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TECHNICAL ASSISTANCE FOR PROMOTING DECENT FUTURE OF WORK APPROACH WITH A FOCUS ON GENDER EQUALITY

(TREESP1.3. FoW/P-01)

TURKEY







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(EuropeAid/140341/IH/SER/TR)

TURKEY

**CATEGORY 3 (SCIENTIFIC AND TECHNICAL STUDIES)
INTERVENTION 10 (MOBBING)**

DESK RESEARCH



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List of Abbreviations

Abbreviation	Meaning
CEEP	European Centre of Employers and Enterprises
CEC	European Confederation of Managers
CHSCT	Hygiene, Safety and Working Conditions Committee
CIMER	Presidential Communication Centre
DWEA	Danish Working Environment Authority
ETUC	European Trade Union Confederation
EU	European Union
EF - PRIMA	European Framework for Psychosocial Risk Management
EUROCADRES	Trade Union voice of professionals and managers
ILO	International Labour Office
INQA	New Quality of Work (Initiative Neue Qualität der Arbeit)
UEAPME	European Association of Craft, Small and Medium-sized Enterprises
WHO	World Health Organisation



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1. DEFINITIONS FOR MOBBING/BULLYING/VIOLENCE/HARASSMENT AT WORK

The focus of the research was on recent European literature. Books, study reports, working papers and (scientific) articles were covered. The main keywords used in the literature search were:

- violence, harassment, at work.
- bullying, mobbing, psychological violence.

Although negative and hostile behaviour is not a new phenomenon, it has been scientifically studied for only about 20 years. No general agreement on the definition or of the terms to be used, of ‘harassment,’ ‘mobbing’ and ‘bullying’ exists so far between institutions, researchers, and practitioners in the field. Several terms such as bullying¹, mobbing², harassment³, psychological harassment⁴, abusive behaviour, emotional abuse⁵, and workplace aggression⁶ have been used. Sometimes these terms have been used interchangeably; sometimes they mean different things.

The terms ‘mobbing’ and ‘bullying’ are also used to differentiate between negative behaviour by groups and negative behaviour by a single person. Nowadays, most researchers in the field use the term bullying, for example in scientific articles written in English. In different countries, terms other than bullying are used to indicate similar behaviour in the workplace, for example work or employee abuse, mistreatment, bossing, victimisation, intimidation, psychological terrorisation, psycho-terror, psychological violence, inappropriate treatment, or unwanted behaviour. At a national level, words like harcèlement moral, harcèlement psychologique (French), assédio no local de trabalho, assédio moral (Portuguese), acoso moral, hostigamiento psicológico, psicoterror laboral, and maltrato psicológico (Spanish), tormoz (Bulgarian), kiusaaminen (Finnish), and mobbning (Sweden) are used in relation to harassment. In Italy, Poland and Germany, the term mobbing has been widely adopted. In the United Kingdom, the term bullying is used.⁷

The definition of mobbing, harassment and bullying have mostly been defined by researchers.

¹ Einarsen, S., and Skogstad, A., 1996, ‘Bullying at work: Epidemiological findings in public and private organisations’, *European Journal of Work and Organisational Psychology*, 5, pp. 185–201.

² Leymann, H., 1990, ‘Mobbing and psychological terror at workplace’, *Violence and Victims*, 5(2), pp. 119–126.

³ European Social Dialogue 2007, Framework agreement on harassment and violence at work (http://ec.europa.eu/employment_social/news/2007/apr/harassment_violence_at_work_en.pdf).

⁴ Björkqvist, K., Österman, K., and Hjelt-Bäck, M., 1994a, ‘Aggression among university employees’, *Aggressive Behaviour*, 20, pp. 173–184.

⁵ Keashly, L., Trott, V., and MacLean, L. M., 1994, ‘Abusive Behaviour in the Workplace: A preliminary investigation’, *Violence and Victims* 9 (4), pp. 341–357.

⁶ Baron, R. A., and Neuman, J. H., 1996, ‘Workplace violence and workplace aggression: Evidence on their relative frequency and potential causes’, *Aggressive Behaviour*, 22(3), pp. 161–173

⁷ Workplace Violence and Harassment: A European Picture, European Agency for Safety and Health Work



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- Carol Brodsky wrote the first book about harassment at work in 1976⁸. She defined **harassment** as ‘repeated and persistent attempts by one person to torment, wear down, frustrate, or get a reaction from another. It is treatment that persistently provokes, pressures, frightens, intimidates, or otherwise discomfits other people.’
- Heinz Leymann, the pioneer of the workplace bullying research, defined psychological terror or **mobbing in working life** as ‘hostile and unethical communication, which is directed in a systematic way by one or a few individuals mainly towards one individual who, due to mobbing, is pushed into a helpless and defenceless position, being held there by means of continuing mobbing activities. These actions occur on a very frequent basis (statistical definition: at least once a week) and over an extended period (statistical definition: at least six months).’ In Germany, Zapf⁹ talks about **mobbing** and defines it as ‘harassing, bullying, offending, socially excluding someone or assigning offending work tasks to someone. It is a process in the course of which the person confronted end up in an inferior position.’
- Ståle Einarsen (University of Bergen), defines **bullying as** ‘to label something as bullying, it has to occur repeatedly over a lengthy period, and the person confronted has to have difficulties in defending him/herself. It is not bullying if two parties of approximately equal ‘strength’ are in conflict, or the incident is an isolated one.’ Another definition used, for example, by Hoel & Cooper¹⁰ in the United Kingdom is similar. **Bullying is** ‘a situation where one or several individuals persistently, over a period, perceive themselves to be on the receiving end of negative actions from one or several persons, in a situation where the target of bullying has difficulty in defending him or herself against these actions. We will not refer to a one-off incident as bullying.’
- Di Martino¹¹, gives a different definition for **bullying/mobbing**, ‘a form of psychological harassment consisting of persecution through vindictive, cruel, or malicious attempts to humiliate or undermine an individual or groups of employees, including unjustified, constant negative remarks or criticisms, isolating a person from social contacts and gossiping or spreading false information.’
- In some definitions intent to cause harm is also included. For example, Björkqvist, Österman and Lagerspetz¹² define **work harassment** as ‘repeated activities, with the aim of bringing mental (but sometimes also physical) pain and directed towards one or more individuals who, for one reason or another, are not able to defend themselves.’

⁸ Brodsky, C., 1976, *The harassed worker*, Toronto, Ontario, Canada, Lexington Books, DC Health.

⁹ Zapf, D., 1999, ‘Organisational, work group-related and personal causes of mobbing /bullying at work’, *International Journal of Manpower*, 20(1/2), pp. 70–85.

¹⁰ Hoel, H., and Cooper, C. L., 2000, *Destructive Conflict and Bullying at Work*, Manchester School of Management, University of Manchester Institute of Science and Technology (UMIST).

¹¹ Di Martino, V., 2003, *Relationship between work stress and workplace violence in the health sector*, Geneva, ILO, ICN, WHO, PSI ([http://www.icn.ch/SewWorkplace/WPV_HS_StressViolence %20.pdf](http://www.icn.ch/SewWorkplace/WPV_HS_StressViolence%20.pdf)).

¹² Björkqvist, K., Österman, K., and Lagerspetz, K., 1994b, ‘Sex Differences in Covert Aggression among Adults’, *Aggressive Behaviour*, 20, pp. 27–33.



