signed in 2009 by the Independent Luxembourg Trade Union Confederation (OGB-L), the Luxembourg Confederation of Christian Trade Unions (LCGB) and the Luxembourg Employers’ Association (UEL). However, the 2009 convention only made recommendations with no legal binding force.

Harassment or bullying via digital means as a criminal offence

In some EU Member States, criminal codes have been amended in the last 10 years to include a reference to (moral or psychological) harassment or bullying occurring via digital means or through ICTs.

For instance, in Austria, recent amendments to the Criminal Code have tightened the existing provisions on ‘cyber-mobbing’, which is now punishable from the first post. According to the Austrian Criminal Code, cyber-mobbing involves violating a person’s honour vis-à-vis a large number of people or making facts or images of a person’s most personal areas of life visible to a larger number of people without their consent. The Criminal Code also includes an anti-stalking law that encompasses cyberstalking. Penalties can result in a prison sentence of up to one year or a fine, the amount of which is determined based on the offender’s income.

In France, the criminal code was amended back in 2018 to recognise that harassment can be also perpetrated through the use of a digital medium and as such considered a criminal offence and punishable by a fine of €45,000 and three years of imprisonment. The penalty varies according to the consequences (that is, length of work incapacity) and the particular situation of the target (for example, a vulnerable person or a pregnant person). An impact assessment study by the government on the legislation suggested that the inclusion of the new provisions was intended to contrast ‘cyberharassment’.⁹ The amending law also expanded the definition of moral harassment in the French criminal code (see definition in Table 2). Furthermore, to qualify as moral harassment, the misconduct must be demonstrable and involve any form of action or speech. Like most other types of harassment, it requires repetition, which can come from a single individual or multiple individuals, each contributing just once.¹⁰

Similarly, the Spanish Criminal Code (amended by Organic Law 1/2015) includes several penalties, ranging from three months’ to two years’ imprisonment, for repeated harassment behaviours that significantly infringe upon the freedom and sense of security of the victim. These behaviours may involve constant persecution or surveillance, repeated calls, improper use of personal data or other continuous acts of harassment or stalking.

In Portugal, while provisions on workplace harassment in the Labour Code do not explicitly address ICT-based antisocial behaviours (including cyberbullying and online harassment), the Criminal Code contains some provisions regarding remote surveillance or intrusive use of digital devices and systems, which are considered forms of ICT-based abuse. According to the Criminal Code, surveillance of private life is punishable by up to five years’ imprisonment (Article 192). Surveillance through information technology (Article 193) has varying penalties: up to one year in prison or a fine for intercepting, recording, using, transmitting or disclosing communications, and up to three years in prison or a fine for capturing, photographing, filming, recording or disseminating images and disclosing private facts.

Amended in 2021, the Slovak criminal code introduced a new offence called ‘dangerous electronic harassment’ (*nebezpečné elektronické obťažovanie*), with broad applicability, hence not limited to but also applicable to the employment context. According to relevant provisions in the Criminal Code (Section 360b),

dangerous electronic harassment refers to situations where someone, through an electronic communication service, computer system or computer network, intentionally and significantly deteriorates a person’s quality of life by:

1. engaging in long-term disparagement, intimidation or unauthorised actions on a person’s behalf, or other similar prolonged harassment
2. unauthorisedly publishing or making available to another person a personal video, audio or video-audio recording obtained with consent, capable of endangering a person’s reputation or causing them other serious harm.

The main features of such antisocial behaviour are longevity/repetition, intensity and demonstrable impact on the injured party.

Addressing harassment or bullying as an occupational risk

In other EU Member States, such as Croatia, Denmark, Estonia, Finland, the Netherlands and Spain, workplace bullying or harassment (not linked to discriminatory grounds) is not precisely defined but is nonetheless addressed as a psychosocial risk factor within the relevant OSH legislation.

In Croatia, bullying, mobbing and harassment are among the psychosocial risk factors identified and recognised under the Ordinance on Risk Assessment Preparation (Annex III) and the Ordinance on the Protection of Workers Exposed to Statodynamic, Psychophysiological and Other Efforts at Work (Annex V). Both legal acts are part of the OSH regulatory framework.

In Denmark, workplace bullying is regulated through the OSH law, which stipulates that employers are responsible for ensuring a safe psychosocial working environment (Retsinformation, 2021). More detailed regulations are found in the Danish Working Environment Authority Executive Order on Psychosocial Working Environment, which is part of Danish health and safety legislation. This order addresses offensive behaviours, explicitly mentioning bullying and differentiating between offensive behaviours at work perpetrated by colleagues and those perpetrated by third parties. Furthermore, digital harassment (*digital chikane*) is referenced in relevant regulatory frameworks,¹¹ albeit without a formal definition. These provisions apply to both employees working at the employer’s premises and employees working remotely.

9 See the impact study (Assemblée nationale, 2018).

10 Several court rulings have established that a single incident, even a serious one, is not sufficient to establish moral harassment; repeated incidents are a determining factor (Cass. soc., 15 April 2008, No. 07-40.290; Cass. soc., 13 April 2010, No. 08-45.614; Cass. soc., 22 January 2014, No. 12-29.131).

11 Working Environment Act (Arbejdsmiljøloven), Workplace Injury Insurance Act (Arbejdsskadesikringsloven), Respect Package (Respektpakken) and Criminal Code (Straffeloven).

In Estonia, workplace bullying and harassment, along with other psychosocial risk factors, were added to the list of workplace hazards as part of the most recent amendment to the Occupational Health and Safety Act, which came into force on 1 January 2019. According to the explanatory note of the regulation, the extension of the list was based on ILO recommendations on occupational diseases (ILO, 2010).

The Dutch Working Conditions Act uses the more general statutory term of ‘work-related psychosocial pressure’ (*psychosociale arbeidsbelasting*). Bullying is mentioned as one of the factors in the work environment that may cause stress. A specific definition of bullying, however, is provided in the 2007 explanatory memorandum of the Working Conditions Act, which grants the phenomenon independent status. It refers to all forms of intimidating behaviour of a structural nature, originating from one or more employees (colleagues and/or managers), aimed at an employee or group of employees who are unable to defend themselves against this behaviour.

Bullying or harassment is not explicitly addressed in Spanish labour law but is commonly understood as a specific occupational risk covered under OSH legislation. According to the technical prevention note (No. 854) issued by the National Institute for Safety and Health at Work in 2009, harassment (*acoso* in Spanish) is defined as:

any exposure to psychological violence, directed in a repeated and prolonged manner over time, towards one or more persons by other(s) acting against them from a position of power (not necessarily hierarchical). Such exposure occurs within the framework of an employment relationship and poses a significant health risk.

(INSHT, 2009)

Although there is no direct mention of cyberbullying or harassment via digital means in employment law, the Spanish Data Protection Agency (2019) issued a set of recommendations to be integrated into prevention policies targeting workplace harassment, sexual harassment and gender-based harassment occurring in digital environments and involving the processing of personal data. Moreover, Law 10/2021 on remote work acknowledges the need for special protection for teleworkers due to their increased vulnerability to risks associated with any form of flexible and digitalised organisational set-up, such as fatigue, isolation and workplace harassment. Article 4.4 of the law specifies that ‘companies must consider the specificities of remote work (especially teleworking) when designing and implementing measures against sexual

harassment, gender-based harassment, discrimination-based harassment, and workplace harassment’.

Harassment regulated as a form of discrimination

In several other countries, harassment is exclusively regulated as a form of discrimination in equality or anti-discrimination law. This is the case, for instance, in Austria, Bulgaria, Croatia, Cyprus, Czechia, Hungary, Ireland, Italy, Latvia, Malta and Slovakia.

Typically, equality or anti-discrimination law defines both harassment and sexual harassment. While such laws do not commonly require a certain number of incidents to occur before an act can be considered sexual harassment, the requirements for harassment or discriminatory behaviours unrelated to sexuality to be considered an offence vary across jurisdictions. Some jurisdictions consider a single incident sufficient, while others require repeated behaviours. There are no specific provisions in the anti-discrimination law of any of the above-listed EU Member States regulating discriminatory behaviours perpetrated via digital means.

In Italy, although harassment is regulated in the Equal Opportunities Code as a form of discrimination, various court rulings have established a jurisprudential framework that recognises ‘mobbing’ as a form of psychological harassment.¹² Nonetheless, the existing regulatory framework falls short of addressing mobbing or bullying as an offence in its own right. Similarly, in Germany, harassment is regulated as a form of discrimination under the General Act on Equal Treatment, and there are no statutory definitions or provisions dealing with workplace mobbing or bullying. Hence, there is no legal basis for claims. However, there are court rulings that define mobbing as a systematic and continued escalation of hostilities, harassment or discrimination of workers, either among each other or by a supervisor (Fischinger, 2010).

In some EU Member States, such as France, Lithuania, Poland and Romania, where the labour code contains provisions addressing workplace bullying or psychological (or moral) harassment, there are also provisions in the same legal texts concerning harassment related to protected characteristics; thus, such harassment is considered a form of discrimination. For instance, provisions in the French labour code refer to ‘discriminatory harassment’, which is based on one of the grounds for discrimination prohibited by law. This was recalled by a decision of the Défenseur des droits (MLD-2014-105 of 31 July 2014) and by the Rennes Court of Appeal (Judgment No. 14/00134 of 10 December 2014).

¹² For example, in Ruling No. 12827, dated 5 April 2022, Italy’s Court of Cassation found a limited liability company president liable for ‘acts of persecution’, stating that ‘generic intent’ is sufficient for criminal relevance in cases of occupational stalking. Additionally, in Ruling No. 6079, dated 4 March 2021, the court clarified that, for mobbing to be recognised, a plurality of harassing actions with the sole intent of marginalising the worker is required.

In Poland, the Labour Code addresses harassment as a form of discrimination, along with workplace ‘mobbing’. Mobbing is not connected to protected characteristics but is characterised by actions or behaviours directed towards an employee that involve persistent and prolonged harassment or intimidation.

Overview of national statutory law

Table 2 provides an overview of the various statutory approaches taken by different countries to address workplace bullying and harassment.

Table 2: National statutory law addressing (directly or indirectly) workplace bullying and harassment

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Austria	Equal Treatment Act of 1979 Criminal Code	Harassment (<i>Belästigung</i>): unwanted behaviour related to one of the grounds mentioned in Section 17 (ethnic origin, religion or ideology, age or sexual orientation) (1) that violates the dignity of the person concerned or is intended to do so, (2) that is unwanted, inappropriate and offensive for the person concerned and (3) that thereby creates an intimidating, hostile, degrading, insulting or humiliating environment for that person or is intended to do so (Section 21 of the Equal Treatment Act).	Not ratified ¹³	The Criminal Code refers to ‘harassment by means of a telecommunications or computer system’ (Section 107c). Other forms of online abuse include online stalking and defamation online or on social media.
Belgium	Act of 4 August 1996 on the Welfare of Workers in the Performance of their Work (Welfare at Work Act) Codex on Well-being at Work (the Codex on well-being at work contains all implementing decrees of the Welfare at Work Act)	Harassment (<i>pesterijen/harcèlement moral</i>): unlawful set of multiple similar or divergent behaviours, outside or inside the enterprise or institution, which take place over a period of time, the purpose or effect of which is to harm the personality, dignity or physical or psychological integrity of an employee or any other person ... in the performance of their work, to jeopardise their employment or to create an intimidating, hostile, insulting, humiliating or offensive environment, and which manifests itself in particular through words, threats, acts, gestures or one-sided writings (Article 32ter of the Welfare at Work Act). Workplace violence (<i>geweld op het werk/violence au travail</i>): any act in which an employee or any other person to whom the act applies is psychologically or physically threatened or assaulted in the performance of work (Article 32ter of the Welfare at Work Act). The Welfare at Work Act also regulates antisocial behaviours linked to discriminatory grounds. Amendments that came into force on 1 June 2023 introduced new criteria in the act as grounds for violence and harassment at work, aligning with those listed in the Gender Act of 2007. These criteria include gender, pregnancy, childbirth, breastfeeding, maternity, adoption, medically assisted procreation, gender reassignment, paternity, and co-maternity.	Ratified on 13 June 2023	Article 32ter of the Welfare at Work Act refers to workplace bullying occurring ‘outside or inside the company or institution’, but the exact modalities are not specified. The Federal Public Service of Employment, Labour and Social Dialogue (2023) spells out what may constitute workplace bullying, and the examples include ‘monitoring the person’s acts and actions, checking his telephone traffic, recording his comings and goings’.
Bulgaria	Law on Protection Against Discrimination (86/2003)	Harassment (<i>мопомоз</i>): ‘any unwanted conduct on the grounds referred to in Article 4, Paragraph 1, expressed in a physical, verbal or any other manner, which has the purpose or effect of violating the person’s dignity or creating a hostile, degrading, humiliating or intimidating environment, attitude or practice’ (official translation) (Section 1 of the Anti-Discrimination Law).	Not ratified	Not mentioned

¹³ The Federal Minister of Labour and Economy’s response to a parliament inquiry from January 2022 indicates that ‘as the scope of application of the Convention (Articles 2 and 3) extends far beyond the traditional employment relationship, ratification would necessitate legislative amendments in various areas. The further procedure is currently under examination.’ Additionally, ratifying ILO Convention No. 190 would oblige Austria to develop a comprehensive strategy to combat and prevent violence in the world of work. However, according to the minister, the adoption of an explicit strategy is not currently planned. See the minister’s response at <https://www.parlament.gv.at/gegenstand/XXVII/AB/8549>.

