



Joint Recommendations
of the European Social Partners in the urban public transport sector
UITP and ETF
for
Combating Violence and Insecurity on Urban Public Transport

In 2003, the European Social Partners, UITP and ETF, signed “Joint Recommendations in the field of insecurity and feelings of insecurity in local public transport”. The European Social Partners acknowledge that as societies have evolved, so have the threats from third party violence in urban public transport. A climate of non-respect for the public good including workers in the public space spreads through the European society and leads to urban public transport workers facing violence, aggression and other forms of anti-social behaviour at work on a daily basis. Such an environment adversely affects working conditions and at the same time creates an atmosphere of insecurity also for customers. This in turn decreases the attractiveness of employment within the sector, preventing new workers from joining in, most particularly women, who are already underrepresented. Subsequently, the European Social Partners agreed to revise those recommendations to reflect the latest developments in the sector.

The new Convention “Ending violence and harassment in the world of work” adopted by the International Labour Organisation in June 2019 states that every worker should be protected from violence and harassment. Violence and harassment in the world of work refers to a range of unacceptable behaviours and practices or threats that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment as well as violence and harassment against other equality trends¹. Furthermore, European Union legislation on health and safety at work clearly states the legal obligation of the employer to protect the health and safety of its employees, including from violence. Nonetheless, even with a solid basis made of European legislation and Europe-wide agreements, there is a need for an active approach from the side of companies.

At the same time, urban authorities are becoming increasingly aware of this issue, and some European countries are adapting their public space policies accordingly, including in transport networks. All of these developments call for adjusted practices from the side of public transport companies, with the support of the relevant authorities providing for appropriate funding.

The issue of third-party violence is distinct from internal violence, which refers to violence, harassment and bullying perpetrated by and targeted at subordinate(s), colleague(s), and superior(s) at work. According to the World Health Organisation, workplace violence includes acts arising out of power relations, including threats and intimidation. Internal violence either results in, or has a high likelihood of resulting in, injury, death, psychological harm, wrong development or deprivation.² In 2007, the European inter-professional Social

¹ Report V(1) Ending violence and harassment in the world of work, International Labour Conference, 108th Session, 2019.

² European Agency for Safety and Health at Work (OSHA): European Risk Observatory Report. Workplace Violence and Harassment: A European Picture, 2010.

Partners signed a “Framework Agreement on harassment and violence at work.”³ The agreement aims at increasing the awareness and attentiveness of employers, workers and their representatives to workplace harassment and violence. It provides an action-oriented framework to identify, prevent and manage issues of harassment and violence at work. UITP and ETF fully endorse this agreement and ask their members to take action and implement it at company and/or sector level.

Both internal and third-party violence undermines the confidence and dignity of the persons affected and has a real economic effect in terms of absences, wellbeing and staff turnover. Both phenomena are equally unacceptable and call for strong action to fight those occurrences.

Taking into account these European specificities, the European Social Partners UITP and ETF agree that the UITP-ITF Joint Statement “Recommendations for Combating Violence and Insecurity on Urban Public Transport” signed on 27 May 2015 constitute a valuable modernisation and concretisation of the UITP-ETF Joint Recommendations on “Insecurity and Feeling of Insecurity” signed in Naples in 2003.

The signing European Social partners, UITP and ETF, commit to the dissemination of these recommendations, awareness-raising through workshops and conferences and monitoring the implementation at the level of national social partners across Europe.

Signed in two copies in Brussels on 29th January 2020, one going to the ETF, the other at the UITP.

For ETF



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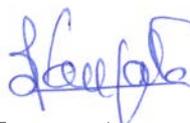
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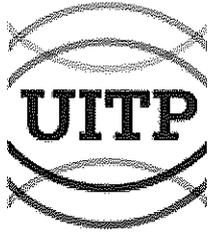
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³ Framework Agreement on Harassment and Violence at Work, 2007.



UITP - ITF Joint Statement

Recommendations for Combating Violence and Insecurity on Urban Public Transport

According to the Memorandum of Understanding which allows the elaboration of joint statement between ITF and UITP, any recommendation resulting from the international social dialogue need to be considered with due respect to the relevant national legislation and practices, as well as to locally and collectively bargained agreements.