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- In the definition used by O'Moore et al.¹³ in Ireland, enjoyment of the perpetrator is also included: 'only inappropriate aggressive behaviour that is systematic and enjoyed is regarded as bullying.'
- Usually, harassment is considered to take place between people, but a situation created by 'faceless bureaucracy,' referring to a situation in which an individual feels defenceless against actions of a bureaucratic organisation, has also been called bullying¹⁴.

Many researchers pay attention to one phenomenon: the escalating nature of harassment, mobbing and bullying. An essential feature of harassment is its escalating nature, the victim can do little to solve the situation, and as time goes on the target becomes stigmatised — he/she becomes 'the problem.' Leymann¹⁵ described a four-stage process:

- The situation begins with a conflict that triggers a critical incident.
- The second stage comprises different negative acts, bullying and stigmatising.
- In the third stage, personnel-administrative actions start,
- In the fourth stage the target/victim is displaced from the workplace.

About the definition of **violence at work**, even when there are many definitions in the scientific community, there are two interesting to consider: the one from the European Commission and the one from ILO.

An expert meeting, organised by the European Commission in 1994, proposed the following definition for work-related violence that includes both physical and psychological violence: 'Incidents where staff are abused, threatened, or assaulted in circumstances related to their work, including commuting to and from work, involving an explicit or implicit challenge to their safety, well-being, and health'¹⁶. The definition is nowadays widely used by the European Commission and other organisations and researchers.¹⁷

The definition includes three important aspects that need to be considered¹⁸:

- The definition includes different forms of violence, abuse, threatening and physical attacks.

¹³ O'Moore, A. M., Seigne, E., McGuire, L., and Smith, M., 1998, 'Victims of bullying at work in Ireland', *Journal of Occupational Health and Safety, Australia NZ*, 14(6), pp. 569–574.

¹⁴ Leymann, H., 1986, *Workplace bullying — psychological terror at worklife*, Lund, Studentlitteratur.

¹⁵ Leymann, H., 1996, 'The content and development of mobbing at work', *Journal of Work and Organisational Psychology*, 5(2), pp. 165–184.

¹⁶ Wynne, R., Clarkin, N., Cox, T., and Griffiths, A., 1997, *Guidance on the prevention of violence at work*, Brussels, European Commission, DG-V, Ref. CE/VI-4/97

¹⁷ Chappel, D., and Di Martino, V., 2000 and 2006, *Violence at Work*, International Labour Office, Geneva

¹⁸ Di Martino, V., Hoel, H., and Cooper, C. L., 2003, *Preventing violence and harassment in the workplace*, European Foundation for the Improvement of Living and Working Conditions.



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- acts of violence do not have to occur exclusively in the workplace, but in circumstances related to work, including commuting to the workplace or even while at home if the attack towards a person there is because of his work (for example, a police officer)
- violence means a challenge to employees' safety, well-being, and health.

The framework agreement on harassment and violence at work by the European social partners from 2007¹⁹ refers both to harassment and violence at work. According to the agreement, **violence** occurs when one or more workers or managers are assaulted in circumstances relating to work. Harassment occurs when one or more workers or managers are repeatedly and deliberately abused, threatened and/or humiliated in circumstances related to work. In the introduction of the agreement, it states that different forms of harassment and violence can affect workplaces. They can be:

- Physical, psychological and/or sexual
- Be one-off incidents or more systematic patterns of behaviour
- Be amongst colleagues, between superiors and subordinates or by third parties such as clients, customers, patients, pupils; and
- Range from minor cases of disrespect to more serious acts, including criminal offences, which require the intervention of public authorities.
- The framework agreement also states that harassment and violence may be conducted by one or more managers or workers, with the purpose or effect of violating a manager's or worker's dignity, affecting his/her health and/or creating a hostile work environment.

Even when the main source is European literature, it is needed to mention that ILO has made a big effort on this subject, particularly finding a definition. In a Study²⁰, ILO agrees with a definition: '**violence** is a generic term that covers all kinds of abuse: behaviour that humiliates, degrades, or damages a person's well-being, value, or dignity'. In this Study includes a definition of **mobbing**: 'Negative form of behaviour, between colleagues or between hierarchical superiors and subordinates, whereby the person concerned is repeatedly humiliated and attacked directly or indirectly by one or more persons for the purpose and with the effect of alienating him or her'.

In the ILO C190, Violence and Harassment Convention (2019), for the purpose of this Convention, the definitions are:

- (a) the term "**violence and harassment**" in the world of work refers to '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 includes gender-based violence and harassment'
- (b) 'the term "**gender-based violence and harassment**" means violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes sexual harassment'.

¹⁹ European Social Dialogue 2007, Framework agreement on harassment and violence at work (http://ec.europa.eu/employment_social/news/2007/apr/harassment_violence_at_work_en.pdf).

²⁰ ILO (2013) Work-related violence and its integration into existing surveys, Geneva



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For the purpose of this report, we will use the following definition on mobbing (Zapf) talks about **mobbing** and defines it as ‘harassing, bullying, offending, socially excluding someone or assigning offending work tasks to someone. It is a process in the course of which the person confronted end up in an inferior position.’

2. AWARENESS OF PROBLEMS OF MOBBING AND WORK-RELATED VIOLENCE

2.1. National legislation of mobbing and work- related violence in European countries

Before to analyse some experiences at national level, it is important to mention that on September 2011, the European Parliament adopted a resolution which included measures to prevent and combat mobbing and sexual harassment at the workplace, in public spaces, and in political life in the EU (published in 2018). The resolution underlines the urgent need for member states, local authorities, employers, and trade unions to understand the barriers that victims face in reporting cases of sexual harassment in the workplace and to offer them full support to report these cases safely, without fear of consequences. It also calls on member states to encourage workplace policies based on prevention, confidential procedures to deal with complaints, and tough and dissuasive sanctions for perpetrators.²¹

The existence of a national definition and legislation against mobbing and/or violence can be seen to express the state of awareness of the issues in national levels. In an EU project, under the Daphne programme, an overview of the European legislation on harassment, bullying and mobbing at work was prepared.²²

According to a Focal Point survey produced by the European Agency for Safety and Health at Work and the country reports, the legal status of workplace violence does not differ between old EU and the new Member States. Even though a used definition for third-party violence exists in many countries, it is not mentioned in the national legislation as often. The term third-party violence is mentioned in the national legislation of only ten countries. Of those countries which have no separate legislation, only the Czech Republic and Italy have plans to develop such legislation. Harassment is mentioned in the national legislation of 17 European countries. However, in many countries, legislation covers only sexual harassment, and is often based on the laws of equal treatment. Sexual harassment has an official definition, for example, in Bulgaria, France, and Romania.

In some countries, like France, Finland, and Sweden, there is a special law, or special sections, in the law about harassment/bullying. Even though, in many countries, there is no specific legislation on workplace violence, there is usually a more general law on safety and health or equal treatment that covers the

²¹https://docs.euromedwomen.foundation/files/ermwf-documents/8273_4.283.europeanparliamentresolutiononmeasurestopreventandcombatsexualharassment-2018.pdf

²² European Commission, Daphne II programme to combat violence against children, young people, and women (http://ec.europa.eu/justice_home/).