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Croatia	Act on Suppression of Discrimination (<i>Official Journal</i> 85/08, 112/12) Labour Act (<i>Official Journal</i> 93/14, 127/17, 98/19, 151/22, 64/23); in force from 1 January 2023 Ordinance on Risk Assessment Preparation (N.N. Nos 112/14, 129/19) Ordinance on the Protection of Workers Exposed to Statodynamic, Psychophysiological and Other Efforts at Work (N.N. No. 73/2021)	Harassment (<i>uznemiravanje</i>): any unwanted behaviour stemming from any of the grounds outlined in Article 1, paragraph 1, of this act, which is intended or results in violation of a person's dignity, causing fear or a hostile, humiliating or offensive environment (Article 3(1) of the Act on Suppression of Discrimination). Any unwanted conduct based on any of the grounds referred to in Article 2, paragraph 1, of this act intended to or actually undermining the dignity of a person seeking employment or a worker and creating an intimidating, hostile, degrading or offensive environment (Article 4 of the Labour Act). Bullying, mobbing and harassment are among the psychosocial risks identified and recognised under the Ordinance on Risk Assessment Preparation (Annex III) and the Ordinance on the Protection of Workers Exposed to Statodynamic, Psychophysiological and Other Efforts at Work (Annex V).	Not ratified	Not mentioned
Cyprus	Employment and Work Equality Law of 2004	Harassment (<i>παρενόχληση</i>): unwanted conduct, expressed in word or in action, related to any of the grounds referred to in Article 3, with the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment (Article 2 of the Employment and Work Equality Law of 2004).	Not ratified	Not mentioned
Czechia	Anti-Discrimination Act (Act 198/2009 Coll.)	Harassment (<i>obtěžování</i>): unwanted behaviour related to discriminatory reasons, the intent or effect of which is to diminish the dignity of a person and create an intimidating, hostile, humiliating or offensive environment (Article 4(1)(a) of the Anti-Discrimination Act).	Not ratified	Not mentioned
Denmark	Working Environment Authority Executive Order 1406 of 26 September 2020 on Psychosocial Working Environment Law on Workplace Injury Insurance ¹⁴	The Working Environment Authority executive order refers to offensive behaviour and defines it as a situation where one or more people expose one or more other people in the company to bullying (<i>mobning</i>) , sexual harassment (<i>seksuel chikane</i>) or other degrading behaviour in the workplace, grossly or several times. The behaviour must be perceived as degrading by the person being subjected to it.	Not ratified	The term ' <i>digital chikane</i> ' covers digital harassment and bullying both within a workplace (between colleagues) and by third parties. The term is mentioned in most relevant legal frameworks. According to the Law on Workplace Injury Insurance, digital harassment can, in some cases, be defined as a workplace injury.

¹⁴ The law mandates employers to report work-related violence, threats, abuse and harassment, including those that take place outside working hours.

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Estonia	Occupational Health and Safety Act 2019	The Occupational Health and Safety Act stipulates that psychosocial hazards are work involving a risk of an accident or violence, unequal treatment, bullying and harassment at work, work not corresponding to the abilities of an employee, working alone for an extended period of time and monotonous work and other factors related to management, organisation of work and the working environment that may affect the mental or physical health of an employee, including by causing work stress (Article 9).	Not ratified	Not mentioned
Finland	Occupational Safety and Health Act (2002/728)	Harassment (<i>häirintä</i>) is mentioned but not explicitly defined in the Occupational Safety and Health Act (Section 28).	Ratified and will enter into force on 23 November 2024	Not mentioned
France	Labour code (amended by Law 2022-395 and Law 2021-1018) Criminal code (amended by Law 2018-703 and Law 2018-771)	Moral harassment (<i>harcèlement morale</i>): ¹⁵ repeated acts of psychological harassment, the purpose or effect of which is to worsen the working conditions of an individual in such a way as to infringe their rights and dignity, to alter their physical or mental health or to compromise their professional future (Article L1152-1 of the labour code). According to Article 222-33-2-2 of the criminal code, moral harassment involves harassing a person by repeated remarks or behaviour having as an object or effect a deterioration of his or her living conditions resulting from impaired physical or mental health. Moral harassment can take two forms: (1) when such comments or behaviours are imposed on the same victim by several people, in a concerted manner or at the instigation of one of them, even though each of these people has not acted repeatedly; and (2) when such comments or behaviours are imposed on the same victim, successively, by several people who, even in the absence of concerted action, know that these repeated comments or behaviours constitute harassment.	Ratified on 12 April 2023	Amended in 2018, the criminal code refers to online bullying or cyberbullying. Heavier penalties are applied when the offensive conduct is carried out through a digital or electronic medium (Article 222-33 III of the criminal code).
Germany	General Act on Equal Treatment of 14 August 2006 (last amended by Article 4 of the Act of 19 December 2022, <i>Federal Law Gazette</i> I, p. 2510)	Harassment (<i>Belästigung</i>): unwanted conduct in connection with any of the grounds referred to in Section 1 takes place with the purpose or effect of violating the dignity of the person concerned and of creating an intimidating, hostile, degrading, humiliating or offensive environment (Section 3 of the General Act on Equal Treatment).	Ratified on 14 June 2023	Not mentioned

¹⁵ The French courts have further expanded the scope of moral harassment by recognising that ‘bore-out’ – in contrast to ‘burnout’ – can constitute moral harassment. Bore-out, according to the courts, can result from boredom when an employee is left without any work to perform, and such a work condition can contribute to a depressive state (for details of the case, see Le Monde, 2016).

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Greece	Labour code (amended by Law 4808/2021) Criminal Code (amended by Law 4619/2019)	Violence and harassment: behaviours, acts, practices or threats thereof which are intended to be, or are likely to result in, physical, psychological, sexual or financial harm, whether occurring individually or repeatedly (Law 4808/2021). Harassment (παρενόχληση): any form of conduct that has the intention of or results in the violation of the dignity of a person and the creation of an intimidating, hostile, degrading, humiliating or offensive environment, irrespective of if they constitute a form of discrimination, including sexual harassment or other grounds of discrimination (Law 4808/2021).	Ratified on 30 August 2021 (through Labour Law 4808/2021)	Provisions in the labour code establish that any forms of violence and harassment may take place, in addition to other means, through work-related communications, including those carried out through ICTs. The Criminal Code refers to acts that infringe on the right of the individual to physical integrity. Cyberbullying is covered as long as it causes physical exhaustion dangerous to health or mental strain capable of causing serious mental damage.
Hungary	Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities	Harassment (zaklatás): a conduct of sexual or other nature that violates human dignity shall constitute harassment if it is related to a characteristic specified in Section 8 of the person concerned and has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for a person (official translation) (Section 10(1) of the Equal Treatment and Promotion of Equal Opportunities Act).	Not ratified	Not mentioned
Ireland	Employment Equality Act 1998 (S.I. No. 208 of 2012)	Harassment: any form of unwanted conduct related to any of the discriminatory grounds that has the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. Bullying that is not linked to one of the discriminatory grounds is not covered by the Employment Equality Act (Section 14A(7) of the Employment Equality Act).	Ratified on 12 January 2023	'Excessive monitoring of work' is mentioned in employment equality law as an example of what constitutes harassment.
Italy	Equal Opportunities Code (amended by Law 205/2017)	Harassment (molestie): discrimination also includes harassment, notably those unwanted behaviours carried out for reasons related to sex, having the purpose or effect of violating the dignity of a worker and of creating an intimate climate (Article 26(1) of the Equal Opportunities Code).	Ratified on 29 October 2021 (through Law 4/2021)	Not mentioned
Latvia	Labour code	Harassment (uzmākšanās): subjection of a person to such actions that are unwanted from the point of view of the person, which are associated with his or her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person's dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment The provisions ... also apply to the prohibition of different treatment depending on the employee's race, skin colour, age, disability, religious, political or other beliefs, national or social origin, property or family status, sexual orientation or other circumstances (Article 29 of the labour code).	Not ratified	Not mentioned

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Lithuania	Labour Code (amended by Law No. XIV-1187 of 1 November 2022) Law on Equal Opportunities (Žin., 2003, No. 114-5115, and 2008, No. 76-2998; TAR, 2016-11-17, No. 2016-26967)	Harassment (<i>priekabiavimas</i>): any unacceptable conduct or threat thereof, whether the conduct is intended to be physical on a single occasion or repeated psychological, sexual or economic in its effects, whether it has had or may have such effects, whether it violates a person's dignity or creates an intimidating, hostile, degrading or offensive environment, and/or whether it has caused or is likely to cause physical, material and/or non-material damage (Article 30 of the Labour Code). Harassment (<i>priekabiavimas</i>): unwanted conduct that, on the grounds of sex, race, nationality, citizenship, language, origin, social status, religion, beliefs, convictions or opinions, age, sexual orientation, disability, ethnic origin or religion, is intended to offend or violate the dignity of a person, and is intended to create, or does create, an environment that is intimidating, hostile, degrading, humiliating or insulting (Article 2 of the Law on Equal Opportunities).	Not ratified	The Labour Code explicitly prohibits violence and harassment in work-related communication, including communication through ICTs, but without mentioning cyberbullying or online harassment as examples.
Luxembourg	Labour Code (amended by Law of 29 March 2023)	Moral harassment (<i>harcèlement morale</i>): any conduct that, by its repetition, or its systematisation, harms the dignity or the psychological or physical integrity of a person (Article L.246-2 of the Labour Code).	Not ratified. A draft law ratifying the convention is in the discussion phase in parliament.	Amended legislation contemplates that harassment may occur through online communications at work and even outside normal working hours (Article L. 246-2 of the Labour Code).
Malta	Employment and Industrial Relations Act 2002 (amended several times up until 2023)	Harassment (<i>fastidju</i>): any unwelcome act, request or conduct, including spoken words, gestures or the production, display or circulation of written words, pictures or other material, which in respect of that person is based on sexual discrimination and which could reasonably be regarded as offensive, humiliating or intimidating to such person (Article 29(1), Chapter 452, of the Employment and Industrial Relations Act).	Not ratified	Not mentioned
Netherlands	Working Conditions Act 1999 and Working Conditions Decree 1997 Explanatory Memorandum of the Working Conditions Act 2007 Equal Treatment Act 1994 (amended in 2011)	Work-related psychosocial pressure (<i>psychosociale arbeidsbelasting</i>): factors that directly or indirectly discriminate and cause stress, including direct sexual intimidation, aggression and violence, bullying, and work pressure concerning workload in the employment situation (official translation) (Article 1(3e), of the Working Conditions Act). Workplace bullying (<i>pesten op het werk</i>): all forms of intimidating behaviour of a structural nature, coming from one or more employees (colleagues, managers), aimed at an employee or group of employees who is/are not able to defend themselves against this behaviour. An important aspect regarding bullying is the repetition of that behaviour in time (Explanatory Memorandum of the Working Conditions Act 2007).	Not ratified	Not mentioned

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Netherlands		The Dutch Equal Treatment Act prohibits harassment as a form of discriminatory conduct related to a statutory ground (sex, age, race, disability or chronic illness, sexual orientation, marital/civil status, belief, religion, nationality, political orientation and employment status (full time/part time or open-ended/fixed-term contract) that has the purpose or effect of undermining the dignity of a person, and creating a threatening, hostile, degrading, humiliating or offensive environment.		
Norway	Equality and Anti-Discrimination Act (last amended in 2023) Working Environment Act (last amended in 2024)	Harassment (<i>trakassering</i>): acts, omissions or statements that have the purpose or effect of being offensive, frightening, hostile, degrading or humiliating (Section 13 of the Working Environment Act of 2024). The same definition is given in Section 13 of the Equality and Anti-Discrimination Act with reference to protected grounds: gender, pregnancy, leave in connection with childbirth or adoption, care responsibilities, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression, age or combinations of these factors, as specified in Section 6 of the same act.	Ratified on 6 October 2023	Not mentioned
Poland	Labour Code (amended by the Act of 14 November 2003)	Harassment (<i>molestowanie</i>): any unwanted behaviour that has the purpose or effect of violating the employee's dignity and creating an intimidating, hostile, humiliating, degrading or offensive environment (Article 183a of the Labour Code). Reference is made to discriminatory grounds (sex, age, disability, race, religion, nationality, political opinion, trade union membership, ethnic origin, sexual orientation, employment for a specified or indefinite period, full-time or part-time employment). Bullying (<i>mobbing</i>): actions or behaviours towards or against an employee that involve persistent and prolonged harassment or intimidation – causing diminished assessment of their professional capabilities – humiliation, ridicule or social isolation from their team (Article 943 of the Labour Code).	Not ratified	Not mentioned
Portugal	Labour Code (relevant provisions amended by Law 73/2017 and Law 83/2021) Criminal Code (Decree-Law 48/95)	Harassment (<i>assédio</i>): inappropriate behaviour, including discrimination based on access to employment or during work or professional training, with the aim or effect of disturbing or making a person uncomfortable, affecting a person's dignity or which creates an intimidatory, hostile, degrading, humiliating or destabilising environment (Article 29(1) of the Labour Code).	Ratified on 16 February 2024	No specific mention of (cyber)bullying or online harassment is made in the Labour Code, but it explicitly prohibits, in telework settings, the capture and use of images, sound, writing, history or other means of control that could affect the worker's right to privacy (Law 83/2021 modifying the telework regime and amending the Labour Code).