Introduction

Urban public transport provides a vital means of travel and communication in towns and cities around the world, operated by over seven millions transport workers employed by thousands of transport operators. It is essential that this important service is provided reliably, frequently and to a high standard of quality of service. Above all it must be provided to the highest possible levels of safety for the passengers, the employees and other members of the public. However due to social and economic factors within our urban environments, all too frequently transport employees and even passengers can be at risk of assault, verbal abuse or other unwelcome anti-social behaviour - by other passengers or simply other members of the public.

A further concern is wilful acts of vandalism which at its worst can make urban public transport very dangerous i.e. the throwing of bricks or other solid objects at moving buses and trams, interference with signalling or other vital equipment, theft of technical cabling or other essential equipment, which impacts transit and safety in general, trespassing on railway lines etc, or in the case of slashed seats, graffiti, scratched windows etc can make the public transport environment look and feel downgraded, unpleasant and unsafe.

Even other anti-social behaviour as fare dodging undermines the financial self-sustainability of the transport system.

Some women transport workers also have to deal with sexual harassment and violence that are based on sexual inequality and discrimination. Also of great concern is the evidence of racially targeted assaults and abuse against transport workers from ethnic minorities. Transport trade unions and employers need to be vigilant and sensitive to these issues as often such victims are reluctant to report these attacks.

This ITF-UITP joint declaration is firstly a declaration of intent that urban transport companies' employers represented by UITP and ITF-affiliated trade unions representing the employees are committed to working together to find practicable solutions which solve or at least ameliorate the effects of violence and insecurity on urban public transport, wherever that may be around the globe.

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It is also an initial set of recommendations for urban transport companies' employers and trade unions to establish by negotiation, including via collective bargaining agreements, agreed sets of procedures and standard operating practices that both serve to minimise and prevent such acts of violence and insecurity, but also initiate the appropriate response when such acts of violence and insecurity occur.

This UITP - ITF Joint Statement is based substantially on the UITP - ETF Social Dialogue Agreement on Insecurity and Feeling of Insecurity signed in Naples in 2003. This provided a set of very practicable recommendations to transport operators and trade unions in Europe. Following the signing of the ITF-UITP Memorandum of Understanding 2014 it was agreed to review the UITP-ETF Joint recommendations and attempt to provide an updated and improved version of recommendations at an international level appropriate for implementation as far as possible anywhere across the globe.

UITP - ITF Joint Statement on Recommendations for Combating Violence and Insecurity on Urban Public Transport

UITP representing public transport companies' employers around the globe and ITF representing trade unions and their members employed in urban public transport worldwide hereby jointly declare that they will uphold the following two basic rights:

- a) urban public transport employees, including those working in the informal sector, who work to provide means of public transportation, are entitled to work in safety and free from assault or threat of assault, or other forms of abuse or anti-social behaviour that may compromise their personal security and safety
- b) secondly, all citizens are entitled to access to urban public transport services that are safe and accessible and be free from assault or threat of assault or the feeling of insecurity caused by other forms of abuse or anti-social behaviour that may compromise their personal security and safety.

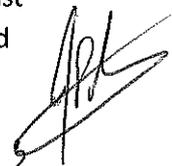
UITP and ITF jointly declare that the responsibility for allowing the above basic rights fall variously upon the following stakeholders:

- i) the social partners at company level i.e. the transport companies' employers and the trade unions
- ii) the competent authorities (local transport authorities; police; judiciary)
- iii) the users of transport and the citizens in general

A. The social partners at company level i.e. the urban transport companies' employers and the trade unions

UITP and ITF jointly agree that the most effective means of combating violence, the threat of violence and other forms of abuse, anti-social behaviour and vandalism will be found through dialogue between the social partners (urban transport employers and the trade unions representing the workers) based on the following principles:

- a) common interest; both the employer and trade unions representing the workers agree that minimizing violence and insecurity are in the best interests of the employees and the successful operation of the public transport system
- b) trust and mutual respect: both the employer and trade unions representing the workers agree that trust and mutual respect are essential to ensuring a successful and productive dialogue to combat violence and insecurity



c) transparency; both the employer and trade unions representing the workers agree that sharing of information and open and honest communications are required in order to work together to provide solutions

d) no blame policy - it is vital that employees are not wary or even fearful of reporting incidents. Investigating the root cause of an incident is essential, not scapegoating the employee(s).