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several aspects of work, both physical and psychosocial work environment. Below, some examples of the distinct kinds of legislation against work-related violence are presented.

- A specific legal framework exists **in France** concerning harassment at work and sexual harassment. The Labour Code states: 'that no employee must be subjected to repeated deeds of moral harassment aimed at or leading to a deterioration of working conditions likely to detract from the rights of employees and their dignity, to undermine their physical or mental health or to compromise their professional future' (Article L1152-1, Article L1152-4, 1.5.2008).
- The Labour Code stipulates an obligation, for the director of the enterprise, to prevent moral harassment at work by making 'all the necessary provisions aimed at preventing activities constituting moral harassment' ('general obligation of safety,' Article L4121-1, 1.5.2008).
- Harassment at work can be also referenced to the principle of non-discrimination (Article L.1132-1, 27.5.2008).
- The 'Hygiene, Safety and Working Conditions Committee' (CHSCT), present in all the companies employing at least fifty people, has the role of contributing to the protection of health, safety, and to the improvement of working conditions of employees. It must prevent risks of sexual and moral harassment. Concerning sexual harassment, the Labour Code lays down that: 'activities of harassment on the part of any person aimed at obtaining sexual favours for self or for a third party are prohibited.' (Article L1153-1, 1.5.2008). It also lays down an obligation to prevent sexual harassment (L1153-5) for the director of the enterprise, who must make 'all the necessary provisions with a view to preventing activities constituting sexual harassment'. The Criminal Code (Article 222-33) clamps down on the crime of sexual harassment. This offence is broadly based on the existence of a relationship of authority. Contrary to the case of moral harassment, the perpetrator of sexual harassment can only be a hierarchical superior. In civil terms, sexual harassment is punished by law (Law No 2008-496, 27.5.2008)

In some countries, harassment at work is covered by other laws such as sex equality legislation. A good example is Slovakia.

- The Anti-discrimination Act 365/2004 Section 6 contains the principle of equal treatment in employment and other similar legal relations. It prohibits discrimination on the grounds of gender, religion or beliefs, race, nationality or ethnicity, disability, age, sexual orientation, marital or family status, colour of skin, language, politics, or other opinions, national or social origin, property.
- It covers: (a) access to employment, occupation, other gainful activities or functions ('employment' hereinafter), including recruitment requirements and selection criteria and modalities; (b) employment and conditions of work including remuneration, promotion and dismissal; (c) access to vocational training, professional upgrading and participation in the active labour market policy programmes (including access to vocational guidance services) ('vocational training' hereinafter); or (d) membership and activity in employees' organisations, employers' organisations and organisations associating persons of certain occupations, including the benefits that these organisations provide to their members.



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- Act No 311/2001 Coll. Labour Code as amended Section 13 Prohibition of discrimination.

2.2. Public Policies on Mobbing and Work- Related Violence in European Countries

One of the findings of the different reports was that only a few studies on evaluating policy interventions, primarily legislation, have been conducted.²³ This lack of evaluation can be attributed to the fact that many policy-level initiatives are still quite new. However, there is an interesting example of public policies.

The Netherlands is an example of how national legislation has been realised at the organisational level.

- *The responsibilities of the employer* According to Article 1.3e of the Working Conditions Act, each employer must ensure that psychosocial aspects such as sexual harassment, bullying, and violence do not cause harm to the workers. The employer must set up a preventive policy in the company and develop a plan of how to approach these risks. The policy must be part of a global prevention policy in the company. The psychosocial risks are inventoried in the risk analysis of the company. If it is not possible to completely prevent these risks, the employer must strive to reduce these risks as much as possible. Employers must inform workers about the risks and procedures in case of aggression and violence. If incidents of aggression and violence in the company lead to a stay in hospital, the employer must register the incident. Employers working together must agree on their prevention policy, including how they will deal with aggression and intimidation. A person must be nominated to tell workers about the risks and prevention measures.
- *Safety and health policies* need to be evaluated continuously. The law does not describe in detail how company policies should be designed, but states that companies should strive for the best available practices and guidance/consultancy. At a sector level, social partners should collaborate with employers to set up a specific branch policy on the issues.
- *Civil legislation* is also mentioned in the case of violence, aggression, and intimidation. The Dutch Civil Code contains regulations on how a good employer should behave. This also implies the prevention of unwanted conduct and harassment.
- The *law of equal treatment* implies that bullying/intimidation based on race, sexual orientation, civil state, religion, beliefs, duration of work, age, sex, disability or chronic illness, political affinities, nationality, and work contract is not acceptable. Sexual intimidation is also prohibited and laid out in the Equal Treatment for Men and Women Act.

2.3. Examples at European National Levels: Sectors and Occupations at Risk of Mobbing/Work-Related Violence

²³ Leka, S., Jain, A., Zwetsloot, G., Vartia, M., and Pahkin, K., 2008, 'Psychosocial risk management: The Importance and impact of policy level interventions', in Leka, S., and Cow, T. (eds), *The European Framework for Psychological Risk Management*, PRIMA-EF, I-WHO Publications, Nottingham.



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According to different Reports the risk of mobbing/work-related violence is higher in some sectors and occupations than in others. Many factors are present that can be seen as risks for violence.²⁴²⁵ The risk of experiencing both threats and violence is highest in the health and education sectors as well as the public administration and defence sectors, with lower, but still significantly above average, levels in the transport and communication and in hotel and restaurant sectors. In the health sector, over 16 % had experienced threats of violence and 15 % actual violence during the past 12 months. The average in EU-27 countries was approximately 6 % for both threats of violence and actual violence.

The healthcare sector was the most frequently mentioned in Eurofound Surveys during the years. Others mentioned were the police, public administration, hotel and restaurant sector, education, banking, and service industries.

3. EUROPEAN AND INTERNATIONAL APPROACHES TO REDUCE MOBBING/WORK-RELATED VIOLENCE

The European Parliament, the International Labour Organisation, the European Foundation for the Improvement of Living and Working Conditions, the European social partners — BUSINESS EUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC), and the World Health Organisation have all been active in the field of work-related violence.

3.1. European Framework for Psychosocial Risk Management (PRIMA-EF)²⁶

This is a policy-level European initiative during the 2000s. The European framework for psychosocial risk management (PRIMA-EF) included work-related violence, harassment, bullying, and mobbing aims to provide a framework to promote policy and practice at national and enterprise level within the European Union (EU). The PRIMA-EF framework has been developed by several European institutes and identifies key aspects and stages and provides best practice guidelines in psychosocial risk management in the workplace. The framework is broad and aims at accommodating differences in approach and culture across EU Member States. It can be used by companies as the basis for the development of relevant policies, indicators, and action plans to prevent and manage work-related stress and workplace violence, harassment, mobbing and bullying.

The PRIMA-EF model incorporates five essential elements:

- a declared focus on a defined work population, workplace or set of operations

²⁴ Workplace Violence and Harassment: A European Picture. European Agency for Safety and health work

²⁵ <https://www.eurofound.europa.eu/surveys/european-working-conditions-surveys-ewcs>

²⁶ Leka, S., and Cox, T., (eds), 2008, The European Framework for Psychosocial Risk Management: PRIMA-EF, I-WHO Publications, Nottingham (<http://www.prima-ef.org>).



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- an assessment of risks to understand the nature of the problem and their underlying causes
- design and implementation of actions designed to remove or reduce risks
- evaluation of those actions; and
- active and careful management of the process.

