

Bullying and harassment Prevention and management

Working Together for Safety Recommended Practice 053E/2024



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1 Introduction

Bullying and harassment occur in Norwegian workplaces, and the problem is increasing. According to the Trends in Risk Level survey (RNNP¹), in 2023 approximately 7% of employees within Havtil's jurisdiction reported they had been subjected to bullying or unwanted sexual attention in the workplace at least once in the past six months. In its Fact Book for 2024², the National Institute of Occupational Health in Norway (STAMI) gives a figure of around 8% for corresponding indicators.

A clear link has been proven between bullying and harassment in the workplace and increased sickness absences.² In addition, surveys have found that bullying and harassment not only affect safety^{1,3}, but result in lower productivity.⁴ Bullying and harassment are therefore a significant problem for both individuals and organisations – something that highlights the need to tackle and gain control of this problem and implement effective measures to prevent and manage these kinds of situations.

Section 4.3 of the Working Environment Act sets requirements for the working environment, including the psychosocial working environment, and Section 13 of the Equality and Anti-Discrimination Act prohibits harassment.

1.1 Purpose

The purpose of this recommendation is to collate knowledge of measures that may help to prevent bullying and harassment, and to share this with the industry. Recommended practice and formal routines, which may be implemented to manage bullying and harassment effectively, are also described.

1.2 Target group

The target group for this recommendation is all managers and employees who work in organisations where bullying and harassment may occur.

1.3 Definitions

Conflict: Conflicts can be defined as disagreements or contradictory interests, actions or attitudes that lead to tension within and between people, and where strong emotions may be involved. The disagreements relate to the matter at hand, while the resulting tension affects relations and feelings.

Bullying: When someone, repeatedly and over time, is systematically subjected to negative actions from one or more persons, and finds it difficult to defend against these. A lack of action (passive actions – omission/exclusion/ostracism) can also be a form of bullying. Bullying is not a legal term, but part of the statutory prohibition against harassment.⁵

¹¹ Havtil: RNNP 2023 Figures 4-19, 4-20, 4-21 and 4-22

² Fact Book on working environment and health 2024, Chapters 3.2.6 and 5.1

³ Norwegian Maritime Authority – Maritime safety survey 2023 Slide 26 and 27

⁴ Fagbladet.no: Bullying costs millions

⁵ Section 13 of the Equality and Anti-Discrimination Act

Harassment: When someone is subjected to acts, omissions or statements that are or are intended to be offensive, frightening, hostile, degrading or humiliating. Omissions refers to the absence of acts, such as the withholding of information⁷.

Improper conduct: Improper conduct is also covered by the statutory prohibition against harassment, but refers to negative, inappropriate or unfortunate individual acts that are not regarded as harassment in themselves, but are nevertheless so inappropriate that they are regarded as unacceptable in the workplace. In conflicts, it is more common to see individual instances of improper conduct that it is direct bullying/harassment.

The employer's managerial prerogative: The employer's managerial prerogative is the right to organise, lead, allocate and control the work, as well as to appoint and dismiss employees. The employer's managerial prerogative is not directly incorporated in one specific law, but a principle that is established through various legal sources within Norwegian labour legislation.

Contradiction: Contradiction gives the parties the opportunity to make statements, and allows them to respond to what the counterparty or others have stated in the case. This is an important legal principle, and handling an accusation of bullying/harassment without contradiction constitutes a breach of the Working Environment Act.⁶

2 Background and problem

The incidence of workplace bullying has increased over the past fifteen years,⁶ and with increased digitisation bullying now takes different forms than it used to⁷. Employees with non-Norwegian ethnic backgrounds, part-time employees and employees in positions with low levels of influence and power are especially vulnerable, since they often fail to make reports due to fear of possible negative consequences.