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Portugal				The Criminal Code refers to, as criminal offences against privacy, (1) surveillance of private life (Article 192) and (2) surveillance through information technology (Article 193).
Romania	<p>Government Ordinance No. 137/2000 on the Prevention and Sanctioning of all Forms of Discrimination (amended by Law 167/2020)</p> <p>Law 202/2002 on Equal Opportunities and Equal Treatment between Women and Men (amended by Law 167/2020)</p> <p>Labour Code (amended most recently by Law 151/2020)</p>	<p>Moral harassment (<i>hărțuire morală</i>):</p> <p>1. any conduct exercised with regard to an employee by another employee who is his/her hierarchical superior, by a subordinate and/or by a hierarchically comparable employee, in connection with employment relationships, which has as its purpose or effect a deterioration of working conditions by violating the rights or dignity of the employee, by affecting their physical or mental health or by compromising their professional future, behaviour manifested in any of the following forms: (1) hostile or unwanted conduct; (2) verbal comments; (3) actions or gestures.</p> <p>2. any conduct that, by its systematic nature, is likely to prejudice the dignity or physical or mental integrity of an employee or group of employees, endangering their work or degrading the working environment (Law 167/2020).</p> <p>Any inappropriate behaviour that occurs over a period of time, is repetitive or systematic and involves physical behaviour, oral or written language, gestures or other intentional acts and that could affect the personality, dignity or physical or psychological integrity of a person (Article 4(d¹) of Law 202/2002 on Equal Opportunities and Equal Treatment between Women and Men).</p> <p>Harassment consists of any type of behaviour that is based on one of the criteria provided in paragraph 2 that has the purpose or effect of harming the dignity of a person and that leads to the creation of an intimidating, hostile, degrading, humiliating or offensive environment. Paragraph 2 states that any direct or indirect discrimination against an employee, discrimination by association, harassment or victimisation, based on race, citizenship, ethnicity, colour, language, religion, social origin, genetic traits, sex, sexual orientation, age, disability, chronic non-contagious disease, HIV infection, political option, family situation or responsibility, trade union membership or activity, belonging to a disadvantaged category, is prohibited.</p>	Government adopted the ratification law (L112/2024) on 5 March 2024, ¹⁶ with effect as of 5 April 2024.	Not mentioned

16 The text of the law is available at https://www.senat.ro/legis/lista.aspx?nr_cls=L112&an_cls=2024.

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Slovakia	Act 365/2004 Coll. on Equal Treatment in Certain Areas and Protection Against Discrimination Criminal code (Act No. 300/2005 supplemented by Law No. 236/2021 Coll.)	Harassment is prohibited as a form of discrimination (the discriminatory grounds are specified in Article 1, Section 2, of Act 365/2004 Coll. on Equal Treatment in Certain Areas and Protection Against Discrimination). Harassment (<i>obťažovanie</i>): a behaviour that results in or may result in creating an intimidating, hostile, embarrassing, humiliating, dishonouring or offensive environment, and the intent or effect of which is or may be an interference with freedom or human dignity (Article 1, Section 2a, of Act 365/2004 Coll. on Equal Treatment in Certain Areas and Protection Against Discrimination).	Process started in January 2020 but still pending	The most recent amendment to the criminal code introduced a crime called 'dangerous electronic harassment' (<i>nebezpečné elektronické obťažovanie</i>), which is not specific, but is applicable, to the employment context.
Slovenia	Employment Relationships Act (amended up to 2023) Act on Protection Against Discrimination 2016	Harassment (<i>nadlegovanje</i>): any unwanted behaviour related to any personal circumstance with the effect or intent of harming a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment ... any repeated or systematic, reprehensible or blatantly negative and offensive conduct or behaviour directed against individual workers in the workplace or in relation to work (Article 6 of the Employment Relationships Act). Any less favourable treatment of a person due to the refusal or tolerance of such behaviour; an order, command or other instruction that a person should be discriminated against due to a certain personal circumstance calling for discrimination and retaliatory measures (Article 7 of the Act on Protection Against Discrimination 2016).	Not ratified	Not mentioned
Spain	Workers' Statute (amended by Royal Decree 2/2015 of 23 October 2013) Law 15/2022 of 12 July 2022 on equal treatment and non-discrimination Criminal Code (Organic Law 10/1995 of 23 November 1995, amended by Organic Law 1/2015 of 30 March 2015)	Royal Legislative Decree 2/2015 approving the revised text of the Workers' Statute Law, introduced in the new reformulation of Chapter 4 of the Workers' Statute Law an explicit reference to the issue of harassment (<i>acoso</i>) at work, stating that all workers have the right to respect for their privacy and dignity, including protection against harassment on grounds of racial or ethnic origin, religion or belief, disability, age or sexual/gender orientation, with particular emphasis on sexual harassment and harassment based on sex. Any provision, conduct, act, criterion or practice that violates the right to equality is prohibited, where harassment ... is considered a violation of this right (Article 4.1 of Law 15/2022 on Equal Treatment and Non-Discrimination). Repeated harassment behaviours by means of which the victim's freedom and sense of security are seriously undermined, as the victim is subjected to constant persecution or surveillance, repeated calls, improper use of personal data or other continuous acts of harassment and stalking (Article 172 of the Criminal Code).	Ratified on 25 May 2022	The Spanish Data Protection Agency defines cyberbullying as behaviours such as harassment at work or sexual/gender-related harassment practices that are carried out in the digital environment, including the work environment (Spanish Data Protection Agency, 2019). Article 53.3 of Law 15/2022 on Equal Treatment and Non-Discrimination refers to aggressions or actions carried out using new technologies or through social networks.

Country	Key legal sources*	Legal definitions**	Ratification of ILO Convention No.190	Cyberbullying or online harassment mentioned in legislation
Sweden	Victimisation at Work Ordinance 1993:17 Organisational and Social Work Environment Regulation 2015:4 Discrimination Act 2008:567	The term commonly employed in legal texts to describe bullying is 'kränkande särbehandling' in Swedish, which directly translates to 'abusive discrimination'. However, it differs from discrimination as outlined in anti-discrimination law. Interestingly, in the Organisational and Social Work Environment Regulation, this same term is rendered as 'victimisation' (Swedish Work Environment Authority, 2023). Victimisation (kränkande särbehandling): recurrent reprehensible or distinctly negative actions which are directed against individual employees in an offensive manner and can result in those employees being placed outside the workplace community (official translation) (Section 1 of the Victimisation at Work Ordinance). Specific examples of such behaviours are provided in the Victimisation at Work Ordinance. Victimisation (kränkande särbehandling): actions in an abusive manner at one or more employees that may lead to ill health or to exclusion from the workplace community (official translation) (Section 13 of the Organisational and Social Work Environment Regulation). Harassment (trakasserier): conduct that violates a person's dignity and that is associated with one of the grounds of discrimination: sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age (Section 4 of the Discrimination Act).	Not ratified. A government inquiry published in 2021 established that Swedish law is in accordance with the ILO Convention No. 190.	Not mentioned

Notes: * Only amendments to regulatory frameworks that occurred in the last 10 years are mentioned in the second column of this table. ** Definitions, unless otherwise stated, are translations of the legal texts provided by the Network of Eurofound Correspondents in their individual contributions.

Source: Network of Eurofound Correspondents

Codes of conduct or practice

In some national jurisdictions, in addition to relevant provisions in work equality or health and safety legislation, government bodies have introduced codes of conduct or practice to tackle workplace harassment or bullying. These codes establish guidelines to prevent and address instances of misconduct, thereby promoting a safe and respectful work environment.

For instance, in Cyprus, the Commissioner of Administration and the Protection of Human Rights (the ombudsperson) issued in 2018 a code of practice for preventing and dealing with harassment and sexual harassment at work in the public sector, which supplements the legal framework on this subject.¹⁷ The code refers to electronic forms of abuse only in the section illustrating examples that constitute sexual harassment.

In Ireland, the code of practice issued in 2021 by the Irish Health and Safety Authority and the Workplace Relations Commission (WRC) applies to both the private

sector and the public sector. It specifically addresses workplace bullying, including when it occurs through cyber means. Bullying in the workplace is defined in the code as:

repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could be reasonably regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work, but, as a once off incident, is not considered to be bullying.

(HSA, 2021)

The code of practice also provides a non-exhaustive list of what may constitute bullying in the workplace and states that cyber means may be used to carry out some of these bullying actions, such as intimidation and/or aggressive interactions and/or excessive monitoring of work. While the code of practice outlines a procedure employers can follow in addressing bullying, it does not

¹⁷ A similar code for the private sector was agreed in 2019 between the two largest trade unions in the private sector (the Cyprus Workers' Confederation and the Pancyprian Federation of Labour) and the largest employer organisation (the Cyprus Employers and Industrialists Federation).

grant legal rights to employees, nor are employers obligated to adopt it. Another recourse for individuals experiencing bullying is referral to the WRC under the Industrial Relations Act.

The code of practice also makes an important differentiation between bullying and harassment at work, stating that ‘they are legally distinct concepts and so a behaviour can be deemed either bullying or harassment, not both’. It specifies that ‘this code refers to behaviours which come within the definition of workplace bullying only and does not extend to harassment under the Employment Equality Acts 1998–2015.’ The Irish Health Service Executive (HSE) departs from this differentiation between bullying and harassment. According to the HSE, bullying often occurs without witnesses and involves subtle methods, requiring a pattern to be identified and recognised, while harassment uses more obvious tactics such as offensive language or public harassment, making it easier to recognise and confront (HSE, undated).

Social partners’ initiatives

European social partners’ initiatives

At European level, in 2020, the EU social partners from both the private sector and the public sector reaffirmed in a joint statement their commitment to support actions aimed at preventing, reducing and mitigating third-party violence in the workplace, in all its manifestations. This statement explicitly refers to the multisectoral guidelines to tackle third-party violence and harassment related to work issued by the same EU social partners 10 years previously.¹⁸ In these

guidelines, cyberbullying/cyberharassment is mentioned as one new form of workplace violence and harassment, occurring ‘through a wide range of information and communication technologies’. The guidelines complement the cross-sectoral framework agreement on harassment and violence at work of 26 April 2007.

At sectoral level, cyberbullying has been a major concern in the educational field for some time. The European Trade Union Committee for Education has been campaigning to raise public awareness specifically about cyberbullying and calling for strong protection measures and support for victims, including teaching staff (ETUCE, 2018, 2019). A more recent example of European social partners joining forces in the fight against workplace violence in all its forms is the joint statement issued by the European Telecommunications Network Operators’ Association (ETNO), and UNI Europa ICTS, the European services workers’ union for workers in ICT and related services. Both parties condemned any violence and harassment in the workplace, including ‘cyberviolence’ (ETNO and UNI Europa ICTS, 2023).

Additionally, in 2023, UNI Europa, along with social partners and employers in telecommunications, finance and gaming, signed the cross-sectoral EU guidelines for preventing and combating violence and harassment at work and building capacity between and within European sectoral social partner organisations. These guidelines were developed within the framework of the UNI Europa project ‘Eliminating violence and harassment in the world of work’.

Box 1: National-level implementation of the European social partners’ autonomous framework agreement on harassment and violence at work

An evaluation of the national-level implementation of the 2007 framework agreement revealed diverse approaches across EU Member States and Norway. Some countries, such as Cyprus, Denmark, France, Luxembourg and Spain, implemented it through national collective agreements, while others, such as Slovenia, amended their legislation. Joint guidance, brochures, declarations, recommendations or charters were favoured in Austria, Finland, Ireland, Latvia, the Netherlands, Norway, Poland and Sweden. In Germany, implementation focused on the sectoral and company levels, aligning with national industrial relations practices. Weaknesses in social dialogue structures hindered implementation in Lithuania, Malta, Romania and Slovakia. Disagreements among national social partners stalled implementation in Bulgaria, Croatia, Czechia, Estonia and Hungary. Belgium and Italy deemed existing legislation or collective agreements as sufficient, and therefore implemented. In Greece and Portugal, other priorities for national social partners deterred implementation.

Source: *European Commission, 2016*

¹⁸ See guidelines at <https://ec.europa.eu/social/main.jsp?catId=521&langId=en&agreementId=5175>.

National social partners' initiatives

Only in a few countries, such as France, Portugal and Romania, have trade unions organised campaigns against bullying and harassment at work in recent times. In other countries, such as Belgium, Croatia, Germany, Greece, Ireland, Slovenia and Spain, national or sectoral trade unions have issued guidance for their members. These guidelines detail legislative requirements, offer definitions and examples and provide suggestions on addressing the issue, although they do not always explicitly address cyberbullying or other online forms of abuse.

In some countries, such as Denmark, France, Germany, Lithuania, Luxembourg, Portugal and Spain, workplace bullying and harassment are also regulated through collective agreements at national, sector or company level.

Specifically in relation to digital harassment, Denmark has established two significant agreements on well-being and health between the negotiation association Forhandlingsfællesskabet, representing employees in municipalities and regions, and Local Government Denmark (Kommunernes Landsforening) and the Danish Regions (Danske Regioner). These agreements emphasise the importance of fostering a safe workplace environment by addressing issues such as violence, bullying and harassment, including harassment from third parties. Employers, in collaboration with employee representatives, are required to establish guidelines for collectively identifying, preventing and managing such issues, including digital harassment. Furthermore, these agreements outline employers' responsibilities in handling digital harassment.

At company level, the Telefónica Group in Spain has set a notable precedent with its collective agreement, renewed in 2022. This agreement stands out as one of the pioneering initiatives in addressing cyberbullying, serving as a model for others in the field. Annex V of this agreement specifically incorporates measures for preventing and addressing cyberbullying in the workplace within its policies on the responsible use of ICTs, particularly in the context of remote work and telework. In recent years, several other companies in Spain have proactively developed protocols to prevent and address workplace bullying and cyberbullying, even before legal obligations required them. Notable examples include the Madrid health service's protocol for prevention and action against violence in the workplace, which inspired similar protocols in individual hospitals (Servicio Madrileño de Salud, 2019), and the second protocol for prevention and action against sexual harassment and cyberbullying at Carlos III University of Madrid (UC3M, 2019). In the private sector, AXA Group's protocol against various forms of misconduct at work stands out for its detailed catalogue of cyberbullying behaviours and its emphasis on shared

responsibility within the organisation (Grupo AXA, 2021).

Concrete obligations for employers in regulatory frameworks

Employment law in EU Member States and Norway mandates employers to ensure the health and safety of employees across all work-related aspects (in line with Council Directive 89/391/EEC). However, the specific methods or measures by which employers fulfil this duty, particularly concerning the prevention and handling of workplace bullying and harassment, are not always regulated or specified by law. In most countries, there is no legal obligation for organisations to have specific anti-bullying or anti-harassment policies in place. Employers are, however, explicitly required, at least in those countries with provisions on workplace bullying and harassment, to safeguard employees against bullying or harassment and take active measures against it. The content of preventive measures is often left to the discretion of employers.