The best practice guidance for bullying/mobbing at work from this project were:

- Awareness and recognition of bullying/mobbing needs to be promoted. Awareness and recognition, as well as knowledge and knowledge of bullying, differs among EU countries and among organisations nationally. If the awareness and recognition of the problem is not adequate, resistance to interventions may appear. Only interventions that employees are prepared for can be successful.
- Bullying/mobbing at work needs to be seen as a work environment problem. Prevention and reduction should concentrate on reducing the risks of bullying in the psychosocial work environment, paying attention to psychosocial risks, the atmosphere in the workplace, organisational culture, and leadership practices. Initiatives focusing on personality are unlikely to succeed.
- Anti-bullying/mobbing policies and codes of conduct including clear and operable procedures to prevent and deal with bullying should be built into organisations to support the management of bullying.
- Building a culture of respect in the workplace is important.
- Management interventions are essential in the prevention of bullying/mobbing. Managers also need to be given training on the responsible and legally sound management of bullying cases.
- Managers' and workers' competencies and skills of organisations to combat workplace bullying/mobbing need to be developed.
- When a bullying/mobbing case arises, it needs to be oversaw and settled immediately with those involved.
- External consultants involved in bullying/mobbing interventions should adopt a neutral and impartial role

3.2. ILO Strategies to tackle mobbing/violence at work

The long strategy of ILO against mobbing and violence at work can be synthesised in one phrase: "Everyone has the right to live and work free from violence and harassment"²⁷ In the last years, the organisation has put a special attention on the violence and harassment against women in the world of work. Women are disproportionately affected by violence and harassment because of their employment status, the type of work they conduct, or because of the conditions in the sector that they work in.

²⁷ ILO and UN Women (2019)



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The United Nations Framework to Underpin Action to Prevent Violence against Women has highlighted the workplace as an important entry point for addressing this issue across the economy and society²⁸. Any type of violence and harassment against women in the world of work is a serious violation of women's human rights and a major barrier to achieving equality of opportunity and access to decent and dignified work²⁹. It has a devastating impact on women workers' health, wellbeing, and performance at work. It is also deeply connected to social norms, values and stereotypes that foster gender inequalities.

In 2019, ILO approved the Convention 190 on Violence and Harassment. Between the innovations presented, they intentionally broaden the definition of where and how work happens to include the ways that violence and harassment affect workers at the workplace as well as during related activities—such as communication, travel, and commute—and account for the impacts of domestic violence. The Convention brings attention to various aspects and dynamics of the issue and provides a roadmap to enable governments, public and private sector employers, and workers to address it. The recommendation 206 that accompany the Convention establish a uniform set of minimum standards that can help shape new policies and practices to recognize the dignity and value of all workers, avoiding any kind of violence.

3. 3. Raising awareness on psychological harassment at work – World Health Organisation (WHO)

The document 'Raising awareness of Psychological Harassment at Work'³⁰ which was published by the World Health Organisation (WHO) within the Global programme of occupational health proposed some prevention methods to be used at primary, secondary, and tertiary level prevention and was an important antecedent to work against mobbing and violence at work.

On primary prevention: The employer should adopt ways to inform and train managers and staff. This could be pursued by producing guidelines and codes of ethics to encourage ethical behaviour, confidence in one's professionalism, a climate of tolerance and freedom of attitude, and discouraging the collaboration with, or indulgence in, improper behaviour.

Secondary prevention Once harassment (mobbing) has started, it can become difficult to control, unless timely and effective measures are taken. In such situations the following methods proposed includes:

- **a confidant/e** — a person, either an employee or someone outside the company, which can be charged with the task of listening to anyone who considers himself/herself a victim of mobbing.

²⁸ UN Women 2015. Combatting Online Violence Against Women & Girls: A Worldwide Wake-Up Call. (New York, United Nations Broadband Commission).

²⁹ ILO 2016. Report of the Director-General: Fifth Supplementary Report: Outcome of the Meeting of Experts on Violence against Women and Men in the World of Work, GB.328/INS/17/5, Appendix I. (Geneva, ILO).

³⁰ World Health Organisation 2003, 'Raising awareness of psychological harassment at work', Protecting Workers' Health Series, No 4 (http://www.who.int/entity/occupational_health/publications/en/pwh4e.pdf)



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- **a mediator** — mediation is defined as a process in which an impartial third party, the mediator, offers people in conflict the opportunity to meet to resolve differences and negotiate a solution.

Tertiary prevention Since harassment (mobbing) can have grave consequences for workers, the following measures can be taken to help them recover their health and dignity.

- Early diagnosis of health effects can help reduce the consequences at all levels (the individual, the family, the social network).
- Consciousness-raising groups that bring together people who have suffered from harassment (mobbing) in different situations.

The importance of legislation is also emphasised in the prevention of violence at work in this Guide. In general, the law should address the following points while taking into account local habits and cultures when devising strategies: (i) encourage preventive measures to reduce occurrences of workplace bullying; (ii) protect workers who engage in self-help to address bullying and provide incentives to employers who respond promptly, fairly and effectively; (iii) provide proper relief to targets of severe bullying, including compensatory damages and, where applicable, reinstatement to his or her position; and (iv) punish bullies and the employers who allow them to abuse their co-workers.

3.4. Policies and Initiatives in Europe

In many European countries, specific non-legislative policies, or codes of conduct at the enterprise level have been introduced to prevent third party violence. As in the acknowledgement of the problem and in nationwide or sector-orientated initiatives, there are more policies or codes of conduct in the old EU Member States than in the new ones. In relation to harassment, in many countries specific non-legislative policies or codes of conduct at the enterprise level have been introduced to prevent harassment. An example from United Kingdom is included for the importance of the subject.

A remarkably interesting example are the Codes of conduct (United Kingdom)

The Employment National Training Organisation has overseen the development of the National Occupational Standards for the Management and Prevention of Work-Related Violence. These exist to provide employers with a framework against which to map their policies and procedures on the issue. Additionally, the Standards can serve as a guide for organisations to measure the suitability of potential external training courses and providers on work-related violence.³¹

The Dignity at Work project (jointly run by the government department BERR and the trade union Amicus) seeks to provide tools to tackle bullying aimed at individuals, line managers, trade unions and directors³²

Example: Acts of the Danish Working Environment Authority (Denmark)

When the Danish Working Environment Authority (DWEA) receives information about, or a complaint on, harassment, they assess the case. When the DWEA react to information or a complaint they send their

³¹ [http:// www.ento.co.uk/standards2/wrv/index.php](http://www.ento.co.uk/standards2/wrv/index.php)

³² www.dignityatwork.org



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inspectors to the company in question. The DWEA never reveal that they are visiting the company because of a complaint. If the inspectors find proof of the information or the complaint, and the company is not able or willing to deal efficiently with the problem, the company receives an injunction to take precautionary measures. If, on the other hand, the inspectors suspect that there is harassment but cannot find proof, the company will receive an injunction to use a certified work environment advisor to examine their problems. If the report from the advisor shows that there is harassment in the company and the company is not able or willing to deal efficiently with the problem the company receives an injunction to take precautionary measures against the problem.