In January 2024, the Norwegian Maritime Authority (Sdir) published the results of a survey in which an entire 27% of respondents stated they had been bullied and/or harassed in the past twelve months – an extremely high figure, which has resulted in the psychosocial working environment becoming Sdir's focus area for 2024. The survey also pointed out that there is a direct link between safety and bullying and harassment – personnel who reported that they had been subjected to bullying or harassment were twice as likely to suffer accidents as other personnel. In the RNNP survey for 2023, the link is even stronger – here, there were *three* times as many work accidents among those who had been subjected to bullying or harassment (see Appendix 1). This link to safety has meant that the IMO's Maritime safety committee has classified bullying and harassment as a safety risk, and introduced competence requirements in this area for all maritime personnel (see Appendix 3).

Research shows that bullying at the workplace can place significant strain on personnel, and lead to serious health complaints. In extreme cases, bullying has

⁶ [Arbeidstilsynet.no/arbeidsmiljo/trakassering/mobbing/](https://arbeidstilsynet.no/arbeidsmiljo/trakassering/mobbing/)

⁷ [Stami.no/arbeidsmiljofaktorer/konflikter-vold-og-trakassering/mobbing/](https://stami.no/arbeidsmiljofaktorer/konflikter-vold-og-trakassering/mobbing/)

caused victims such intense stress that they have chosen to take their own lives. The organisation as a whole, and colleagues who observe what is happening, are also affected by the negative consequences of bullying and harassment. In addition to increased sickness absences, bullying can result in reduced productivity, increased staff turnover, and negative portrayals of the organisation in the media.⁸

Research also shows that the most important risk factors for bullying and harassment exist at organisational level, and a large part of the preventive work is therefore about ensuring the organisation functions effectively and has a good working environment. In almost half of all cases, bullying is committed by a manager towards a subordinate. Managers can also contribute to bullying by failing to properly manage conflicts that arise, not placing sufficient focus on the psychosocial working environment, or exacerbating frustrations and power struggles through evasive or inadequate management.

Causes of bullying at the team and individual level may include insufficient understanding of the problems posed by bullying and harassment, and a lack of competence within communication and conflict management.

3 Recommended practice – prevention of bullying and harassment

Preventive work can be compared to the establishment of barriers on the left side of a bow-tie diagram (see Figure 1 below), and aims to reduce the likelihood of bullying and harassment occurring. The consequences of bullying may include poor health/disability, sickness absences, production failures, financial losses, etc., and the measures on the right will help to reduce the consequences if a bullying and/or harassment situation has already arisen.

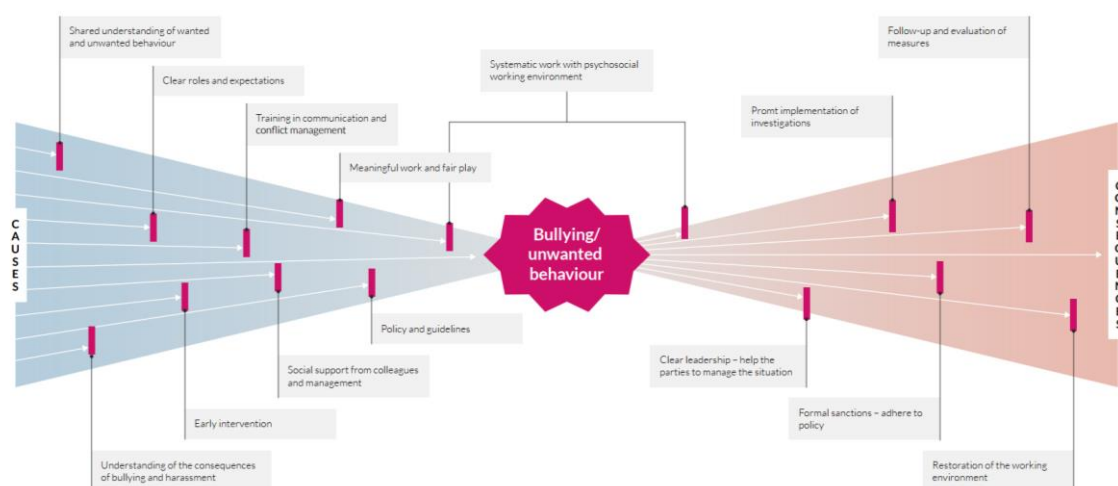


Figure 1 Bow tie

⁸ debanken.org/innsikt/artikler/mobbing-pa-arbeidsplassen

The following measures are recommended to prevent bullying and harassment:

