

12) *The refusal to provide materials and information absolutely essential to the performance of the work;*

13) *Clearly unwarranted refusal to grant permits, sick leave, regular leave and vacation, when the legal, regulatory or contractual conditions to request them are met;*

14) *Sending anonymous phone calls and virtual messages that are libelous, offensive or intimidating or submission to social isolation.*

### **BEHAVIORS THAT DO NOT CONSTITUTE HARASSMENT**

1) *Acts intended to exercise disciplinary authority that legally corresponds to superiors over their subordinates;*

2) *Formulation of work, business or institutional loyalty requirements ;*

3) *The formulation of circular letters or service memoranda requesting technical requirements or improvement of work efficiency and job evaluation of subordinates under general indicators and performance objectives; non-compliance with general indicators and performance objectives ;*

4) *The request to fulfill extra duties of cooperation with the company or institution, where required for continuity of service or to resolve difficult situations in the operation of the company or institution ;*

5) *The administrative acts or efforts to terminate the employment contract, based on a legal or just cause provided for in the Labor Code ;*

6) *The requirement to fulfill the obligations or duties referred to in Articles 55 to 57 of the Labor Code, as well as not incurring in the prohibitions stated in Articles 59 and 60 of the Code ;*

7) *The requirements to comply with the provisions contained in the regulations and terms of employment contracts .*

### **WHAT TO DO:**

1) *Gather evidence of what you consider is harassment in the workplace in accordance with the law.*

2) *Submit a written complaint in Format No. 1 (Webpage)*

3) *Demand a response to your complaint.*



# **WORK COMMUNITY COMMITTEE**

**COLEGIO ALBANIA**

## **Respect for dignity at work**



**ACT 1010 OF 2006**

## What is harassment in the workplace?

Any persistent and demonstrable behavior exerted on an employee, worker by an employer, boss or immediate or mediate superior, a colleague or a subordinate, designed to instill fear, intimidation, terror and anguish, causing damage, generating lack of motivation at work, or inducing resignation (ACT 1010 OF 2006)

### TYPES OF WORKPLACE HARASSMENT

1. **Abuse.** Any act of violence against the physical or moral integrity, physical or sexual freedom and property or anyone who performs as an employee or worker; any offensive or insulting verbal injuring the moral integrity or the rights to privacy and good name of participants in a working relationship or any conduct calculated to diminish the respect and dignity of he who participates in a work type relationship.

2. **Persecution:** All behavior whose characteristics of repetition or apparent arbitrariness infer the purpose of inducing the resignation of the employee or worker through disqualification, excessive workload and permanent schedule changes that may cause unwillingness to work

3. **Discrimination:** Differential treatment based on race, gender, household or national origin, religious belief, political preference or social status or that lacks reasonableness from the standpoint of work .

4. **Work Impediments:** any action to obstruct the performance of the work or to make it more burdensome or delay it with damage to the worker or employee.

Impediment actions are among others, deprivation, hiding or disabling of the material, documents or instruments required for work, destruction or loss of data, concealment of correspondence or electronic messages

5. **Inequality:** Assigning duties disregarding the employee.

6. **Lack of Protection:** Any conduct intended to jeopardize the integrity and safety of the worker or employee by orders or assignments not meeting the minimum requirements for the protection and safety of the worker.

### BEHAVIOR THAT CONSTITUTES HARASSMENT IN THE WORKPLACE

- 1) Acts of physical aggression regardless of the consequences;
- 2) Insulting or outrageous expressions about the person, with the use of profanity or reference to race, gender, national or family origin, political preference, or social status ;
- 3) Hostile and humiliating comments of professional disqualification expressed in the presence of co-workers;
- 4) Unjustified threats of dismissal expressed in the presence of co-workers;
- 5) Multiple disciplinary complaints of any active subject of harassment whose recklessness is demonstrated by the result of the respective disciplinary proceedings;

- 6) Mocking on dress or physical appearance, made in public;
- 7) Mocking on dress or physical appearance, made in public;
- 8) Public allusion to facts pertaining to the privacy of the person;
- 9) The imposition of duties ostensibly strange to work responsibilities, openly disproportionate demands on the performance of the tasks entrusted and the abrupt change of the place of work or the work contracted without any objective basis concerning the technical need of the company ;
- 10) The demand for work in excessive hours after working hours contracted or legally established, the sudden change of the work shifts and permanent requirement of working on Sundays and holidays without any objective basis on the needs of the company, or in a discriminatory manner with respect to other workers or employees;
- 11) notoriously discriminatory treatment with respect to other employees on the granting of rights and privileges and imposing job duties;
- 12)