Example: New Quality of Work (Germany)

In 2001, the national initiative 'New Quality of Work' (Initiative Neue Qualität der Arbeit — INQA) was launched by the German Ministry of Work and Social Affairs. At the core of INQA are various thematic groups where representatives of different organisations (e.g., enterprises, OSH insurances, trade unions, professional associations) join and coordinate their activities. In 2003, the thematic group 'Traumatic incidents' was founded. Its activities include the topic of violence at work and its psychological outcomes, and its aims were: O to increase the awareness for the problem; O to provide information and tools; O to share experiences and examples of good practice, for example, in a periodical newsletter, a special website, brochures, etc. The members of the group functioned as multipliers in their organisations. At the end of 2008, the INQA thematic group 'Traumatic incidents' was transformed into a regular working group under the responsibility of the DGUV (Deutsche Gesetzliche Unfallversicherung — German Statutory Accident Insurance)³³

³³ <http://www.inga-trauma-praevention.de>



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4. TURKISH LEGISLATION ON MOBBING AND AVAILABLE COMPLAINT MECHANISMS

As in the global level, the definition of mobbing is still vague in Turkey. In the information note of The **Prime Ministry Circular No. 2011/2** on “Preventing Psychological Harassment (Mobbing) in Workplaces”, it is defined as “deliberately and systematically humiliating, belittled, excluded, harming the personality and dignity of the employee, being subjected to ill-treatment, intimidation and similar behaviors for a certain period of time”.³⁴ Pursuant to Article 5 of the said Circular; a “Committee for Combating Psychological Harassment” was established under the Ministry of Labour and Social Security with the participation of non-governmental organizations and relevant parties. The Committee is tasked with monitoring, evaluating and developing preventive policies regarding psychological harassment of employees. The Committee has prepared the “Circular Implementation Action Plan on Preventing Psychological Harassment at Workplaces (2012-2014)”.

In 2017, **Ministry of Labour and Social security** published informative guidelines on psychological mobbing at the work place and provided basic terminology which defines mobbing as “malicious, intentional, negative attitudes and behaviours perpetrated by one or more persons in the workplace against another person or persons, continuing systematically for a certain period of time, aiming to intimidate, pacify or remove from work; harming the personality values, professional status, social relationships or health of the victim or victims”.³⁵

The **Law No. 6701³⁶, on Human Rights and Equality Institution**, became effective with its publication in the Official Gazette of 20 April 2016. With this law, which comprises 30 articles, protection against discrimination is strengthened in Turkey. Turkey had its Human Rights Institution established by Law no. 6332 in June 2012. The Human Rights Institution has now been restructured and replaced by the Human Rights and Equality Institution.

- The Human Rights and Equality Institution, a public legal entity with administrative and financial autonomy, is attached to the Prime Ministry (Article 8).
- The Human Rights and Equality Board is the decision-making body of the Institution (Article 10/1).
- The Law defines direct discrimination, indirect discrimination, harassment, mobbing, multiple discrimination, segregation, instruction to discriminate and implementation of such an instruction, reasonable accommodation in line with the EU acquis, mainly the Recast Directive 2006/54/EC³⁷ (Article 2). Going on definitions, pursuant to Article 3 of the Law, each person may

³⁴ <https://teftis.ktb.gov.tr/yazdir?1B02C3E0E37405E9723808ABB8645C1F>

³⁵ <https://www.csgb.gov.tr/media/1328/i%C5%9Fyerlerinde-psikolojik-taciz-mobbing-bilgilendirme-rehberi-2017.pdf>

³⁶ The complete text of the Law 6701 is available at: <https://insanhaklarimerkezi.bilgi.edu.tr/media/uploads/2016/05/18/TIHEK.pdf>

³⁷ Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). It replaces the Equal Treatment Directive (76/207/EEC) and the Equal Pay Directive (75/117/EEC).



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equally benefit from legal rights and freedoms. The Law forbids discrimination based on gender, ethnicity, nationality, skin colour, language, religion, philosophical or political opinion, wealth, birth, marital status, medical condition, disability or age. The Law stipulates nine types of discrimination, with mobbing listed as one of them with regard to Employment Law. The Law specifically describes mobbing as “intentional actions to disincite, to isolate and to make him/her wary of a person in the workplace based on the discrimination types listed in the Law under Article 2 § 1(g).”

- In case of violation of the prohibition of discrimination, public bodies with responsibility and mandate on the issue and public professional bodies have to take measures necessary to end the violation, to avoid its consequences, to prevent its reoccurrence, and measures for pursuance of claims in judicial and administrative proceedings (Article 3/3).
- Articles 5 and 6 aim at transposition of Directives 2004/113/EC³⁸ and 2010/41/EU³⁹. The primary means of enforcing anti-discrimination laws in the employment field has been by means of individual claims to labour courts. Now, a new approach to enforcement is envisaged by Law no. 6701. The Human Rights and Equality Institution will investigate discrimination upon complaint and ex-officio and to fine people and public/private legal entities in cases of discrimination. It will also offer guidance to victims about administrative and legal procedures (Articles 9, 11/b).
- The Institution has a wider authority than its predecessor, the Human Rights Institution. Natural persons and legal entities can file complaints of discrimination. Applications can be made directly to the Human Rights and Equality Institution or through governors in towns and sub-governors in sub-towns. Applications are free of charge (Article 17/1). Applicants have to apply firstly to the perpetrator for correction. If the application is rejected or not responded within a period of 30 days, then they can apply to the Institution.
- The Institution can accept a claim of discrimination without requiring this first step only if there is the possibility of emergence of damages that are impossible or very difficult to be compensated (Article 17/2).
- To initiate an ex-officio investigation the approval of the victim or the victim’s representative has to be sought in cases where the victim can personally be determined (known) (Article 17/5).
- In individual applications, identities of children, of people under guardianship or protection, and of victims with such a request will be kept in secrecy (Article 17/6).
- Any adverse treatment of applicants, applicants’ representatives, or those involved in administrative and judicial procedures (victimisation) constitutes discrimination (Art. 4/2).
- The Institution will settle complaints within 3 months following receipt of application or following decision to initiate an ex-officio investigation. This period can be extended for a maximum of 3 months by the President of the Institution (Article 18/1).
- The party claimed to have discriminated will be asked to submit in written form his/her testimony. Upon request, the parties can be called to make oral explanations separately before the Board (Article 18/2). On its own initiative or upon request, the President of the Institution may bring

³⁸ The Directive is available at this link: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0113:EN:HTML>

³⁹ The Directive is available on this link: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010L0041>



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victim and perpetrator to a settlement (to reach a compromise) first, and if this fails, the Board will arrive at a decision based on the testimony of the parties and the accounts of witnesses. Settlement can include avoidance of the practice claimed to be discriminatory, solutions leading to termination of such a practice, and/or payment of a certain amount of compensation (Article 18/3).