- 1. Have a clear policy against bullying and harassment (zero target). This goal must be communicated to everyone throughout the company, and guidance should be prepared which specifies how the target will be achieved and which routines the company has for preventing and managing bullying and harassment. All cases must follow a clear administrative procedure, with established routines for feedback. The company’s routines must also specify who is responsible for concluding cases, and for how long documents relating to the case will be stored.
- 2. Discuss and agree upon what constitutes wanted and unwanted behaviour in our team. The consequences of breaches of the internal rules must be widely understood, and employees must be made aware that these consequences may involve everything from warnings to dismissal.
- 3. Have clear role descriptions and areas of responsibility for all employees. Ensure meaningful work and fair pay. Ambiguities and dissatisfaction can lead to irritation and interpersonal conflicts, which may in turn lead to bullying and harassment.
- 4. Ensure that the working environment is surveyed regularly, and that feedback routines are implemented in order to expose poor working environments and/or poor management. This requires the involvement of employees and managers, and the correct use of specialist competence throughout all stages of the process illustrated in the figure below. See Appendix 2 for a further description of preventive work.

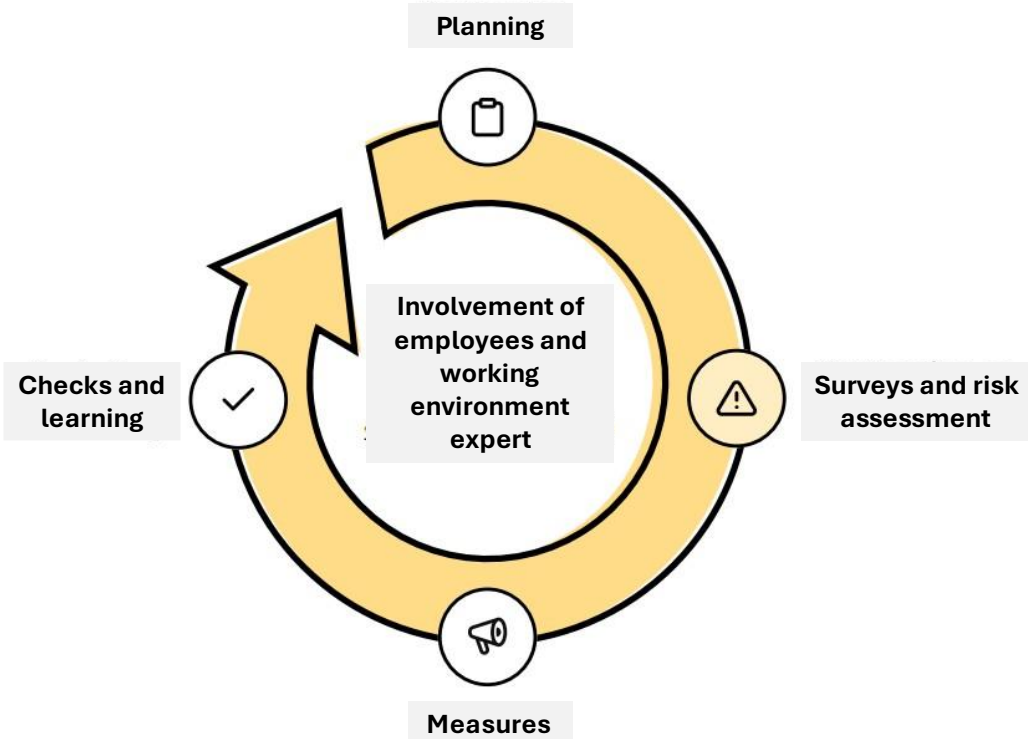


Figure 2: Management of working environment risks. Effective management of working environment risks requires that work processes are established in order to work preventively and systematically. The steps in the model for the management of working environment risks reflect the requirements of the HSE regulations for the petroleum industry.