For instance, in Denmark, while the relevant legislation mandates employers to prevent harassment, including digital harassment, and to handle it when it occurs, it does not prescribe specific preventive measures. The Working Environment Authority published guidance documents to help employers interpret the legislation and clarify their responsibilities. Regarding digital harassment, the Working Environment Authority suggests, among other things, establishing clear workplace guidelines or policies on how to handle digital harassment, providing information and training on preventive measures and creating awareness on how to document and report incidents (Arbejdstilsynet, 2023a, 2023b).

A rather generic and non-prescriptive approach is followed in Malta, where the Occupational Health and Safety Authority Act (Chapter 424, p. 4) lists 'general principles of prevention', including 'the development of a coherent overall prevention policy which covers technology, the organisation of work, working conditions, social relationships and the influence of factors related to the working environment'.

In France, alongside the labour code, which mandates employers to take all necessary measures to prevent harassment at work (without, however, specifying the measures), the national interprofessional agreement of 26 March 2010 on harassment and violence at work requires employers to establish an internal policy affirming that harassment and violence at work are unacceptable and outlining reporting and grievance procedures. While the agreement obliges companies to establish such a policy, it does not specify any mandatory content. If an anti-harassment policy is established (through an internal note or *note de service*)

and implemented, it does not require employees' signatures to be enforceable.

In Luxembourg, the 2023 law amending the Labour Code requires employers to implement workplace measures safeguarding employees against moral harassment (following consultation with the staff or staff delegation); yet the law does not specify the exact form these measures should take. Employers are nonetheless advised to include these measures in the company's internal regulations and policies. The minimum measures specified in the law include conducting an internal assessment of preventive measures and implementing new ones if the existing measures are ineffective, defining available resources for victims (for example, reporting, assistance, support, care and reintegration into the workplace), conducting prompt and impartial investigations into instances of moral harassment, raising awareness among employees and managers and providing training on how to prevent and manage moral harassment. Similarly, in Sweden, the Work Environment Act stipulates that all employers are required to preventively work towards workplace well-being, including preventing workplace harassment, but without explicitly mandating them to implement a specific policy. Nonetheless, a chapter of the

Organisational and Social Work Environment Regulation states that employers must make it clear that workplace bullying is not tolerated and set up routines for dealing with workplace bullying (Swedish Work Environment Authority, 2023a). This could be part of an existing work environment policy. Furthermore, the Swedish Work Environment Authority's Directive on Systematic Workplace Environment obliges all employers to assess workplace risks and document them on a regular basis.

In other countries, statutory frameworks mandate employers to adopt a policy (Belgium, Greece, Lithuania and the Netherlands), protocol (Spain), code of good conduct (Portugal) or internal guidelines (Romania) for dealing with bullying or harassment at work (see Table 3). In Greece and Romania, such a requirement was introduced by the amending laws following the ratification of ILO Convention No. 190 on the elimination of violence and harassment in the world of work. There is, however, no obligation for employers to expressly cover forms of online abuse in such a policy. Only under Spanish law, mandatory action protocols against workplace harassment (as per Law 15/2022) ought to address forms of harassment in the digital domain.

Table 3: Overview of EU Member States requiring employers to adopt anti-bullying or anti-harassment policies

Country	Legal source	Requirements
Belgium	Welfare at Work Act Codex on Well-being at Work	Employers are mandated to identify situations that can lead to psychosocial risks in the workplace, including workplace bullying and harassment, and establish protective measures. Employers are then required to implement a specific policy or plan based on the risk analysis to address antisocial behaviours in the workplace. This must also provide employees with information on reporting any claims of harassment and how they will be dealt with. Employers must also appoint a prevention adviser responsible for addressing grievances. Employees should be informed of these procedures through their inclusion in the workplace rules (<i>réglement de travail</i>) or alternative means if such rules are not established. The policy can be supplemented with workplace agreements between the social partners.
Greece	Law 4808/2021 amending the labour code	Employers (with more than 20 employees) are mandated to adopt a written policy aimed at both preventing and addressing violence and harassment in the workplace, and to establish internal channels for handling relevant claims. These are to be included in the employees' internal regulations. The policy is either subject to collective bargaining as part of the company's collective agreement or work regulations or formulated by the employer following consultation with the employees. Under the new law, the employer is also obliged to inform teleworkers about the company's policy and the procedures for reporting and managing complaints in relation to incidents of violence and harassment during telework.
Lithuania	Law No. XIV-1187 of 1 November 2022 amending the Labour Code Methodological guidance for the development of policies to prevent violence and harassment (2022) Law on Health and Safety of Employees of the Republic of Lithuania (2003, No. 70-3170) Collegiate Institutions Order No. A1-457/V-961 (25 October 2012) on Approval of General Provisions for Occupational Risk Assessment (Žin., 2012, No. 126-6350)	An anti-harassment policy is mandatory only in companies with more than 50 employees and should follow the information and consultation procedures laid down in the Labour Code. Employers are, however, granted discretion regarding the 'necessary measures' to implement to address violence and harassment at work. The violence and harassment prevention policy must set out ways of recognising violence and harassment, possible forms of violence and harassment, procedures for introducing violence and harassment prevention measures, procedures for reporting and dealing with reports of violence and harassment, measures for protecting and assisting people who report violence and harassment and the people who have been harassed, rules of conduct/work ethics for employees and other information relating to the prevention of violence and harassment. Employers are also obliged to update their policies on the prevention of violence and harassment in the light of reports of violence and harassment received, cases of violence and harassment detected, or changes in the potential risks of violence and harassment or the emergence of new ones, or at the request of the labour inspectorate. The Law on Health and Safety of Employees (and other legal acts) provides for legal obligations of employers concerning the assessment of occupational risks (including psychosocial risks) and the involvement of workers and their representatives in such assessments.

Country	Legal source	Requirements
Netherlands	Working Conditions Act Working Conditions Decree, providing detailed rules to support the implementation of the Working Conditions Act	Irrespective of the size of the workforce, employers have the legal obligation to implement primary, secondary and tertiary interventions to deal with antisocial behaviours and tackle 'work-related psychosocial pressure'. These encompass preventive actions aimed at safeguarding the overall welfare of the workforce and relief measures that involve protection for those who are targeted alongside the imposition of penalties on perpetrators. The act does not prescribe a specific grievance procedure, but it encourages employers to have in place a mechanism to address complaints. The appointment of a prevention adviser (<i>preventiemedewerkers</i>) within the organisation is also mandatory to ensure compliance with the act. Employers are obliged to conduct annual risk assessments and evaluations and draft reports. Building on such reports, measures should be developed to prevent and handle psychosocial risks, as stipulated in Article 5 of the Working Conditions Act. It is the joint responsibility of both the employer and the employees or a labour union within a company to develop and put in practice policies, actions or collective agreements on OSH. In practice, employers implement company and workplace measures through codes of conduct.
Portugal	Law 73/2017 amending the Labour Code	The law refers to the adoption of codes of good conduct for the prevention and handling of harassment at work in organisations with seven or more employees. The employer is obliged by law to initiate disciplinary proceedings whenever the company is aware of alleged harassment at work.
Romania	Government Decision 970/2023 approving the methodology on preventing and combating gender-based harassment and bullying at work	The government decision introduced changes to employers' obligations concerning workplace (psychological) harassment, including the implementation of the Methodology Based on the Guidelines on Prevention and Combating of Gender-based Harassment and Psychological Harassment in the Workplace (provided as an appendix to the Methodology for Preventing and Combating Gender-based Harassment and Psychological Harassment in the Workplace). This entails the obligation to develop in-house guidelines to prevent and deal with all forms of harassment. Employers are also obliged to appoint a person or committee to receive and deal with cases of harassment, and periodically report on the state of implementation of the internal procedure and the pace of its progress to the National Agency for Equal Opportunities for Women and Men of the Ministry of Family, Youth and Equal Opportunities.
Spain	Law 31/1995 on the Prevention of Occupational Risks Law 15/2022 on Equal Treatment and Non-Discrimination Organic Law 3/2007, of 22 March, on the Effective Equality of Women and Men, complemented by Royal Decree 901/2020, of 13 October, regulating the equality plans Law 10/2021 of 9 July 2021 on Remote Work	Law 31/1995 mandates employers to take all necessary measures for the protection of the health and safety of workers, including the drafting of occupational risk prevention plans, risk assessment and planning of preventive measures. Law 15/2022 requires companies, regardless of the size of their workforce, to draw up an action protocol against workplace harassment (<i>protocolo de actuación contra el acoso laboral</i>). This protocol includes all the necessary measures to prevent, avoid or eliminate any type of workplace harassment in the company, including those that occur through digital means. The protocols include not only measures to prevent situations of harassment but also the procedure to be followed by workers and the company in the event of workplace harassment. Companies with more than 50 employees, which are obliged to have an equality plan, must negotiate the workplace harassment protocol concurrently within the framework of the equality plan negotiation, rather than separately. For companies without an equality plan, negotiation of the action protocol against workplace harassment must occur with the legal representation of the workers or trade union representation. Regardless of company size or the presence of an equality plan, this protocol must be communicated to the entire workforce through channels determined by the company. Law 10/2021 on Remote Work stipulates that companies shall take into account the particularities of remote working, especially teleworking, in the design and implementation of measures against sexual harassment, harassment on grounds of sex, harassment on discriminatory grounds and harassment at work.

Source: Network of Eurofound Correspondents

The ratification of ILO Convention No. 190 has the potential to significantly impact employment law concerning prevention and handling of workplace violence and harassment in the ratifying countries.

This would entail new obligations for employers regarding a broader spectrum of antisocial behaviours in workplaces, impact the internal regulations they must establish and expand their responsibilities for workplace health and safety.

Box 2: What should employers' obligations be according to ILO Convention No. 190?

The convention urges governments that have ratified it to enforce legal obligations for employers, compelling them to take specific actions to prevent and address workplace violence and harassment in all its forms. These actions include:

- adopting a workplace policy that addresses violence and harassment, which should include procedures for reporting and handling complaints
- identifying and assessing hazards and risks associated with violence and harassment, integrating them into their OSH management
- implementing measures to prevent and manage such incidents and providing training and information to employees regarding risks, prevention, protection and their rights and responsibilities
- ensuring the accessibility of remedies and dispute resolution mechanisms at workplace level

Source: *ILO Convention Concerning the Elimination of Violence and Harassment in the World of Work (No. 190)*

Establishing and implementing workplace anti-bullying or anti-harassment policies and procedures is, however, increasingly common, particularly in large companies. It is generally recommended by relevant public authorities as it helps reduce legal disputes and litigation, even if not explicitly required by law. In Germany, company-level collective agreements often include provisions outlining what types of behaviours are prohibited, specifying prevention measures and establishing grievance procedures.

Outside the EU, in Norway, the Working Environment Act establishes a general obligation for the employer to establish routines to detect, rectify and prevent violations of requirements stipulated in the law, and this extends to all types of harassment, although it does not explicitly address forms of online harassment.

Despite the importance of legislation mandating employers to establish anti-bullying or anti-harassment policies, legislation alone is insufficient to drive change and ensure a workplace free from bullying. Data from EU-OSHA's 2019 European Survey of Enterprises on New and Emerging Risks (ESENER) indicate that having workplace procedures in place to address bullying and harassment does not necessarily correlate with the presence of national legislation in force on the matter in each given country.¹⁹

In most countries, the relevant legislation either alludes to or specifies sanctions or penalties for employers who fail to ensure a safe working environment for all employees and comply with provisions related to the prevention or handling of cases of bullying, harassment or other offensive behaviours in the workplace.

The Nordic countries and some continental countries (such as the Netherlands), adopt a non-punitive approach, emphasising prevention and dialogue.

In contrast, other countries, such as Belgium, France, Luxembourg, Portugal and Romania, take a more punitive stance towards non-compliance with legal obligations. This may involve imposing administrative fines, criminal sanctions and even prison terms, depending on the severity of the breach. In Belgium, following amendments to the Welfare at Work Act, which took effect in June 2023, compensation for discrimination or damages resulting from bullying, violence, or unwanted sexual behaviour can be now combined with compensation for retaliation, as these compensations address distinct types of damages.

In countries where the law does not stipulate sanctions for breaching the duties set out in OSH regulations, sanctions are determined following investigation of individual cases by relevant labour or civil courts, labour inspectorates or other relevant bodies.

In countries lacking clear definitions of workplace bullying or harassment (not linked to grounds of discrimination), imposing sanctions on employers for failure to prevent or address such incidents effectively is reportedly more challenging.

Regulatory gaps and proposed changes to statutory frameworks

Regulatory gaps regarding workplace bullying and harassment were identified in only a few countries, primarily relying on official statements from relevant policy stakeholders and assessments by legal experts rather than emerging case law. Specific case law on workplace cyberbullying and online harassment is scarce, limiting its potential to prompt regulatory change.

¹⁹ See EU-OSHA's 2019 ESENER data visualisation showing the percentage of surveyed enterprises (with 20 employees or more) reporting having procedures in place to deal with bullying or harassment at https://visualisation.osha.europa.eu/esener/en/survey/detailpage-european-map/2019/emerging-risks-and-their-management/en_1/E3Q301/activity-sector/14/11/1.

Calls for legislative change

In certain countries, particularly those without specific legislation addressing workplace bullying and harassment (not tied to discriminatory grounds), civil society organisations and social partners, particularly trade unions, have campaigned for the ratification of ILO Convention No. 190. This ratification can pave the way to modernising legal frameworks and address the issue of workplace violence and harassment more comprehensively.

The Economic and Social Council of Bulgaria (2022)²⁰ noted that Bulgarian employment legislation lacks adequate definitions and norms for prevention and protection against workplace violence and harassment. They highlighted that ‘the need for such a regulation becomes even more urgent in view of the rapid development of new forms of work in the digital world’ (p. 4).