The Parliamentary Equality Commission (2011) found that employees in the field of education and health are frequently exposed to mobbing and discrimination.⁴⁰ Studies have shown that women are more exposed to mobbing in business life.⁴¹ There are many women who are victims of mobbing. Studies and researches in the field of mobbing in Turkey are limited. The researches of the Turkish Mobbing Association⁴² show that mobbing victims are generally women. 2017 report of the Ministry of Labour summarizes data from ALO 170 on mobbing complaints and it is noteworthy that 75.58% of the complainees are men.⁴³

Some countries have special laws or special regulations in this regard. Unfortunately, there is no special law on this subject in Turkey, but some articles in the existing laws are interpreted broadly to provide protection in this area. Especially with the precedent decisions given by the judiciary, this protection increases. In terms of the legislation applied in Turkey, the concept of mobbing is new and the applications related to it are mostly developed with judicial jurisprudence.⁴⁴

The Constitution of Turkey forbids any kind of discrimination including the working rights. Relevant articles of the Constitution can be interpreted in the scope of anti-mobbing provisions. In Article 12, The nature of fundamental rights and freedoms, it is written: “Everyone has fundamental rights and freedoms that are inviolable, inalienable and inalienable. Fundamental rights and freedoms also include the duties and responsibilities of a person towards society, his family and other people.” Article 17 states that “No one shall be subjected to torture or mal-treatment; no one shall be subjected to penalties or treatment incompatible with human dignity.” Article 49 states that “The State shall take the necessary measures to raise the standard of living of workers, and to protect workers and the unemployed in order to improve the general conditions of labour, to promote labour, to create suitable economic conditions for prevention of unemployment and to secure labour peace.” Article 10 of the Constitution states that “Everyone is equal before the law without distinction as to language, race, colour, sex, political opinion, philosophical belief, religion and sect, or any such grounds”, which suggest that gender equality must be ensured in any field including the working life.

⁴⁰ <https://www.mobbing.org.tr/tbmm-kadin-erkek-firsat-esitligi-komisyonu-mobbing-raporu/>

⁴¹ <https://kockam.ku.edu.tr/mobbing-kadin-prof-dr-pinar-tinaz/>

⁴² <https://www.mobbing.org.tr/>

⁴³ <https://www.csgb.gov.tr/media/1328/i%25%9Fyerlerinde-psikolojik-taciz-mobbing-bilgilendirme-rehberi-2017.pdf>, p. 54.

⁴⁴ Selda İlgöz (2016), Kadın ve Mobbing, EMO Kadın Bülteni No 4.



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In parallel, Article 5 of the **Labour Law No. 4857** obliges the employer to apply the principle of equality among its workers in the employment relationship. Mobbing at workplace is also regulated in the **Law No: 6098** on Debts. Article 417 of the law aims at protecting the worker against mobbing at the work place.⁴⁵

The Trade Unions and Collective Bargaining Law No. 6356 need to be mentioned. In the Art. 25, "Guarantee of freedom of trade union", the law mentions: (2) The employer shall not discriminate between workers who are members of a trade union and those who are not, or those who are members of another trade union, with respect to working conditions or termination of employment. The provisions of the collective labour agreement with respect to wages, bonuses, premiums and money-related social benefits shall be exceptions. (3) No worker shall be dismissed or discriminated against on account of his membership or non-membership in a trade union, his participation in the activities of trade unions or workers' organisations outside his hours of work or during hours of work with the employer's permission.

The National Employment Strategy 2017-2019 is the main policy axis of "Increasing Employment of Groups Requiring Special Policy", which is one of the 4 axis and 7 sectors of the National Employment Strategy covering the period of 2014-2023. The Strategy was prepared to solve the structural problems in the labor market and to find a permanent solution to the unemployment problem with the participation of all relevant parties under the coordination of the MoLSS. Within the Action Plan, "Regulations for combating discrimination" will be developed. Under this policy, there is a precautionary clause on the establishment of well-functioning information, complaint and audit channels regarding the legal ways to be followed in discriminatory practices, mobbing, sexual harassment, and how to take measures in this regard. In order to implement the said precautionary article, studies are carried out with relevant institutions and organizations. "

Prevention of mobbing is a must to ensure decent working rights of the employees. Article 26 of the revised European Social Charter of 1996 calls on member states to make concrete arrangements to protect the dignity of workers at work. The Revised Social Charter has been approved by the Law No. 5547 of 27 September 2006 in Turkey. Thus, this international text has become a law of national legislation in accordance with Article 90 of the Constitution. Article 26 of the Charter provides for the protection of employees against sexual harassment and psychological harassment in the workplace.

European norms are also binding for Turkey. Besides the ratification of the Council of Europe Social Charter, Turkey has to harmonize its domestic law in line with this directive, as the EU directive is also included in the acquis of EU labour law and the process of full membership negotiations continues. In this context, the provision regarding sexual harassment in Article 417 of the Turkish Code of Obligations, titled "Protection of the Personality of the Worker" has been expanded and "the employer is obliged to take the necessary measures to ensure that the workers are not subjected to psychological and sexual harassment and that those who have been subjected to such harassment are not further harmed".

⁴⁵https://res.cloudinary.com/mobbing/images/v1636410268/kadin_erkek_firsat_esitligi_kom_6/kadin_erkek_firsat_esitligi_kom_6.pdf?_i=AA



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There are important **mechanisms available** in Turkey for submitting complaints when a person is exposed to mobbing. Persons exposed to mobbing at the workplace have the right to apply in writing to the Turkish Grand National Assembly and the competent administrative authorities. An application can be made to the "Presidential Communication Centre (CIMER)" for complaints and requests for psychological harassment in the workplace. There is also a hotline (ALO 170) for similar complaints. Real and legal persons who claim that they have been subjected to psychological harassment by the actions and acts of the administration can file a complaint with the Ombudsman Institution without paying any fee. Established under the Law No: 6328, Ombudsman Institution is obliged to review the complaints received from individuals against administrations. Ombudsman Institution is in charge of examining and investigating all kinds of actions and transactions and attitudes and behaviours of the administration and making suggestions to in terms of compliance with the law and equity, within the understanding of justice based on human rights. Individuals can apply to the Human Rights and Equality Institution of Turkey without paying any fee, alleging that they are exposed to intimidation and discrimination in their workplaces.

Depending on the characteristics of the concrete case, it is possible to apply to civil, criminal or administrative remedies regarding psychological harassment. There are decisions made by the Supreme Court in some cases.⁴⁶

In conclusion, there is not a specific legislation on mobbing in Turkey. However, revised provisions in the aforementioned legislation provides a basis for litigation of mobbing cases. Mobbing by its nature is difficult to prove and have various negative effects on the persons, their families, and also on the economy and thus must be dealt with due care.

⁴⁶ Yargıtay Hukuk Genel Kurulu, E. 2015/9-461; K. 2017/127; T. 25.01.2017; Yargıtay 22. Hukuk Dairesi, E.2017/7875; K.2017/13057; T.01.06.2017; Yargıtay 9. Hukuk Dairesi, E.2016/485; K.2016/16921; T.29.09.2016; Yargıtay Hukuk Genel Kurulu, E. 2012/9-1925; K. 2013/1407; T. 25.09.2013; Yargıtay 9. Hukuk Dairesi, E.2014/36660; K.2015/3283; T.26.2.2015