It is therefore recommended that, where appropriate, the transport employer and the trade union representing the workers negotiate and sign collective bargaining agreements whilst taking into account:

- i) ILO core conventions (International labour standards)
- ii) the prevailing national or local regulations (the law)
- iii) the size and scale of the problems being experienced of violence, vandalism, incivility, theft, and insecurity (the risk)
- iv) the importance of allowing job security as well as a quality service to the users of public transport.(the goals)

ITF and UITP therefore recommend as proven good practice that the social partners discuss and agree the following:

Reporting procedures for Collecting Information

It is vital to have in place a simple, easy to use reporting procedure for employees to record any act of violence, threat, abuse or type of behaviour which created fear or insecurity. This is the first stage necessary for assessing the nature and the size of the problem.

The social partners need to agree that the system for reporting and collecting information is:

Simple to use - it must be possible for all the operators to use it, regardless of the level of their initial training;

Efficient - it must facilitate the recording and categorisation of events/incidents from which accurate information can be compiled and readily accessed so that the nature of the problems can be identified;

Acceptable - the information collected must have no other purpose than to restore the security and feeling of security (while ensuring the confidentiality of the information collected) on the one hand and be financially acceptable to the companies on the other;

Trusted - employees must have confidence in the system i.e. that their reporting of incidents/events is taken seriously and is investigated and recorded, whilst the employer must be assured that reports of incidents and events are truthful detailed and accurate, as well as all incidents are reported by staff.

Acting on reports and collected information

It is recommended that the employer and the trade union representing the workers meet to analyse together the data submitted by the researchers and discuss the reporting of incidents and collected information:

- a) as soon as possible in the event of a serious incident/act of violence

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b) periodically as appropriate to review and consider the collected information and reports (or analysis thereof)

It is further strongly recommended that each property i.e. depots, offices, stations etc is covered by a Violence Prevention Programme, ideally drawn up through negotiation between the employer and the trade union. This should be a clear statement that violence against staff will not be tolerated, and should include practical measures applicable to that location to combat violence including recommendations on safe working practices etc.

The purpose of such dialogue should be to find and implement appropriate procedures and/or methods of operating which minimise the risk of such events/incidents recurring. This will probably encompass one or more of the following g areas:

Organisation of the service

- i) consideration of the recorded levels of incidents/events by the hours of the day and location may, if problems arise point to appropriate remedies e.g. change of relief point for staff, minimise layover at specific terminal points etc.
- ii) temporary suspension or diversion of the service where, by mutual agreement of employer and trade union, it is deemed too dangerous to operate the service until the problem is resolved
- iii) in view of the evidence that many assaults on staff arise because of a) fares disputes or b) thefts of cash, employers and trade unions should via the collective bargaining process agree systems and procedures which seek to minimise/reduce threats of violence in these areas

Technology and design

- i) installation and maintenance of of adequate, state of the art communication tools for various staff groups (onboard, patrol, etc...) for communication between operating staff and the employer/supervisor
- ii) surveillance measures, discrete alarm systems installed in both stationary and moving areas, including new technologies such as infrared, thermal cameras for intrusion detection.
- iii) adaptation of the workstations e.g. protected driver cabin lighting on employer's property especially in areas where staff are vulnerable e.g. outside mess rooms, depots etc., and also where passengers may feel vulnerable
- iv) stations, stops, access ways, vehicles, etc that are designed in such a way that the design itself acts as a deterrent to, reduces the probability of, or achieves synergies which reduce undesired behaviour
- v) the use of specific materials which have been shown to minimise the risk of misuse
- vi) facilitating the participation of public transport workers in the improvement of security standards by using new communication technologies to pass on timely information on undesired behaviour of any type or degree of seriousness, making it possible to pinpoint the location and time of incidents.

Human resources

- i) mediation: e.g. appropriate and sensitive handling of employees affected by acts of violence etc especially where psychological impact occurs
- ii) expert resources: developing resources handling, analysing incidents and developing appropriate solutions (security experts with operational experience)
- iii) communication e.g. information/notices to staff, radio messages etc; availability of supervisors. managers especially outside normal office hours; knowledge of procedures to follow, contact nos in emergency etc: relevant information relayed by employer or trade union to employees ; the procedures, emergency numbers should be also communicated to the staff in stations and on-board of vehicles

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- iv) external promotion of respect for the transport system, by measures coordinated with the education system and social media (media and advanced social networks); ongoing awareness-raising programmes; recommendations to families or social groups, as the root of good social behaviour.
- v) training: e.g. training operating staff in procedures to improve their safety; training of supervisory staff in the appropriate response to incidents etc
- vi) Informative, educational and awareness-raising campaigns (internally and on an ongoing basis) implemented by operators and trade unions.
- vii) Staff organisation e.g. appropriate patrol positioning and composition

Recovery

Appropriate systems should be put in place to aid and assist recovery of employees suffering physical and /or psychological impact from acts of violence or serious threats of violence/menaces etc. This can include: professional counselling; managerial and trade union support mechanisms; phased return to work options; protection of earnings etc.