In Cyprus, the Independent Union of Cyprus’ Public Employees (ASDYK) has been particularly vocal on the issue of workplace bullying, urging the Department of Public Administration and Personnel to promptly establish an institutional framework and protocols for the prevention and management of workplace bullying incidents.

Confronting the escalating cyber risks, trade unions in Poland have also been advocating, among other measures, for the ratification of ILO Convention No. 190 (FZZ, 2020a, 2020b). The Trade Unions Forum has written a letter to the ministers, urging them to ratify the convention. In its view, adoption would be crucial in preventing workplace violence and harassment, including within the digital sphere.

Calls for the ratification of ILO Convention No. 190 have emerged also in Romania in recent years. In 2021, the trade union confederation Cartel ALFA and the Association for Liberty and Equality of Gender launched an online petition urging the government to ratify the convention. Subsequently, in April 2022, over 40 non-governmental organisations, trade unions, and employer, business and youth organisations jointly signed an official letter to the government and parliament, advocating for enhanced protection against workplace harassment and violence and the initiation of the ratification process. In January 2023, the Association for Liberty and Equality of Gender and 45 human rights and gender equality organisations, non-governmental organisations and trade unions reiterated their plea to ratify the convention, which was eventually successful. The Romanian parliament adopted the law for the ratification of the convention in March 2024, which is expected to align the regulatory framework with the

convention’s standards to combat violence and harassment at work.

Proposed legislative changes

Legislative changes have been proposed in only a few countries in recent years. In Cyprus, new legislation was introduced for discussion in parliament in September 2023, which, if passed into law, will criminalise bullying at work, in schools, in the army and in sports. The legislation, drafted by members of both major political parties (the Democratic Rally and the Progressive Party of Working People), demonstrates a collective effort to address the regulatory gap. This is reportedly a top priority for the Cypriot parliament.

More specifically on digital forms of abuse, the German Federal Ministry of Justice (BMJ, 2023) proposed a new law aimed at enhancing the enforcement of measures against digital violence. While not specifically targeted at the workplace, if enacted it would also have an impact on cases of workplace cyberbullying. Key provisions include strengthening private information procedures to enable victims to promptly ascertain the identities of perpetrators in cases of legal violations.

In Portugal, the political party Free (Livre) presented a draft law on 17 May 2023 proposing the criminalisation of cyberviolence. The proposal suggests amending the Criminal Code by adding the following provision:

Anyone who repeatedly engages in threatening or coercive behaviour through information and communication technologies against a person or group, causing them to reasonably fear for their safety or the safety of those under their care, shall be liable to imprisonment for up to one year or a fine, if a more severe penalty is not imposed.²¹

New legislation has been debated in the Maltese parliament since 2022, aiming to introduce specific offences of cyberstalking and cyberbullying (Times of Malta, 2022). The new legislation seeks to introduce new definitions in the Criminal Code for cyberstalking and cyberbullying and would also be applicable to the employment context.

Perspectives of legal experts and academia

In some countries, such as Croatia, Czechia and Estonia, legal scholars and experts have drawn attention to regulatory gaps, often stemming from insufficient regulation of workplace bullying in general or a lack of legal definitions (Šimečková et al, 2019; Vipper, 2021; Ranglová et al, 2022; Scheu et al, 2022). For example, in Czechia, where harassment is regulated only as a form of discrimination, scholars have pointed out that, while

20 The Economic and Social Council is a national consultative public body established to ensure that social dialogue takes place at national level between the social partners and the government.

21 Projeto de Lei 780/XV/1.º (L).

discrimination always involves discriminatory reasons, bullying may stem from other motives (Šimečková et al, 2019; Ranglová et al, 2022; Scheu et al, 2022). Additionally, discrimination does not necessarily encompass bullying, in the sense that the two concepts do not necessarily overlap. While discrimination is not always intentional, bullying is typically a deliberate act. This distinction poses challenges for preventing and protecting employees facing bullying, as provisions and measures designed to counteract discrimination at work may not effectively address the intentional and repeated nature of bullying behaviours.

Legal experts consulted for this study in Croatia highlighted the need for greater enforcement of existing regulations regarding workplace harassment, with specific emphasis on addressing online harassment. They called for government and state bodies to promote awareness and prevention, provide training programmes, inform workers on reporting procedures and available remedies, and prohibit retaliation against those reporting incidents.

In Romania, scholars have advocated for extending amended domestic violence legislation (Law 106/2020) to address cyberharassment in the workplace, rather than confining cyberharassment solely to the realm of domestic violence (Özsungur, 2023).

In Ireland, legal experts and academics have emphasised the need to address emerging forms of violence and harassment through digital channels, and to enhance the effectiveness of redress mechanisms for bullying complaints. In this regard, Ursula Connolly, a law lecturer at the National University of Ireland, Galway, observed that ‘the existing laws on bullying in Ireland have significant shortcomings with limited options available to an affected worker’ (Irish Times, 2021). Despite the option for an affected employee to lodge a complaint with the WRC, this route is considered unsatisfactory because employers are not obliged to comply with decisions made by the WRC in trade dispute actions.

With regard to Spain, according to legal scholars, the current gap stems not from existing legislation but from the practical application by companies of effective preventive policies on violence and harassment at work, including, of course, situations that may occur online and through the use of ICTs (Altés-Tárrega and Aradilla-Marqués, 2023).

Case law and judgments

Spain is one of the few countries with a judicial doctrine based on case law and judgments that has dealt with cyberbullying, online harassment and other ICT-based antisocial behaviours at work, with several pioneering court rulings²² (Molina Navarrete, 2019; Afonso-Xardo Pinto, 2020; Álvarez del Cuvillo, 2021).

Recent decisions by Dutch courts have also shed light on online harassment, although not always within the workplace context.²³ Existing court rulings illustrate how provisions in the Criminal Code are applicable to situations of cyberbullying. These include the case involving Clarice Gargard, a columnist at the daily newspaper *NRC*, who faced numerous online threats after sharing a video on social media protesting against the *Zwarte Piet* tradition in the Netherlands.²⁴ Amsterdam District Court convicted 24 defendants of various offences in relation to this case, including incitement to violence, discrimination and insult, with sentences of community service and fines. The court emphasised that, while freedom of speech is important, the hateful nature and volume of the messages crossed the line. The impact on the victim’s psyche was a key factor.

In another case in 2021, Rotterdam District Court dealt with accusatory emails and social media messages from an employee to her supervisor at Erasmus University Rotterdam. While not labelled cyberbullying, these exchanges were deemed disruptive to the employment relationship and led to the termination of the employment contract.

Recent court judgments in Poland indicate that bullying through ICT channels alone may not meet the threshold for a successful workplace mobbing claim. For a situation to be legally recognised as workplace mobbing under the Labour Code, it must meet specific criteria: (1) the behaviour must involve harassment or intimidation of the employee; (2) it must be persistent, occurring over a long period and in a systematic manner; (3) it must lead the employee to feel undervalued in their professional capacity; and (4) the intent or effect of the behaviour must be to humiliate, ridicule, isolate or eliminate the employee from the team of coworkers. Additionally, there must be a demonstrable deterioration in the employee’s health or a termination of the employment contract due to these reasons. While ICT-based harassment might

22 Ruling 14/2016 of the High Court of Justice of La Rioja of 22 January; Ruling 6585/2015 of the High Court of Justice of Catalonia of 6 November 2015; Ruling 443/2016 of the High Court of Castilla la Mancha of 8 April 2016; Ruling 448/2017 of the Murcia High Court of Justice of 26 April 2017; Ruling 387/2019 of the High Court of Justice of the Canary Islands of 22 April 2019.

23 See, for example, [ECLI:NL:RBAMS:2020:5278](#), [ECLI:NL:RBAMS:2020:5281](#) and [ECLI:NL:RBAMS:2020:5295](#).

24 The Dutch tradition of *Zwarte Piet*, or Black Pete, traces its origins to the 19th century and portrays a helper of Saint Nicholas in blackface, with exaggerated features including an Afro wig, large red lips and golden hoop earrings. This tradition is considered by many to be rooted in racism and the Netherlands’ involvement in the slave trade (Time, 2020).

contribute to a mobbing case, it needs to be part of a broader pattern of behaviour that fulfils all the specified criteria for a claim to be successful under the Labour Code. This situation is compounded by the absence of a legal definition and guidelines addressing cyberbullying or online harassment in the workplace.²⁵

In Estonia, cases related to workplace bullying are currently resolved based on the Employment Contracts Act and the Law of Obligations Act. However, neither of these acts provides a definition of workplace bullying, nor do they address cyberbullying. In the absence of legal definitions, decisions of labour inspectorates and court rulings have relied upon a definition provided by the Tallinn Circuit Court (court of second instance) in a past ruling (No. 3-17-164):

workplace bullying is hostile and unethical behaviour of a systematic and long-term nature, directed towards a person or many persons who is/are put into a helpless and insecure position due to this. It is characterised by repeated negative acts over a longer period, unequal positions of the parties, the victim's defenceless position and deliberate action.

Similarly, in Italy, the absence of a statutory definition of workplace bullying has led to the development of a jurisprudential framework through various court

rulings, often referring to 'mobbing' to describe workplace bullying. Relevant jurisprudence, however, remains silent on the issue of cyberbullying or mobbing via digital means. The Court of Cassation, Labour Section, in Judgment No. 22993/2012, defines mobbing as:

a conduct by the employer or hierarchical superior that is systematic and prolonged over time, directed against the worker in the work environment, characterized by systematic and repeated hostile behaviours that take the form of oppression or psychological persecution. This conduct may result in moral humiliation and marginalization of the employee, adversely affecting their physical and mental balance and the integrity of their personality.

While previous court decisions or rulings do not specifically address cyberbullying or online harassment, the principles are sufficiently broad to encompass various forms of harassment, including those perpetrated through digital means.

In countries lacking legal definitions set out in statutory frameworks and robust case law addressing workplace bullying or harassment (unrelated to discrimination), there may be less legal grounding for cases of online abuse when brought before the courts.

Summary

- The issue of workplace harassment is addressed through a range of regulatory approaches in the EU and Norway. It has been included in non-discrimination or equality law, as a distinct form of abuse akin to bullying and regulated in its own right, or as part of broader regulation on OSH. In some countries, relevant legislation has been amended in recent times to cover forms of abuse occurring via ICTs. Denmark is the only country to explicitly mention 'digital harassment' in relevant regulatory frameworks. Regulations in other EU Member States acknowledge that harassment may occur through ICTs and, in some contexts, may also extend to forms of surveillance.
- While employment law mandates employers to ensure the health and safety of employees across all work-related aspects, the specific methods or measures by which employers fulfil this duty, particularly concerning the prevention and handling of workplace bullying and harassment, are not always regulated or specified by law. In only seven EU Member States – Belgium, Greece, Lithuania, the Netherlands, Portugal, Romania and Spain – are employers mandated by statutory law to adopt an anti-harassment and bullying policy.
- Some legislative change has been prompted by the ratification of ILO Convention No. 190 on the elimination of violence and harassment in the world of work in the countries that have adopted it. In some countries that have yet to ratify the convention, such as Bulgaria, Cyprus and Poland, trade unions have been campaigning for its ratification to introduce comprehensive legislation that addresses all forms of workplace violence and harassment, not just those based on discriminatory grounds. In other countries, such as Cyprus, Germany, Malta and Portugal, proposed legislation aims to criminalise digital violence and strengthen the enforcement measures, extending their reach to the workplace.
- Regulatory gaps in addressing workplace bullying and harassment were identified in only a few countries, based on relevant policy stakeholders and assessments by legal experts, rather than on emerging case law. In countries without specific legislation addressing workplace bullying, there is often insufficient legal anchoring for addressing cases of online abuse in court. Without established jurisprudence, courts have limited guidance on how to handle such issues, exacerbating challenges for both victims seeking justice and policymakers aiming to address these gaps.

²⁵ The law does not provide specific guidelines or a clear definition of what constitutes sufficient duration or frequency for unwelcome behaviour to be legally classified as such.

2 Policy debate and empirical evidence

Policy debate

The ratification of ILO Convention No. 190, or discussion surrounding its ratification, has brought renewed attention in some countries to the topic of bullying, harassment and, more generally, violence in the workplace. The surge in telework and increased use of ICTs during the COVID-19 pandemic have also expanded the debate on workplace bullying to include new forms of antisocial behaviours experienced through digital channels. However, overall, preventing and countering antisocial behaviours at work, whether online or through more conventional means, is not a policy priority in most of the countries investigated. Cyberbullying continues to be predominantly perceived as a youth issue, with cyberbullying in the workplace receiving much less attention.

While recent policy-level debates have focused on social media content and responsibilities, which are also relevant to antisocial behaviours in the workplace through ICTs, they are not explicitly linked to workplace cyberbullying. In the Netherlands, the Minister for Justice and Security has shifted attention to the growing problem of cybercrimes in general. In a 2020 letter to parliament, the minister acknowledged the rise in cybercrimes linked to the increased use of online tools accelerated by the COVID-19 pandemic.

Among EU Member States, Sweden stands out as the country where antisocial behaviours are given the most attention at policy level, as reflected in the work environment plan for 2021–2025. The strategy highlights the role of digital communications and social media in workplace harassment and bullying, as exemplified in the following quotation from a government press release:

With increased use of digital media in working life, digital violations and cyberbullying have become more common. No one should have to work in a work environment where offensive discrimination and harassment occurs, neither digitally nor in the physical workplace. The government sees a need for attention to be paid to the issue of bullying in working life and for measures to be taken to counter the occurrence of bullying in workplaces.

(Regeringskansliet, 2021)

The Spanish Strategy for Safety and Health at Work 2023–2027 emphasises emerging psychosocial risks, particularly in the context of teleworking. It envisages conducting labour inspection campaigns targeting companies where teleworking is prevalent, with a focus on compliance with the provisions of Law 10/2021 of 9 July on remote work. This entails addressing psychosocial risks, with particular focus on issues such as bullying and digital-related risks, which have implications for health and safety (INSST, 2023).