5. Reporting routines must be in place. Cases must be handled fairly, systematically and with respect for all involved. See Chapter 4.
6. Ensure that training and competence development opportunities are provided. Experience shows that training and increased understanding of bullying and harassment throughout the entire organisation contributes positively. In addition, the fostering of an organisational culture in which it is not only acceptable but expected that employees report undesirable incidents, including those relating to bullying and harassment, will help to reduce the number of such incidents.

Managers, safety representatives and employee representatives should have competence within the following areas:

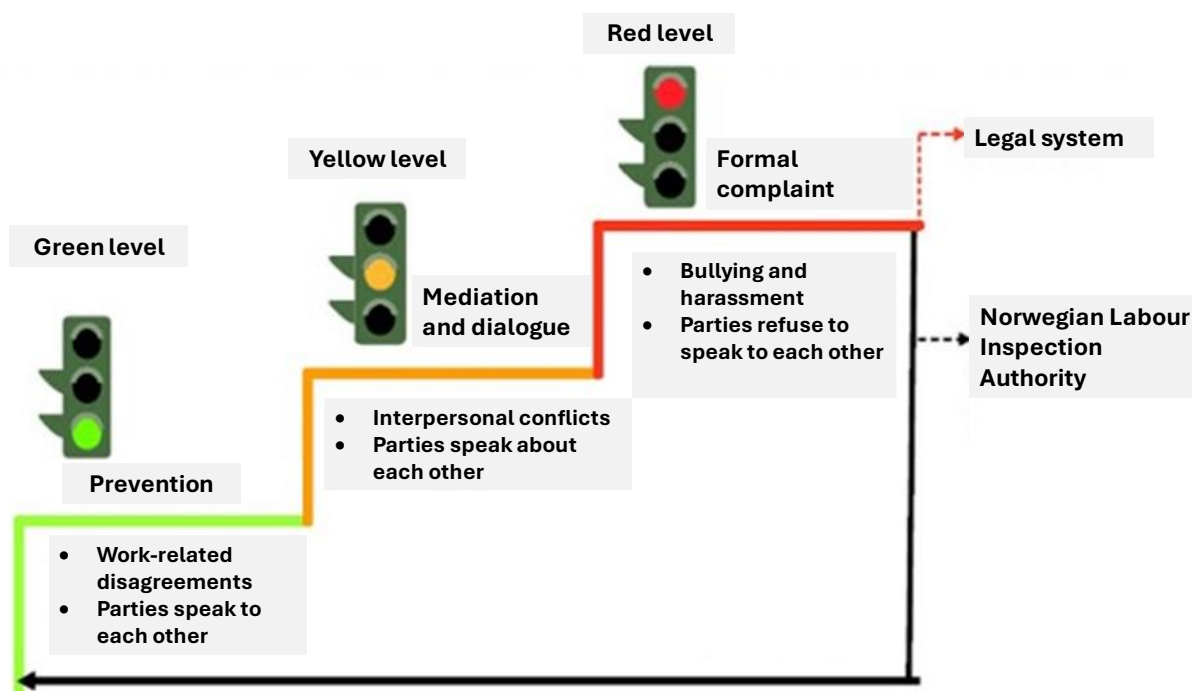
- Thorough knowledge of the company's policies and guidelines
- Surveying the working environment / preventive working environment work
- How to identify and manage high-conflict situations among employees
- Establishment of rules / boundary setting for unacceptable behaviour
- Handling of reports and difficult conversations

Managers must ensure that employees have insight/competence within the following areas:

- The significance of having a good psychosocial working environment
- Early conflict management and good communication
- The importance of speaking up or intervening in the event of improper conduct
- Knowledge and awareness of the risks of social vulnerability, language use, the use of jargon, group processes, etc.

Several booklets and other useful materials have been produced in these areas, see Chapter 6 for references.