Finding the right balance to prevent incidents/acting in response to incidents

The social partners at company level must aim to ensure an appropriate balance between technological devices, procedures and the human factor. The first and second must be at the service of the latter so to improve the quality of work.

Their objectives must also include a philosophy of participation and proactive conduct in which anticipatory measures (foresight and prevention) are given priority over mere protection and reaction.

Any transfer of good practice must take into account the size of the cities and of the companies and character and extent of the problem. In other words the solution must be appropriate to deal with the assessed risk. For example it is unlikely that a protected driver cabin fitted on all buses in a city where serious acts of violence are commonplace is the appropriate solution in a calm and peaceful rural area where there has not been a history of violent assault.

Dialogue with the Civil authorities: Local Government, Media, Police and judiciary

Collective agreements in the transport companies are key to the development of a civil dialogue with appropriate authorities and agencies who also have responsibilities.

- a. **with the legitimate authorities** e.g. Local Government, Public Transport Authority etc
 - funding of improvements in public spaces which have an impact e.g. better lighting and/or video surveillance at bus stations and bus stops; security design at terminal points e.g. lighting, removal of bushes where assailants can hide etc
- b. **with the police and judicial authorities**
 - i) quick and effective response to incidents is required and an acceptance by the police that crime on public transport including anti-social behaviour requires police intervention
 - ii) increased police surveillance and presence at places and times where problems are known to occur
 - iii) conviction and sentencing of offenders, which by definition is the competence of the police and justice institutions. The punishment of criminal acts should be "proportionate" based on the following triple goals: not instilling in victims a feeling of abandonment ; not instilling in offenders the feeling of being the victim



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of social injustice ; regenerating in offenders a sense of civic responsibility and thus preventing the risk of repeat offending.

- c. **with the associations, the users of public transport, the NGOs** and all other representatives of the civil society competent for, in particular: public support where needed for transport employees and the survival of safe efficient public transport systems; community organisations regarding the education and supervision of e.g. youths

d. **with local media**

sensitive use of local media can draw public support to help reduce violence and insecurity whilst minimising the risk of "copycat" incidents.

Encourage the participation and involvement of other stakeholders responsible for guaranteeing basic rights

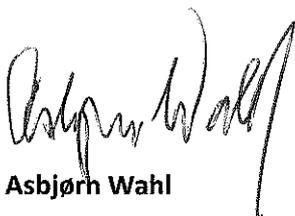
The other two stakeholders responsible for guaranteeing basic rights which were identified at the beginning of this joint declaration by UITP and ITF – the public authorities in the areas of transportation and public security, and transport users – via local and general associations, must also play a part in developing public security systems which truly complement the measures introduced by operators and public transport workers, and in general promote the responsible conduct of the beneficiaries of the transport system.

Conclusion

To ensure a truly effective response to violence and insecurity on urban public transport, it is strongly recommended that the social partners comprising the employer and the trade union - especially on the basis of collective bargaining agreements signed between them on these matters - engage with the civil and public authorities and ensure there is a coordinated and effective interrelated network of support and actions (including by use of public funds where appropriate) designed to make our urban public transport safe for its employees and the passengers. It is only by all agencies cooperating to guarantee the safety and security of employees and passengers alike that we can achieve a safe efficient and reliable public transport system that is attractive to the citizens to use and that can perform its function of safe sustainable transport for the well-being of the urban environment and all who live in it.

Signed in two copies in Brussels, the 27th May 2015, one going to the ITF, the other at the UITP.

For ITF



Asbjørn Wahl

Chair, ITF Urban Transport Committee

For UITP



Joe Kenny

Chairman of the Commission on Business and HR Management

**This English version constitutes the sole authentic text*

EUROPEAN SOCIAL DIALOGUE

FRAMEWORK AGREEMENT ON HARASSMENT AND VIOLENCE AT WORK

26 APRIL 2007



BUSINESSEUROPE



1. INTRODUCTION

Mutual respect for the dignity of others at all levels within the workplace is one of the key characteristics of successful organizations. That is why harassment and violence are unacceptable. BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) condemn them in all their forms. They consider it is a mutual concern of employers and workers to deal with this issue, which can have serious social and economic consequences.