In Denmark – one of the leading EU Member States in preventing workplace bullying and harassment through OSH regulations and policies – the Working Environment Authority launched a campaign in 2023 to put digital harassment on the policy agenda. The intention behind the initiative included supporting employers in fulfilling their responsibilities to prevent and handle work-related digital harassment (Arbejdstilsynet, 2023a). The website for the campaign gives examples of digital harassment, clarifies employer responsibilities and suggests preventive measures (Arbejdstilsynet, 2023b).

Prevalence of abusive behaviours at work

The limited debate on the issue is matched by a relatively small number of national empirical studies published on the subject from 2018 to 2023. An important reference for cross-country comparisons is Eurofound's European Working Conditions Survey, which includes questions on adverse social behaviours (including verbal abuse, threats, bullying, harassment, violence and unwanted sexual attention). According to data from the 2021 survey edition, conducted for the first time using telephone interviewing (European Working Conditions Telephone Survey (EWCTS)), about 13% of employees surveyed in the EU reported experiencing at least one type of adverse social behaviour at work (Eurofound, 2023). A higher percentage of women (15%) reported encountering at least one form of adverse social behaviour than men (11%). Significant variations exist among countries. Denmark and the Netherlands reported the highest prevalence (20%), while in Hungary, Italy, Lithuania and Spain less than 10% of employees reported experiencing such behaviours in the workplace. These discrepancies may be partly attributed to varying levels of awareness or cultural differences regarding such behaviours.

Another source of data on the prevalence of bullying and harassment at work is EU-OSHA's OSH Pulse survey,²⁶ which found that 7% of surveyed workers in the EU27 in 2022 reported being exposed to harassment or bullying at work. According to the data, women (8%) are more likely to report harassment or bullying at work than men (6%). Prevalence rates also vary between countries, with figures reaching up to 12% in France and Ireland, and ranging from 3% to 10% in the remaining countries (EU-OSHA, 2022c).

A number of national surveys identified in this review are also cross-sectional and have a broad thematic coverage, not focusing exclusively on workplace bullying. Some measurement tools, such as the Finnish Working Life Barometer, assess respondents' awareness of whether bullying occurs in their workplace, rather than their direct experience of being bullied or subjected to offensive behaviours in the workplace.

Furthermore, most of the identified data sources examine the prevalence of workplace bullying (and other abusive behaviours akin to bullying) without distinguishing between online and offline occurrences. A limited number of studies have investigated the prevalence of workplace cyberbullying. Only a limited number of studies have measured the prevalence of this phenomenon, with victimisation rates reported to range from 0.7% to 33.8% of respondents (Vranjes et al, 2020; Farley et al, 2021). Taken together, the empirical findings presented in Table 4 suggest a relatively high prevalence of antisocial behaviours, whether conducted online or in person, at work in each country, which would warrant greater attention in policymaking.

It is nonetheless important to add a note of caution: prevalence rates vary depending on the methodology and conceptualisation used to frame the phenomenon. There are two main methods to estimate the prevalence of workplace bullying. The first method, known as the behavioural experience approach, assesses bullying prevalence by asking participants to report the frequency of exposure to various negative acts in the workplace. An example of this approach is the Negative Acts Questionnaire, developed by Einarsen and colleagues in 1994 and revised in 2009 as the Negative Acts Questionnaire Revised (Einarsen et al, 2009). The second method consists in a subjective assessment, also known as the 'self-labelling' approach, prompting respondents to identify whether they have experienced bullying in the workplace (within a given time frame), often preceded by a definition of the term. While commonly used in surveys, particularly those with a broad thematic coverage, the self-labelling method may not always accurately represent the issue at hand. This approach relies on respondents' willingness to self-identify as victims of a phenomenon, which can be influenced by cultural taboos (Power et al, 2013). Studies using the self-labelling method typically find more pronounced gender differences, with women more likely than men to report exposure to bullying and other ill treatment at work (Salin and Hoel, 2013). The specific method employed in the studies identified in this brief review is, however, not always indicated in research reports, particularly if the studies are not published as scientific papers.

Table 4: National survey-based studies reporting prevalence of bullying and other abusive behaviours at work

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Austria	Work Climate Index (Hötzing and Mandl, 2020)	900 employed in each quarter	Q4 2019 and Q1 2020	Face-to-face interviews. The method of measuring the prevalence of negative acts is not indicated.	11% reported experiencing mobbing, threats and blackmailing. 16% observed such behaviours directed at others in the workplace. Women (36%) are more frequently affected by rumours, whispering or slander than men (33%).
Belgium	IDewe, 2023	24,000 employed from more than 100 organisations in various sectors	2022	Psychosocial risk assessment standardised questionnaire	5.9% reported experiencing two forms of bullying at least weekly in the second half of 2022 (4.2% women vs 8.1% men). The top three types of bullying behaviour are not valuing work/effort (48.7% suffer from it at least occasionally), withholding information (42.3%) and gossiping (41.4%). Other forms included repeated comments about mistakes/errors (25.8%), questions/attempts to start a conversation that are met with silence/hostility (22.9%), repeated comments about yourself or your private life (18.8%), exclusion (16.6%), insults (12.3%) and unpleasant jokes or surprises (9.1%).

²⁶ Fielded in spring 2022, EU-OSHA's OSH Pulse survey is a telephone survey based on a representative sample of about 27,000 workers across all EU Member States.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Czechia	Šimečková et al, 2019	660 individuals aged 15+ (only employed were questioned about bullying)	2019	Online survey. The self-labelling method was used.	36% reported experiencing bullying at work. Among those who experienced bullying, 46% reported being bullied at least once a week, while for another 42% the bullying persisted for over a year. Women were more likely to report bullying than men. The most common form of bullying encountered by those reporting experiencing bullying was 'bossing' (bullying by a superior) (56%), followed by mobbing (bullying by colleagues) (29%). Only 11% were faced with both forms of bullying.
Denmark	National Monitoring of the Working Environment among Employees (Arbejdstilsynet, 2022)	30,099 employed (aged 15–69)	February–June 2021	Online survey. The self-labelling method was used.	13.8% reported having experienced digital harassment at the hands of third parties within the past year, followed by discrimination or ill treatment (11.3%), bullying (7.7%) and threats of violence (6.4%). About 28% of employees who reported experiencing digital harassment from third parties indicated that they experienced it via digital means (for example, social media, phone calls, text messages, letters or emails). Discrimination and ill treatment are more common among women (13.6%) than men (9.2%), and among the younger age groups (15–24 years: 17.7%; 25–34 years: 15%; 45–54 years: 7.9%; 55–64 years: 10.4%; and 65+ years: 8.2%). Bullying affects men and women evenly and is also evenly distributed across age groups.
	Digitalt Ansvar, 2021	Over 2,000 employed (in the private sector) (aged 18–65)	2021	Online survey. The measuring method was not indicated.	10% reported experience of digital harassment (11% of women vs 7% of men; 12% aged 18–24 vs 8% aged 35–49 and 5% aged 50–65; 11% temporary employees vs 8% permanent employees).
Estonia	Vadi et al, 2022	1,707 employed from 14 organisations	March 2018 until November 2019	The survey mode was not indicated. The Negative Acts Questionnaire Revised instrument was used to measure bullying.	9.8% reported having experienced regular workplace bullying. 1% experienced workplace bullying daily.
Finland	Working Life Barometer 2022 (Ministry of Economic Affairs and Employment, 2023)	1,862 employed (aged 18–64)	August–October 2022	Mixed-mode data collection combining telephone interviews and an online questionnaire. The survey did not ask about respondents' direct experience of bullying but rather their awareness of bullying occurring in their workplace, whether from colleagues, supervisors or third parties.	31% reported having observed bullying from colleagues occasionally, and 3% regularly. Bullying from customers was observed occasionally by 31% and regularly by 5%. Detection of bullying from supervisors is less common: 16% had observed it occasionally and 2% regularly. Women tended to observe bullying more frequently than men, with 35% of women observing it occasionally and 4% witnessing it regularly. In comparison, 28% of men observed it occasionally, with 3% observing it regularly.
	Celuch et al, 2022	768 employed across all five surveys	Data collected every six months starting from mid-March 2019	Five-wave online longitudinal survey. An adapted cyberbullying behaviour questionnaire was used.	15% reported being victims of cyberbullying at work, but the prevalence decreased to 12% at time point (T)3 and less than 10% at T4 and T5.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
France	Medical surveillance of employee exposure to professional risks (Surveillance Médicale des Expositions des salariés aux Risques professionnels survey) ²⁷ (Dares, 2020)	26,494 employed	April 2016 to October 2017	A primary questionnaire, either by paper or online, filled out by the occupational health physician and their team, and a paper questionnaire filled out individually by the employee.	<p>The survey does not have specific questions on bullying, harassment or cyberbullying, but includes a question asking respondents about exposure to hostile behaviours (distinguishing between degrading situations, denial of recognition, and contemptuous behaviours). The employee is considered to be experiencing hostile behaviours if they report that such behaviours are current and systematic.</p> <p>9.9% of surveyed employees (10% men and 9.8% women) reported experiencing at least one instance of denial of recognition, involving one (or more) persons unjustly criticising their work, assigning useless or degrading tasks, or sabotaging their work, preventing them from working correctly.</p> <p>16% of the surveyed employees reported experiencing at least one instance of a denial of recognition, a degrading situation or contemptuous behaviour at the time of the survey. Women (16.2%) are slightly more likely to report exposure to hostile behaviours than men (15.7%).</p> <p>11.1% of surveyed employees (10.4% men and 11.9% women) reported experiencing at least one instance of contemptuous behaviour, involving one (or more) persons ignoring them, preventing them from expressing themselves, or ridiculing them in public.</p> <p>2.4% of surveyed employees (2.6% men and 2.2% women) reported experiencing at least one degrading offence, involving one (or more) persons making obscene or degrading remarks, or persistent sexual propositions.</p>
Germany	YouGov, 2021	2,058 employed (aged 18+)	March 2021	Online survey. The self-labelling method was used.	<p>29% reported having being bullied at work (35% women vs 22% men).</p> <p>17% have experienced bullying from a colleague or supervisor and 4% admitted to having actively participated in bullying at work.</p> <p>Of those who reported having being bullied, 8% experienced it through digital means: email (8%), social media (7%), telephone (6%) and messenger platforms (4%).</p>

²⁷ The Surveillance Médicale des Expositions des salariés aux Risques professionnels 2017 survey was conducted and managed jointly by the Directorate-General for Labour (Medical Labour Inspection) and the Directorate for Research, Studies, and Statistics in collaboration with the Directorate General for Administration and the Civil Service.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Greece	MRK Consulting, 2021	702 employed (aged 17–64)	February–March 2021	Online survey and computer-assisted web interviews. The self-labelling method was used.	<p>85% consider workplace bullying so widespread in Greece that it has evolved into a serious social problem. The majority of respondents report having at least a superficial understanding of what workplace bullying entails. 63% have heard of a colleague who was targeted, 52% have witnessed such incidents, 47% are aware of cases in which the health of a targeted employee was affected and 39% know of colleagues who resigned due to an inability to cope with the situation.</p> <p>38% state that they have personally experienced bullying at some point in their careers (46% women vs 30% men). Among this group, 21% report ongoing systematic bullying behaviour directed towards them.</p> <p>Of those who say they have been a target of bullying, the following negative acts were reported: verbal assault/violence (79%), deliberate degradation of own work (65%), rumours and/or negative commentary behind back (54%), deliberate isolation (30%), public humiliation (28%), non-verbal violence through text messages, expressions or grimaces (20%), passive-aggressive behaviour (18%), sexual harassment (12%), exclusion from company social events (11%), physical violence (8%) and cyberbullying (5%). Apart from physical violence and cyberbullying, women are more likely than men to be a target of such negative acts.</p>
Hungary	Szusecki et al, 2023	13,104 active workers	May 2013 to March 2014	Online survey. The Copenhagen Psychosocial Questionnaire II ²⁸ was used to assess the occurrence of workplace offensive behaviours (bullying, sexual harassment, threats of violence and physical violence).	<p>48.7% reported exposure to offensive behaviours in their workplace in the 12 months preceding the survey; 37.6% reported occasional exposure, while 11.1% of the respondents reported being the victim of offensive behaviours frequently (on a weekly or more frequent basis).</p> <p>The prevalence of offensive behaviour exposure was significantly but weakly associated with respondents' gender (women are more likely to be exposed than men to offensive workplace behaviours).</p>
Ireland	Hogan et al, 2020	1,764 employed	May–September 2015	Face-to-face interviews. The Negative Acts Questionnaire was used. Respondents were asked if they had experienced any of the 21 items within the last two years from colleagues or third parties. Responses used a five-point Likert scale ranging from 'never' to 'daily'.	<p>43% reported experiencing some form of mistreatment while on the job in the past two years. Among them, 37% cited unreasonable management practices, while 31% highlighted instances of incivility or disrespect.</p> <p>The most commonly cited types of mistreatment were having one's opinions ignored, followed by being subjected to unrealistic deadlines or overwhelming workloads, and being treated rudely or disrespectfully.</p> <p>The rate of bullying within the sample was calculated at 8.96%, using the experience of at least two items weekly as an indicator. Younger workers were found to be more likely to experience bullying at work.</p> <p>No gender difference in ill treatment at work was found.</p>