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5. FACTSHEET

<ul style="list-style-type: none"> • Definition suggested 	<p>Zapf defines mobbing as “harassing, bullying, offending, socially excluding someone or assigning offending work tasks to someone. It is a process in the course of which the person confronted end up in an inferior position.”</p>
<ul style="list-style-type: none"> • Awareness of problems of mobbing and work-related violence in European national legislation 	<p>National legislation of mobbing and work- related violence in European countries: In 2011, Resolution of the European Parliament with measures to prevent and combat mobbing and sexual harassment at the workplace, in public spaces, and in political life in the EU. In some countries, like France, Finland, and Sweden, there is a special law, or special sections, in the law about harassment/bullying. Even though, in many countries, there is no specific legislation on workplace violence, there is usually a more general law on safety and health or equal</p> <p>Public policies on mobbing and work- related violence in European countries: Only a few studies on evaluating policy interventions, primarily legislation, have been conducted. The Netherlands is an example of how national legislation has been realised at the organisational level.</p>
<ul style="list-style-type: none"> • European and international approaches to reduce mobbing/work-related violence 	<p>PRIMA-EF model incorporates five essential elements:</p> <ul style="list-style-type: none"> • a declared focus on a defined work population, workplace or set of operations • an assessment of risks to understand the nature of the problem and their underlying causes • design and implementation of actions designed to remove or reduce risks • evaluation of those actions; and • active and careful management of the process <p>ILO - Convention 190 on Violence and Harassment. The Convention brings attention to various aspects and dynamics of the issue and provides a roadmap to enable governments, public and private sector employers, and workers to address it.</p> <p>WHO - <i>On primary prevention</i> (training and information) <i>Secondary prevention</i> Once harassment (mobbing) has started, the following methods are proposed: a confidant/e or a mediator <i>Tertiary prevention.</i> To help workers recover their health and dignity: Early diagnosis of health effects and</p>



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Consciousness-raising groups.

Policies and initiatives in Europe

In many European countries, specific non-legislative policies, or codes of conduct at the enterprise level have been introduced to prevent third party violence.

-
- **Turkish Legislation on mobbing and available complaint mechanisms**
 - As in the global level, the definition of mobbing is still vague in Turkey.
 - In 2017, Ministry of Labour and Social security published informative guidelines on psychological mobbing at the work place and provided basic terminology
 - The Parliamentary Equality Commission (2011) found that employees in the field of education and health are frequently exposed to mobbing and discrimination. The researches of the Turkish Mobbing Association show that mobbing victims are generally women. 2017 report of the Ministry of Labour summarizes data from ALO 170 on mobbing complaints and it is noteworthy that 75.58% of the complainees are men.
 - There is no special law on this subject in Turkey
 - The Constitution of Turkey forbids any kind of discrimination including the working rights.
 - Article 5 of the Labour Law No. 4857 obliges the employer to apply the principle of equality among its workers in the employment relationship.
 - Mobbing at workplace is also regulated in the Law No: 6098 on Debts. Article 417 of the law aims at protecting the worker against mobbing at the work place.
 - The Trade Unions and Collective Bargaining Law No. 6356, in the Art. 25, "Guarantee of freedom of trade union", includes two paragraphs on provisions of anti-discrimination There are important mechanisms available in Turkey for submitting complaints when a person is exposed to mobbing.
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6. ROOT CAUSE ANALYSIS

6.1. Introduction

Root Cause Analysis (RCA) is a popular and often-used technique that helps people answer the question of why the problem occurred in the first place. It seeks to identify the origin of a problem using a 3-Step approach, to find the primary cause of the problem. The 3 Steps are:

1. Determine what happened.
2. Determine why it happened.
3. Determine what to do to reduce the likelihood that it will happen again.

RCA assumes that systems and events are interrelated. An action in one area triggers an action in another, and another, and so on. By tracing back these actions, you can discover where the problem started and how it grew into the symptom you're now facing.

Generally, there are three basic types of causes:

1. Physical or Structural causes – Tangible, material items failed in some way (for example, a car's brakes stopped working).
2. Human causes – People did something wrong, or did not do something that was needed. Human causes typically lead to physical causes (for example, no one filled the brake fluid, which led to the brakes failing).
3. Organisational causes – A system, process, or policy that people use to make decisions or do their work is faulty (for example, no one person was responsible for vehicle maintenance, and everyone assumed someone else had filled the brake fluid).

RCA looks at all three types of causes. It involves investigating the patterns of negative effects, finding hidden flaws in the system, and discovering specific actions that contributed to the problem. This often means that RCA reveals more than one root cause.

6.2. Context

The TP proposed that an RCA be conducted as part of the desk research for Intervention 10, to gain some insights into the underlying causes of workplace mobbing. In compliance with this, TAT revisited the data collected from the institutions interviewed to understand the current situation on mobbing and the underlying reasons, considering relevant factors such as sector, work conditions, age, sex, type of harassment, duration, physical and psychological consequences, personal characteristics.

The RCA took into account contextual (Physical or Structural causes) , individual (Human causes) , and societal (Organisational) factors.



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6.3. Methodology

The data used for this Analysis was collected during 6 in-depth interviews with the following institutions (the list also includes people interviewed).

Table No. 1: List of Institutions

Institution	Person/s interviewed	Date and Venue
CIMER	Neslihan Takım, Büşra Dönmezbilek	14.12.2021\ zoom meeting
MoLSS Press and Public Relations Consultancy	Onder Koc	14.12.2021\ zoom meeting
Ombudsman Institution	Didem Yeter Güler, Ezel Sayalrı	17.12.2021\ zoom meeting
TİHEK- Human Rights and Equality Institution of Turkey	Rabia Keleş, Nesrin Öztürk, Çiğdem Güçlü	17.12.2021\ zoom meeting
MoLSS- Department of Guidance and Inspection	Gülcan Eriş, Burak Aydoğdu	27.12.2021\ zoom meeting
Ministry of Justice	Abdürrahim Taş, Tuba Dağdeviren	05.01.2022\ zoom meeting

The data was gathered through questionnaires previously prepared (24 questions – see Annex X). Even when the institutions provide also information/documentations to the experts, they were not revised at this point of the research.

The method used of exploring Root Cause Analysis was to carefully differentiate between ‘symptoms and causes. It does not attempt to suggest corrective actions: these will be explored during the field study required within the Project’s Intervention 10, and will be included in the eventual Recommendations Report.



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6.4. The 3 Steps

TAT subjected the data to the 3-Step approach, addressing, in particular, the first 2 questions set out above:

- **What happened?**

Here TAT has listed the behaviours which may be observed in typical workplace mobbing situations. These should be considered to be ‘symptoms’ – patterns of behaviour which can lead to colleagues/fellow workers feeling uncomfortable, challenged, belittled.

- **Why did it happen?**

This is where the RCA comes into play. Making use of ideas and information from the desk research and the targeted interviews, and applying basic common sense, it is possible to speculate with regard to the underlying causes of inappropriate behaviours. Frequently, there can be multiple causes for a single act of inappropriate Behaviour. Consequently, it is useful to break the potential causes down into the following categories:

- Physical/Structural;
- Human/Societal;
- Organisational.