EU¹ and national law define the employers' duty to protect workers against harassment and violence in the workplace.

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, etc.
- range from minor cases of disrespect to more serious acts, including criminal offences, which require the intervention of public authorities.

The European social partners recognize that harassment and violence can potentially affect any workplace and any worker, irrespective of the size of the company, field of activity or form of the employment contract or relationship. However, certain groups and sectors can be more at risk. In practice not all workplaces and not all workers are affected.

This agreement deals with those forms of harassment and violence which are within the competence of social partners and correspond to the description made in section 3 below.

2. AIM

The aim of the present agreement is to :

- increase the awareness and understanding of employers, workers and their representatives of workplace harassment and violence,
- provide employers, workers and their representatives at all levels with an action-oriented framework to identify, prevent and manage problems of harassment and violence at work.

¹ This includes amongst others the following Directives:

- Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin
- Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation
- Directive 2002/73/EC of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions
- Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work

3. DESCRIPTION

Harassment and violence are due to unacceptable behaviour by one or more individuals and can take many different forms, some of which may be more easily identified than others. The work environment can influence people's exposure to harassment and violence.

Harassment occurs when one or more worker or manager are repeatedly and deliberately abused, threatened and/or humiliated in circumstances relating to work.

Violence occurs when one or more worker or manager are assaulted in circumstances relating to work.

Harassment and violence may be carried out 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.

4. PREVENTING, IDENTIFYING AND MANAGING PROBLEMS OF HARASSMENT AND VIOLENCE

Raising awareness and appropriate training of managers and workers can reduce the likelihood of harassment and violence at work.

Enterprises need to have a clear statement outlining that harassment and violence will not be tolerated. This statement will specify procedures to be followed where cases arise. Procedures can include an informal stage in which a person trusted by management and workers is available to give advice and assistance. Pre-existing procedures may be suitable for dealing with harassment and violence.

A suitable procedure will be underpinned by but not confined to the following:

- It is in the interest of all parties to proceed with the necessary discretion to protect the dignity and privacy of all
- No information should be disclosed to parties not involved in the case
- Complaints should be investigated and dealt with without undue delay
- All parties involved should get an impartial hearing and fair treatment
- Complaints should be backed up by detailed information
- False accusations should not be tolerated and may result in disciplinary action
- External assistance may help

If it is established that harassment and violence has occurred, appropriate measures will be taken in relation to the perpetrator(s). This may include disciplinary action up to and including dismissal.

The victim(s) will receive support and, if necessary, help with reintegration.

Employers, in consultation with workers and/or their representatives, will establish, review and monitor these procedures to ensure that they are effective both in preventing problems and dealing with issues as they arise.

Where appropriate, the provisions of this chapter can be applied to deal with cases of external violence.

5. IMPLEMENTATION AND FOLLOW-UP

In the context of article 139 of the Treaty, this autonomous European framework agreement commits the members of BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CEC) to implement it in accordance with the procedures and practices specific to management and labour in the Member States and in the countries of the European Economic Area.

The signatory parties also invite their member organisations in candidate countries to implement this agreement.

The implementation of this agreement will be carried out within three years after the date of signature of this agreement.

Member organisations will report on the implementation of this agreement to the Social Dialogue Committee. During the first three years after the date of signature of this agreement, the Social Dialogue Committee will prepare and adopt a yearly table summarising the on-going implementation of the agreement. A full report on the implementation actions taken will be prepared by the Social Dialogue Committee and adopted by the European social partners during the fourth year.

The signatory parties shall evaluate and review the agreement any time after the five years following the date of signature, if requested by one of them.

In case of questions on the content of this agreement, member organisations involved can jointly or separately refer to the signatory parties, who will jointly or separately reply.

When implementing this agreement, the members of the signatory parties avoid unnecessary burdens on SMEs.

Implementation of this agreement does not constitute valid grounds to reduce the general level of protection afforded to workers in the field of this agreement.

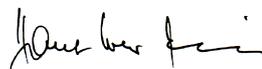
This agreement does not prejudice the right of social partners to conclude, at the appropriate level, including European level, agreements adapting and/or complementing this agreement in a manner which will take note of the specific needs of the social partners concerned.



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