28 Employing the self-labelling method, this tool encompasses exposure to four types of workplace-specific offensive behaviours (bullying, sexual harassment, threats of violence and physical violence). For each of the four domains, a single item is used, and participants are asked about the occurrence of such experiences within a 12-month time frame. Response options for each item include 'No', 'Yes, a few times', 'Yes, monthly', 'Yes, weekly' and 'Yes, daily'.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Luxembourg	Quality of Work Index 2021 (Infas, 2021)	2,594 employed (aged 16–64)	May–October 2021	Mixed-mode data collection combining telephone interviews and an online questionnaire. The self-labelling method was used, with a brief definition of cyberbullying provided to respondents: ‘Cyberbullying in the workplace refers to a situation where a person is repeatedly mistreated or bullied in their workplace through digital media, such as emails or social networks, over a long period.’	In the 12 months preceding the survey, nearly 2% reported having been affected at least occasionally by cyberbullying in the workplace.
	Quality of Work Index (Chambre des salariés Luxembourg, 2019)	2014: 1,532 employed (aged 16–55+) 2018: 1,689 employed (aged 16–55+)	Every year from 2014 to 2018	Computer-assisted telephone interviews and computer-assisted web interviews. The prevalence of workplace bullying was determined using five questions, established by the Luxembourg Workplace Mobbing Scale, with five response categories (1 = never; 2 = rarely; 3 = sometimes; 4 = often; 5 = almost always). If an employee answered ‘often’ (4) or ‘almost always’ (5) to one of the five questions, the response was assessed as indicative of exposure to bullying.	The prevalence of workplace bullying remained constant at a high level, although it decreased slightly from 2014 (17.9%) to 2018 (16.6%). The most common negative behaviours experienced by employees ‘often’ and ‘almost always’ included being assigned meaningless tasks (6.9% in 2014 and 10.9% in 2018), being exposed to regular criticism of work (3.9% in 2014 and 8.1% in 2018), being ignored by a significant number of employees (3.7% in 2014 and 6.3% in 2018), having conflicts with colleagues or a hierarchical superior (2.7% in 2014 and 4.7% in 2018) and being ridiculed by others (0.9% in 2014 and 3.1% in 2018).
Malta	bBrave, 2023	2,400 employed (aged 18–60+)	January–May 2023	Online survey. The self-labelling method (with definition ²⁹) was used.	64% believed that bullying was present in their workplace at the time of being surveyed, while 56% reported witnessing workplace bullying within the past year, and 40% had experienced bullying themselves within the same time frame (43% women vs 38% men). Among those who experienced bullying, 20% faced it on a daily basis, 27% on a weekly basis and 15% on a monthly basis. 66% of those who experienced bullying indicated that the perpetrator held a senior position, and 88% reported that the bullying primarily occurred in the presence of others. Online bullying was reported by 8% of those subjected to workplace bullying.

²⁹ Cyberbullying in the workplace refers to when a person is repeatedly mistreated or harassed over a long period through digital media, such as emails or social networks.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Netherlands	2021 Safety Monitor (Statistics Netherlands, 2022)	Over 173,000 employed (aged 15+)	August–October 2021	Online survey. The self-labelling method was used.	2% reported being bullied within the past year. Almost 1 in 10 victims reported being bullied by colleagues, while 4% stated that they were bullied by a manager. Women are nearly as susceptible to bullying as men. Young individuals are at a higher risk of being bullied than older individuals. Victims are more prone to experiencing traditional forms of harassment rather than online harassment.
	National Working Conditions Survey (Statistics Netherlands and TNO, 2022)	50,000 employed (aged 15–74)	October–December 2021	Online survey. The self-labelling method was used.	Nearly a quarter (23%) of employees reported experiencing unwanted behaviour (including unwanted sexual attention, intimidation, physical violence and bullying) from third parties at least once in 2021. Women (30%) experienced it more frequently than men (16%). Unwanted behaviour from colleagues or supervisors was reported by 13% of all employees in 2021, with little difference between women (14%) and men (13%). For the majority of employees who experienced unwanted sexual attention, intimidation, physical violence or bullying at least once in 2021, this form of misconduct occurred solely offline. For a relatively small portion of employees, the misconduct occurred both online and offline (4%), or solely online (3%).
Norway	Norwegian survey of living conditions on the working environment (Statistics Norway, 2023)	35,000 employed (aged 18–66)	August 2022 to April 2023	Mixed-mode data collection combining telephone interviews and an online questionnaire. The self-labelling method was used.	In the 12 months preceding the survey, 4.1% of respondents reported experiencing harassment or bullying (5.1% women vs 3.2% men).
Poland	Koalicja Bezpieczni w Pracy, 2019	1,517 employed	July–August 2019	Computer-assisted web interviews.	63% reported experiencing inappropriate treatment from their superiors, followed by verbal violence (53%), mobbing (46%), exclusion, rejection and hostility from other colleagues (46%), discrimination (39%) and physical violence (14%).
Portugal	Pedroso, 2023	1,007 employed	August–September 2022	Face-to-face interviews.	Around half of respondents reported that their employer implemented technological solutions to monitor or control working time and work activity, which current legislation deems inadmissible. For 24% of respondents, telework increased the risk of abuse or harassment at work (there were no significant differences by gender).
Sweden	Swedish Work Environment Authority, 2023b	12,000 employed (aged 16–74)	April–December 2022	The survey mode is not indicated. The self-labelling method was used for questions on exposure to bullying.	In the 12 months preceding the survey, 6% reported being bullied by a boss (7% women vs 4% men) and another 6% reported being bullied by colleagues (7% women vs 4% men) as a contributing factor in complaints about work conditions other than accidents.

Country	Data source* and/or reference	Sample	Fieldwork time frame	Methods	Prevalence
Sweden	Cowen Forssell, 2019	3,371 professionals (aged 25–65, based in Skåne, south Sweden)	2015	Online survey. The self-labelling method was used to measure exposure to face-to-face bullying and cyberbullying. Exposure to cyberbullying behaviour was also measured using the Cyberbullying Behaviour Questionnaire, consisting of 20 items related to negative acts online. A five-point Likert scale was applied to assess the frequency with which the respondents experienced the cyberbullying behaviour: 'never', 'now and then', 'monthly', 'weekly' or 'daily'.	3.5% reported being bullied (face to face) at work in the past six months. Just under 1% considered themselves to be cyberbullied during the same period. 10% reported a vulnerability to behaviours akin to cyberbullying, but the prevalence rate increased (9.7%) when using the Cyberbullying Behaviour Questionnaire method. The most frequently reported cyberbullying behaviour was not receiving responses to emails or text messages sent to supervisors/colleagues, followed by necessary work-related information being withheld.

Notes: * Where a data source is not indicated, the information was derived from a stand-alone ad hoc survey conducted by scholars or research organisations, independent of any official survey. For the remaining Member States, no empirical studies reporting prevalence rates of bullying, psychological harassment, or cyberbullying published within the observed timeframe were identified and reported by the national correspondents. The identified national studies do not always specify information about the sample, particularly the age range of respondents, and the method used.

Source: Network of Eurofound Correspondents

High-risk sectors

According to the 2021 EWCTS data, workers in the health sector, especially technicians and associate professionals, face the highest prevalence of adverse social behaviours, including verbal abuse or threats, unwanted sexual attention, and bullying, harassment or violence (Eurofound, 2022). The above-mentioned EU-OSHA OSH Pulse survey also found that respondents working in services relating to health or social care are the most at risk of being exposed to violence or verbal abuse from third parties, for example from customers or patients (30%), and bullying or harassment (10%) (EU-OSHA, 2022c).

The 2021 Dutch Working Conditions Survey (Statistics Netherlands and TNO, 2022) corroborates these findings, revealing a high prevalence of abusive behaviours within the healthcare sector. In this survey, 43% of healthcare respondents reported experiencing bullying, threats or unwanted advances, primarily from third parties. High levels of exposure to bullying were also reported in a Portuguese study conducted among 2,015 nurses (João et al, 2023), with 46.4% of survey respondents reporting weekly or daily exposure in the six months preceding the survey to at least one of the 22 items on the Negative Acts Questionnaire Revised scale. Regarding forms of online abuse directed at healthcare staff, a review of media reports during the pandemic indicated that the pandemic might have also contributed to heightened exposure to verbal abuse via social media among healthcare workers from the general public (La Regina et al, 2021). Other small-scale studies provide further evidence of the high level of exposure of healthcare professionals to abusive behaviours. One such study, conducted in 2019 among

113 emergency and critical care nurses in Cyprus, found 77 reported being victims of workplace bullying themselves and 65 witnessed others being bullied in their workplace (Aristidou et al, 2020). A Slovenian study, based on an online survey of nursing staff ($n = 73$) conducted in 2021, shows that this occupational group is particularly vulnerable to antisocial behaviours at work (Cerar, 2022). Approximately 45% of survey respondents reported encountering mobbing (involving a group dynamic) at least once a month, with 6% being victims of mobbing on a daily basis. Another 38% reported exposure to bullying (involving individual aggressive actions) at least once a month, while 22% reported exposure to violence more generally.

Higher-than-average exposure to adverse social behaviours is also found in public administration and education (EU-OSHA, 2022c; Eurofound, 2022, 2023). In an Irish online survey ($n = 3,835$ aged 18–65+) investigating employees' experiences of bullying in 20 publicly funded Irish higher education institutions, about one-third of respondents (33.5%) reported having been bullied at work in the past three years and 32.9% endured cyberbullying at work (Mazzone et al, 2022). Managers were more likely to experience cyberbullying at work. In the majority of cases, the perpetrator of bullying was a senior colleague (55%) or a peer (24.6%).

Among knowledge-based workers, journalists are particularly at risk of exposure to online abuse and cyberbullying. In France, a case that received a great deal of media attention in recent times concerned four male journalists who were found to have harassed other web users (including peers) online through a private Facebook group (BBC News, 2019; France24, 2019); some female journalists publicly accused the same

journalists of having cyberbullied them. This may not be an isolated case; there is growing evidence that female journalists – who are expected to engage online as part of their job – are particularly vulnerable to cyberbullying and online harassment (Stahel and Schoen, 2019; Chen et al, 2020; Posetti and Shabbir, 2022).

A Portuguese study, employing various research methods including an online survey of 441 journalists, a review of media sources and semistructured interviews with 25 female journalists, shed light on the experiences and perspectives of journalists facing online abuse in their profession (Silveirinha et al, 2022). In this study, 46.2% of survey respondents admitted to experiencing online attacks, while more than half (58.9%) reported being aware of instances of online violence against journalists from their own or other newsrooms. The majority of respondents (87.6%) also agreed that online violence can, to some extent, incite offline violence. Additionally, over half of respondents (61.3%) believed that the COVID-19 pandemic may have worsened the problem of online violence against journalists, and another 76.2% disagreed that existing legislation adequately addresses this issue.

Similarly, research conducted in 2022 by the Dutch Association of Journalists into the safety of female journalists ($n = 292$) in the Netherlands found that over half of female journalists had experienced online aggression at least once in the past 12 months. Compared with the entire professional group, female journalists are more frequently exposed to aggressive or intimidating behaviours on social media and less often exposed to face-to-face incidents (NVJ, 2022).

Work environment stressors

There is a large body of research on workplace bullying suggesting that a stressful work environment provides fertile ground for antisocial behaviours to emerge (Bowling and Beehr, 2006). An empirical analysis of the 2021 EWCTS data found that workers who experienced verbal abuse or threats and unwanted sexual attention over the past month, as well as bullying, harassment or violence over the past 12 months, are more likely to report discrimination, high emotional demands and work–life interference. These workers also reported less availability of job resources that could mitigate negative impacts (Eurofound, 2023). These resources include appropriate pay, recognition, support from colleagues and managers, task significance, trust, consultation on objectives and work organisation, and work–life balance.

Several recent national studies indicate that various work environment factors predict bullying at work, whether perpetrated offline or online. For instance, a cohort study of 48,537 Finnish public sector employees at two time points, T1 (2017–2018) and T2 (2019–2020), found that workplace bullying was predicted by factors

such as discrimination, an unreasonably high workload, the threat that some work tasks will be terminated, a lack of feeling understood and accepted, untrustful supervisors and being in their current position for a short time (Ervasti et al, 2023). Work stressors such as workload, role conflicts, job insecurity and interpersonal conflicts were also identified in other studies as strong predictors of both traditional bullying behaviours and cyberbullying (Vranjes et al, 2017; Cowen Forssell, 2019). A systematic review of Italian studies on workplace bullying published between 2006 and 2022 yielded similar findings, emphasising a high or unmanageable workload as the most recurrent stressor identified across the studies examined (Colaprico et al, 2023).

Further insights come from an empirical analysis conducted on a randomised Swedish sample of 3,371 respondents (in employment), which found that social support from superiors and colleagues can influence the social organisational climate, which mediates the relationship between cyberbullying behaviour and outcome variables, namely health, well-being, work engagement and intention to quit (Muhonen et al, 2017). Subsequent analysis on the same sample found exposure to cyberbullying behaviours to be related to low support from managers for male managers and low support from colleagues for female managers (Cowen Forssell, 2019). Regarding social climate, a Norwegian study with a sample of 10,627 employees from 96 organisations also found that social support moderates the negative effects of workplace bullying on mental distress and sickness absence (Nielsen et al, 2020).

Some scholars suggest that remote work may open up new avenues for abusive behaviours and can be a risk factor for cyberbullying at work (Oksanen et al, 2021). In this regard, a Portuguese study on teleworking, commissioned by the trade union General Union of Workers (UGT) and based on a survey of 1,007 respondents conducted in 2022, revealed that for 24% of them telework heightened the risk of abuse and harassment at work (Pedroso, 2023). The study also suggested that micromanagement and intrusive surveillance in remote work settings can amount to bullying and be damaging for those subjected to these management practices. Another Greek survey-based study ($n = 702$) found that workplace bullying manifested in work-from-home arrangements through improper behaviours such as having schedules deliberately or unjustifiably extended (38%), being assigned more tasks (30%), having work degraded (30%), being considered lazy by the boss for working from home (25%) and being excluded from work groups (19%). There is, however, counterevidence pointing to negative correlations between telework and exposure to abusive behaviours. For example, an analysis of 2021 EWCTS data on psychosocial risks at work found that teleworkers are less likely to experience adverse social

behaviours such as verbal abuse or threats, unwanted sexual attention, and bullying, harassment or violence (Eurofound, 2023). In keeping with this finding, a Norwegian study conducted during the pandemic also found that remote work is negatively correlated with exposure to online harassment and cyberbullying (Bollestad et al, 2022). Further research is needed to fully understand the circumstances under which remote work can provide a breeding ground for bullying. There may be specific factors or dynamics unique to remote work environments that contribute to or exacerbate bullying behaviours.