The following table presents a summary of this approach:

Table No. 2: Root Cause Analysis - Summary

What Happened?	Why did it happen?		
	Physical/Structural	Human/Societal	Organisational
Verbal abuse – being subjected to insults - men/women shouting to men/women.		<ul style="list-style-type: none"> • Acceptance, in some communities, of an aggressive approach to life. 	<ul style="list-style-type: none"> • Lack of workplace policies regarding appropriate standards of behaviour.
Bosses verbally abusing (shouting at) employees.		<ul style="list-style-type: none"> • Acceptance, in some communities, of an aggressive approach to life. 	<ul style="list-style-type: none"> • Inadequate interpersonal training of management staff; • Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of ‘manager invincibility’.
Physical violence towards fellow workers by fellow workers.		<ul style="list-style-type: none"> • Acceptance, in some communities, of a normative aggressive approach to life; • Personal anger-management issues. 	<ul style="list-style-type: none"> • Inadequate workplace disciplinary procedures defining appropriate standards of behaviour; • Lack of consistent application of



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			disciplinary measures even where they do exist.
Groups isolate individuals.	<ul style="list-style-type: none"> Possible inadequate working space leading to sense of frustration. 	<ul style="list-style-type: none"> Possible age/gender/race bias; Possible personal hygiene issues. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of 'manager invincibility'.
Manager/employees belittling skills of other employees.		<ul style="list-style-type: none"> Possible active or passive discrimination (e.g. male manager/employee believes female employees will not be able to operate specific equipment); Gender/race/stereotyping. 	<ul style="list-style-type: none"> Lack of Equal Opportunities policies; Inadequate management training.
Manager threatens dismissal if work/other demands are not agreed to (e.g. unplanned overtime working).		<ul style="list-style-type: none"> Goals override personal considerations; Lack of empathy to employees' personal circumstances; Lack of employee acceptance of business priorities. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of 'manager invincibility'.
Employee forced by manager to transfer to less favourable work space.		<ul style="list-style-type: none"> Abuse of power by manager; Possible active or passive discrimination by manager. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of 'manager invincibility'.
Managers issue threats to employees seeking to join trade unions.		<ul style="list-style-type: none"> Abuse of power by manager. 	<ul style="list-style-type: none"> Lack of clear company policy regarding unionisation.
Employees subject to direct verbal/physical abuse (by managers/other employees) regarding gender, ethnicity, age.	Organisation climate	<ul style="list-style-type: none"> Acceptance, in some communities, of a normative aggressive approach to life; Personal anger-management issues; Possible age/gender/race bias. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to



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			sense of 'manager invincibility'.
Employees excluded from work rotas appropriate to their skills levels.		<ul style="list-style-type: none"> Abuse of power by manager; Possible active or passive discrimination. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of 'manager invincibility'.
Employees resign citing 'unreasonable/inappropriate behaviour by managers, fellow employees or both.		<ul style="list-style-type: none"> Abuse of power by manager; Possible active or passive discrimination. 	<ul style="list-style-type: none"> Inadequate interpersonal training of management staff; Inadequate workplace disciplinary policies (e.g. formal and enforceable complaints procedures) leading to sense of 'manager invincibility'.

As can be seen, the causes are, at this stage, speculative. Nevertheless, they represent a basis for further exploration which will be possible during the meetings and face-to-face interviews which are planned for the field study element of Intervention 10.

TAT has not yet considered the final question in the 3-Step Approach:

- How to reduce the likelihood of it happening again?**

While some solutions seem to be self-evident – e.g. the development of disciplinary codes of conduct, and their consistent enforcement – TAT intends to pursue these ideas during the field study exercise. This will deepen the RCA beyond what is currently possible and will form an integral part of the eventual Recommendations Report.

6.5. SUMMARY

In some ways, including a suggestion to conduct a Root Cause Analysis as a part of the desk research process is to get the timing wrong. To be genuinely helpful, RCA requires fairly extensive and intensive input from a variety of stakeholders, and this will be possible only during the field study. However, carrying out a 'first-phase' RCA at this stage, has helped to establish a platform for the way in which that field study will be conducted.



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7. ISSUES FOR FURTHER EXPLORATION

- Legislation needed to prevent Mobbing.
- Use of Data per gender, age and ethnicity.
- The need for studies to address conceptual, definitional, and measurement issues; the social and psychological processes related to the development and persistence of bullying; and the intersection of bullying perpetration and bullying victimisation with mental health issues.
- Training needed to prevent the Mobbing.
- Recommendations for the institutions and companies, in the prevention and solution of Mobbing Cases (through encouraging support among workers, defining the jobs, tasks, objectives and margin of autonomy of each employee, promoting negotiation in labour conflicts, providing information, training and time for workers to perform their tasks, stated company policies, etc.).



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Links:

- [http:// www.ento.co.uk/standards2/wrv/index.php](http://www.ento.co.uk/standards2/wrv/index.php)
- <http://www.inga-trauma-praevention.de>
- https://docs.euromedwomen.foundation/files/ermwf-documents/8273_4.283.europeanparliamentresolutiononmeasurestopreventandcombatsexualharassment-2018.pdf
- <https://www.eurofound.europa.eu/surveys/european-working-conditions-surveys-ewcs>
- www.dignityatwork.org



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ANNEX NO. 1: QUESTIONNAIRE FOR MEETINGS UNDER INTERVENTION 10 (DECEMBER 2021- JANUARY 2022)

1. Could you please describe the mechanism in your institution for receiving complaints on mobbing? How does the application process and handling/referral process work? Do you have a specific application form?
2. How many complaints were received with a focus on mobbing within the last 12 months?
3. Do you disaggregate data you collect by age, gender, and scope of complaint? Do you think that women are exposed to mobbing more than men?
4. Do you systematically analyse the complaints by scope or sector? Which sector do you think is most affected by workplace mobbing?
5. Can you give us an example from a recent mobbing complaint? What kind of information is collected from an application made to your institution?
6. What do you think are the factors that prepare the mobbing process in institutions/organizations? What are the main causes and triggers of mobbing?
7. Since when do you think the concept of mobbing has gained intensity? Do you believe that mobbing existed before the concept of mobbing emerged?
8. What type of mobbing do you think is mostly used most common in institutions/organizations? (Assigning work outside the job description, changing the place of duty without reason or sufficient reason, instituting an inquiry without explanation, giving a written warning for fabricated reasons, refusing annual leave or excuse leave without reason, etc.)
9. How people report Mobbing at work? Is there a unique mechanism?
10. Have there been any mobbing reports in your institution? If so, what kind of solutions did you come up with, what measures did you take afterwards?
11. In your opinion, what kind of struggle should be preferred by those faced with a behaviour that can be considered mobbing? Can a guide on the stages of combating mobbing be developed?
12. Do you think different mobbing is applied to women and men employees? What are the mobbing methods applied to men? What are the mobbing methods applied to women?
13. Should a commission be established for mobbing in institutions/organizations?
14. Do you think mobbing is a crime? Are there any punishments and/or sanctions given to those who practice mobbing?
15. Should there be training seminars on mobbing in institutions/organizations? Are people trained in mobbing in the companies or institutions?
16. Do you think the regulations regarding mobbing within the Turkish Legal System are sufficient to prevent mobbing? What measures should be taken? What kind of legislative work should be done?
17. Is there a mechanism to follow up on the complaints you receive? According to your data, if your answer is yes, what are the main consequences of mobbing?
18. What are the negative effects of mobbing on workplaces in case of mobbing?
19. Do you think that NGOs agree on the issue of mobbing? What contribution should NGOs make?
20. What are your views on the work of international organizations on mobbing?
21. Have there been any changes in mobbing practices due to current advanced technologies in institutions/organizations as a result of developing technology and changing working styles?



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22. Do you think that raising awareness through social media, public service announcements, and print media will effectively raise mobbing awareness? What do you think these awareness activities should be?
23. Which institutions are you in contact with for mobbing practiced in different institutions/organizations?
24. What kind of precautions should be taken in case of mobbing? What should be done in the future regarding mobbing?





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