Psychosocial load in Belgium: Dynamics between legislation, research and practice

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Missions

• To promote high-quality work
• To prepare legislation relating to the well-being of workers
• To support research in this area
• To raise the awareness of the actors in the working environment
• To promote consultation between social partners
Sexual harassment (1980s-1990s)

- Research
- Awareness-raising campaigns
- Legislation
  - internal procedure
  - confidential counsellor
Stress (1990s-...) 

- **Researches**
  Belstress, INRCT-DIRACT

- **Tools**
  Wocq, S-ISW, Preventagri

- **Legislation**
  - prevention psychosocial load = area of well-being
  - collective agreement: private sector – collective aspect
Violence, harassment and sexual harassment at work (end of 1990s-...)

**Context:** Works of research (Leymann, Dejours, Hirigoyen,...) / Media / Legislative initiatives (France, Sweden)

**National research** (2001-2002): 11,5% harassment, 8% sexual harassment, 3.5% physical violence

**Legislation:** protection of workers against violence and harassment = area of well-being / decree / psychosocial prevention advisor + confidential counsellor
Violence, harassment and sexual harassment at work (end of 1990s-…)

- **New university studies** to identify:
  - the organisational causes in large companies and in SMEs (2003-2005)
  - the good prevention and intervention practices in companies (2003-2005)
  - and to produce a wider diagnostic model that takes into account other phenomena than harassment or violence such as conflicts, abuse, organisational mistreatment,… (2004-2005)

→ RELATIONAL SUFFERING AT WORK
Tools:

- Manual ‘Acting on relational suffering at work’
- Diagnosis guide
- Various risk analysis tools:
  - Questionnaires to assess organisational risks (RATOG)
  - Participative methods (IDI, Sobane)
Awareness-raising campaigns

- Symposia, training courses,…
- DVDs for training courses
- Posters on respect at work (positive message)
- Networks of prevention professionals (exchange and feedback from the practice, about tools and application of legislative measures)

- All the actors were consulted
- Conclusion: wave of different kind of complaints, law was probably the catalyst for a deeper malaise
- New decree:
  prevention of psychosocial load in general
  → stress, conflicts, violence, harassment, mental and emotional load,…
Legal framework

• Law of 4 August 1996 relating to the well-being of workers (Art. 4 – chap. Vbis)

PREVENTION –
PROTECTION WORKING CONDITIONS

• Royal Decree of 17 May 2007 relating to the prevention of a psychosocial load caused by work (…)

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Actors

• Employer
• Members of the hierarchic line
• Worker

Committee for Prevention and Protection at Work

• Prevention advisor specialised in the psychosocial aspects of work
• Confidential counsellor
Prevention advisor specialised in the psychosocial aspects of work

- Internal or external service for prevention and protection at work
- Training
- Advice
- Protection
Confidential counsellor

- NOT obligatory
- Internal of external
- Competences – knowledge
- Internal procedure: informal phase
Prevention of psychosocial load

- General principles
  - Risk analysis (deductive / inductive)
  - Prevention measures

- Specific measures: violence - harassment
Actions workers can take when they feel subjected to violence - harassment

• **Internal procedure**
  - Informal phase (confidential counsellor or prevention advisor): seek a solution – conciliation
  - Formal phase: complaint
    - examination by the prevention advisor
    - report to the employer
    - employer’s decision

• **Inspection**

• **Legal action**
Legal action

- Damages
- Injunction to cease
- Measures by the employer
In practice

• employers see this legislation as an additional burden and not as an opportunity
• risk analysis is still practiced far too little
• the management of complaints is costly
• formal complaints are often used for deeds that concern conflict more than harassment
• complexity of the profession of psychosocial prevention adviser
• many situations find a solution in the informal phase
• listening environment within companies
Conclusion

• We continue the dynamics between legislation, research and practice
• New challenges such as the effects of the current crisis and the restructuring
• New researches on burn-out, human resource management, links between accidents at work and psychosocial risks,…
• Assessment of new legislation and actions
• New primary prevention tools (code of good behaviour, tool of communication in an uncertain socio-economic context,…)

More information
Researches, tools, publications

www.employment.belgium.be
www.respectatwork.be
www.beswic.be