Impact for workers and organisations

There is a large body of research documenting the negative outcomes of face-to-face workplace bullying for both individuals and organisations (Nielsen and Einarsen, 2012; Samnani and Singh, 2012; Nielsen et al, 2014; Sansone and Sansone, 2015). Most recent studies based on representative surveys of workers in the EU conducted during the pandemic indicate that antisocial behaviours (Eurofound, 2023) and more specifically bullying and harassment (EU-OSHA, 2024) are associated with poor health and well-being outcomes. The pandemic may have led to higher levels of stress and anxiety among workers, creating a more tense and volatile work environment where bullying and harassment are more likely to occur. Recent longitudinal studies offer strong support for associations between adverse social behaviours and mental distress (Hoprekstad et al, 2021; Sterud and Hanvold, 2021), back and neck pain (Glambek et al, 2018) and sickness absence (Sterud et al, 2021).

At the individual level, workplace bullying can negatively affect both physical and psychological well-being. A systematic review of Italian studies on workplace bullying found that prolonged bullying is associated with a worsening quality of life for victims, affecting the gastrointestinal, nervous, muscular and cardiovascular systems (Colaprico et al, 2023). In severe cases of bullying, exposure can also lead to post-traumatic stress disorder. These findings are in line with an earlier meta-analytical study covering 42 reports primarily from North America and Europe, which concluded that exposure to bullying is a significant predictor of experiencing negative mental health outcomes (Verkuil et al, 2015).

Recent studies also indicate significant relationships between exposure to workplace bullying and psychological and psychosomatic complications. For instance, a study based on a cross-sectional online survey of 13,104 workers in Hungary found a strong association between exposure to workplace bullying and increased levels of depressive symptoms, somatic

symptoms and perceived stress, and decreased levels of general well-being (Szusecki et al, 2023).

In a smaller-scale study based on an online survey conducted among 360 employees within three public research institutes in Luxembourg, those who reported currently experiencing or having experienced bullying at work (30% in total) indicated various negative health impacts, including anxiety or anguish (79%), sleeping problems or insomnia (74%), feelings of depression (62%), stomach pain (54%) and eating disorders (47%) (OGB-L, 2023). Sleeping and eating disorders were among the top health issues reported by workers experiencing bullying at work in a broader survey of 702 workers in Greece (MRK Consulting, 2021). Another study, based on a survey representative of the working population in Malta ($n = 2,473$), found that the impacts of workplace bullying went beyond increased stress (reported by 73% of those subjected to bullying), involving self-harm and suicidal thinking or behaviour in 9% of the victims (bBrave, 2023). In this same study, other reported impacts included mental health repercussions (58%), reduced work engagement (43%) and physical health repercussions (39%). Fear of losing one's job is another outcome reported in some studies (Šimečková et al, 2019), and this may prevent victims from denouncing or discussing the problem in the workplace.

The available empirical evidence from workplace cyberbullying research suggests that the impact is similar to that of traditional face-to-face bullying. The fact that cyberbullying can be perpetrated by posting offensive or humiliating content online may, however, intensify the scale of the damage by exposing the victims publicly and inflict significant social and emotional harm (Dooley et al, 2009).

Previous empirical studies from the literature on workplace cyberbullying found exposure to cyberbullying behaviours to correlate with stress, anxiety, mental strain, negative emotions, diminished well-being and depressive symptoms (Staudé-Müller et al, 2012; D'Cruz and Noronha, 2013; Heatherington and Coyne, 2014; Snyman and Loh, 2015; Jönsson et al, 2017; Muhonen et al, 2017; Nikolić et al, 2017; Kowalski et al, 2018).

Both face-to-face workplace bullying and cyberbullying in the workplace are associated not only with negative individual outcomes but also with negative organisational outcomes and impacts on society at large. An online survey across different countries on bullying and cyberbullying, conducted in 2021 among 4,000 adults between the ages of 18 and 65 (2,000 in Germany, 1,000 in Austria and 1,000 in German-speaking Switzerland), found that the willingness to quit among victims of workplace bullying and cyberbullying is 40% higher than among those who have not been subjected to such mistreatment (Beitzinger and Leest, 2021).

Additionally, victims take almost twice as many sick days each year. According to the study, the direct damage to the German economy is estimated at €8 billion due to production downtime costs from sick leave. The indirect damage, including loss of human capital, reduced work performance, loss of skills or early retirement, searching for and training of new employees, legal proceedings, compensation payments and loss of reputation, is likely to be many times higher.

Another online survey, conducted in 2014 among a Swedish sample of the working population ($n = 3,371$), found that cyberbullying behaviour correlated negatively with work engagement and positively with intention to quit (Jönsson et al, 2017). Similarly, a more recent cross-national survey of German and Spanish workers ($n = 458$) revealed that workplace cyberbullying

is positively associated with role conflict and ambiguity, and turnover intention, and negatively with job satisfaction (Czakert et al, 2021). Another study (Kowalski et al, 2018) also reported lower levels of job satisfaction among victims of both face-to-face workplace bullying and cyberbullying than among individuals not subject to any form of bullying. Consistent with earlier findings, a study drawing from a five-wave survey of a nationally representative sample of Finnish workers ($n = 768$) found that cyberbullying at work leads to psychological distress, ‘technostress’ (stress associated with the use of ICTs), work exhaustion and decreased work engagement (Celuch et al, 2022). Taken together, the available empirical evidence suggests that workplace cyberbullying can be as detrimental to individuals and organisations as traditional face-to-face bullying.

Summary

- Workplace bullying and harassment – whether through ICTs or face to face – do not prominently feature in policy debates in EU Member States and Norway. Cyberbullying has received more attention, primarily as an issue affecting schoolchildren and young people. This lack of debate is reflected in the relatively limited availability of studies measuring the prevalence and outcomes of such abusive behaviours in the workplace.
- The available evidence from cross-sectional national surveys suggests a relatively high prevalence of workplace bullying, although the rates vary widely depending on how the phenomenon is conceptualised and measured (that is, the behavioural experience approach versus the self-labelling method) and the time frame specified in questions about exposure. Sectors with higher-than-average exposure to abusive behaviours include healthcare, public administration and education.
- Empirical studies confirm that experiencing bullying or harassment at work takes a heavy toll on workers. The pandemic may have exacerbated this issue by increasing stress and anxiety levels, leading to a more tense and volatile work environment.
- There is a large body of research documenting the stressors in the work environment and the outcomes of workplace bullying. Yet evidence on cyberbullying remains limited. However, the available empirical evidence suggests that workplace cyberbullying can be as detrimental to mental health as traditional face-to-face bullying.
- While there is no strong evidence linking remote work to increased exposure to bullying or harassment, the remote work environment may create conditions conducive to antisocial behaviours. Factors such as isolation, disconnection from colleagues and blurred personal and professional boundaries can enable new forms of harassment and inappropriate behaviours. The relationship between remote work and the experience of bullying or harassment warrants further exploration.

3 | Conclusions

Bullying and cyberbullying have emerged as prominent issues in national policy debates, primarily as problems affecting young people rather than phenomena also prevalent in the workplace and detrimental to workers' well-being. Empirical evidence suggests, however, that bullying at work – whether online or face to face – is more prevalent than commonly acknowledged, warranting greater attention in policymaking.

Legal definitions of workplace bullying and harassment are essential for providing clarity on unacceptable behaviour in the workplace and aiding in the identification and effective addressing of bullying instances. Yet the review of national legal frameworks reveals that only a few countries, such as Belgium, France, Greece, Lithuania, Luxembourg, Norway, Poland, Portugal, Romania, Slovenia and Sweden, explicitly define workplace bullying or harassment in law. These definitions typically emphasise the repetitive nature of bullying over time and the physical and psychological harm inflicted on victims, regardless of the perpetrator's intention. While in Croatia, Denmark, Estonia, Finland, the Netherlands and Spain, workplace bullying or (psychological or moral) harassment is not precisely defined in employment law, it is nonetheless addressed as an occupational risk or hazard within the OSH legislation. In the remaining countries, harassment is exclusively regulated as a form of discrimination, potentially limiting legal protection and support for affected employees.

Notwithstanding the importance of legal provisions, clear guidance is essential for effectively addressing bullying and harassment. These issues often arise in workplaces characterised by poor communication, lack of cooperation and an organisational culture that tolerates antisocial behaviours. Therefore, it is crucial for workplaces to implement proactive policies and procedures that prevent inappropriate behaviour from the outset, even if such behaviour has not yet met the legal definition of bullying or harassment. Establishing a positive organisational culture and fostering open communication can help mitigate these risks before they develop into more serious legal concerns.

With regard to online forms of abuse, only in Denmark is 'digital harassment' explicitly mentioned in regulatory frameworks. Some other countries with laws specifically addressing workplace bullying have extended legal definitions to include misconduct occurring through ICTs or outside working hours and/or the physical workplace, without explicitly mentioning cyberbullying, online harassment or similar terms. The ratification of ILO Convention No. 190 on the elimination of violence and harassment in the world of work has prompted changes in this direction, broadening the spectrum of antisocial behaviours in workplaces and leading to the inclusion of references to harassment occurring via ICTs in employment law in some of the ratifying countries. Some other EU Member States, such as Austria, France, Portugal, Slovakia and Spain, have amended their criminal codes to classify cyberbullying or harassment occurring via digital means as a criminal offence, regardless of the context and not specifically limited to employment situations, making it subject to sanctions or penalties.

The ratification of the ILO Convention No. 190 may trigger further regulatory changes in ratifying countries (as seen in Greece and Romania) regarding employers' obligations to prevent and address bullying, harassment and other abusive behaviours at work. This includes requiring employers to adopt specific workplace policies focused on preventing and handling reported incidents. Currently, only a few countries explicitly mandate employers to implement such policies.

Finally, an important cornerstone in designing effective policy frameworks is conducting further research and data collection to better understand and monitor the prevalence and dynamics of workplace bullying and cyberbullying, and to determine the extent of their differences and overlaps. This information can inform evidence-based policymaking and targeted interventions to address specific challenges and trends in various industries and sectors. Initiatives aimed at raising awareness of what constitutes bullying and harassment at work, and those aimed at mitigating the impacts of such behaviours on affected individuals, organisations and society at large, are equally essential. These efforts can help reduce the stigma and taboo associated with reporting abusive behaviours.

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Annex: Network of Eurofound Correspondents

Table A1: List of national correspondents participating in the research

Country	National correspondent	Organisation
Austria	Bernadette Allinger	Working Life Research Centre (FORBA)
Belgium	Jarne Heylen and Dries Van Herreweghe	HIVA – Research Institute for Work and Society, KU Leuven
Bulgaria	Vassil Kirov	Institute of Philosophy and Sociology, Bulgarian Academy of Sciences
Croatia	Predrag Bejaković	Faculty of Economics, Business and Tourism, University of Split
	Irena Klemenčić	Faculty of Law, University of Zagreb
Cyprus	Alexandros Perdikes	Cyprus Labour Institute (INEK-PEO)
Czechia	Štěpánka Lehmann	Research Institute for Labour and Social Affairs
Denmark	Louise Fabricius	Employment Relations Research Centre (FAOS)
Estonia	Katre Pall and Miriam Lehari	Praxis Centre for Policy Studies
Finland	Mikael Lundqvist	Oxford Research
France	Frédéric Turlan and Pascale Turlan	IR Share
Germany	Thilo Janssen and Timo Hanke	Institute of Economic and Social Research, Hans Böckler Foundation
Greece	Elena Kousta	Labour Institute of the Greek General Confederation of Labour (INE/GSEE)
Hungary	Rozália Bogó	Kopint-Tárki Institute for Economic Research
Ireland	Rosanna Angel	Industrial Relations News
Italy	Alessandro Smilari and Michele Faioli	Fondazione Giacomo Brodolini
Latvia	Raita Karnīte	EPC Ltd
Lithuania	Ramune Guobaite and Inga Blažienė	Lithuanian Centre for Social Sciences
Luxembourg	Fanny Robert	Luxembourg Institute of Socio-Economic Research
Malta	Christine Garzia	Centre for Labour Studies, University of Malta
Netherlands	Thomas de Winter	Panteia
Norway	Kristin Alsos	Fafo Institute for Labour and Social Research
Poland	Anna Chowaniec and Agnieszka Górniak	Ecorys Poland
Portugal	Heloísa Perista and Paula Carrilho	Centre for Studies for Social Intervention (CESIS)
Romania	Nicoleta Voicu	Center for Public Innovation
Slovakia	Zuzana Turkovič and Martina Mičicová Luptáková	Institute for Labour and Family Research
Slovenia	Barbara Lužar	Faculty of Social Sciences, University of Ljubljana
Spain	Iñigo Isusi	IKEI Research and Consultancy
Sweden	Nils Brandsma	Oxford Research

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Over the last decade, information and communication technologies have changed the way employees work and communicate with each other. While the digitalisation of work offers many benefits, widespread access to digital devices in working life has created new forms of antisocial behaviour. This report maps national regulatory instruments aimed at counteracting antisocial behaviours at work, particularly bullying and harassment. Legislative reviews indicate that in many Member States online forms of abuse are often viewed as extensions of the traditional form of face-to-face bullying or harassment rather than as a distinct phenomenon requiring separate regulation. Some countries have amended existing legislation to include cyberbullying and online harassment. This report reviews to what extent such online conduct is regulated in EU Member States and Norway. As regulatory change is generally prompted by a certain level of policy debate, the report also explores national-level debates and whether there is empirical evidence documenting the issue or that potentially indicate a rise in the phenomenon.

The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127.