Figure 3: “The measures steps” – model for the escalation of conflicts and bullying⁹



The “measures steps” model was created in connection with the Norwegian Labour Inspection Authority’s project to counter bullying and harassment in Norwegian workplaces (“Jobbing uten mobbing” 2005–2007), as an aid for organisations wishing to actively work to prevent, counter and stop bullying.

Figure 3 is based on the measures steps, and shows the various levels of conflict, their characteristics, and which mitigating measures are recommended at each level. The aim is to stop unfortunate developments at the lowest possible level, and to prevent conflicts from escalating.

The first level, which is the preventive level, is **green**. The conflict level here is low, but task-related disagreements may exist. Conflict in itself is not necessarily negative and destructive for a working environment – professional disagreements may foster increased engagement, creativity and innovation. But it is important to cultivate a good tone and atmosphere, ensure that the parties speak *with* each other, and prevent unacceptable behaviour. At the green level, it is important to work with the working environment and culture, and to develop routines and processes for the handling of conflicts.

At the **yellow** level, it becomes urgent to reverse the trend. This is where we often find interpersonal conflicts, in which the parties have begun to speak *about* each other. At this level, the conflict may impact upon the working environment of an entire group or department, where colleagues may feel pressured to take sides. It is therefore important that a manager gets involved and facilitates mediation and

⁹ Preventing and managing conflicts at the workplace

dialogue between the parties. In this type of conflict management, the aim is not to find scapegoats, but rather to restore respect between the parties and reach agreement on rules that will ensure the possibility of cooperation in the future. (Employees in conflict are obligated to participate in measures that are implemented to create a good and safe working environment, including conflict mediation, ref Section 2-3 of the Working Environment Act, Employees' duty to cooperate). When handling this type of conflict, it may be relevant to seek assistance from an independent third party, such as HR or the occupational health service.

Bullying and harassment normally take place at the **red** conflict level. At this level, formal handling of the matter is important (invitations to meetings made in writing and minutes of meetings taken, participants given the option to have a representative present, etc.), since the next level is the Labour Court. At this level, mediation and dialogue are no longer relevant measures, since the parties have often given up speaking to each other and may even have problems being in the same room. At the red level of conflict, it will therefore be appropriate to investigate the facts to clarify whether a breach of the Working Environment Act has been committed. If the law has been broken, the employer must initiate measures to restore a sound working environment for the person in question. Measures may involve sanctions for unacceptable acts (see Chapter 5.2). If, on the other hand, it is concluded that no laws/internal guidelines have been breached, the case should be handled using the means described under the yellow level.

4 Recommended reporting routines

All workplaces with at least five employees shall have internal reporting routines.¹⁰ Organisations with fewer employees shall also have such routines if conditions necessitate this. The reporting routines shall be prepared in cooperation with the employees and their representatives (e.g. safety representatives and union representatives), be made available in writing and at a minimum contain the following:

- A request that all employees report any experienced or observed bullying and harassment
- Reporting procedure
- Procedure for how the employer shall receive, handle and follow-up reports (administrative procedure)
- Routines that ensure both the person making the report and the person being reported are considered, e.g. by offering support to employees who are subjected to bullying or harassment, such as through access to the occupational health service or external sources of support.

Reporting routines have a positive effect on the reporting process, and by establishing clear guidelines regarding how reports of bullying can be submitted, the organisation will ensure a safe channel through which employees can express their concerns. In addition, good routines lead to improved handling of reports, and reduce the risk of retaliation. The organisation's reporting routines should also contain information about how anonymous reports are handled. The Norwegian Labour

¹⁰ Section 2 of the Working Environment Act

Inspection Authority's digital tools may be helpful in the preparation of reporting routines.

Reports should be able to be made both verbally and in writing, and in cases where employees do not speak Norwegian or English, one should allow the report to be made in the employee's native language. Written reports provide a documentable source, which may prove useful in retrospect, while verbal reports can lower the threshold for making a report on a sensitive matter. Verbal reports should be regarded as equal to those made in writing, and are also dyslexia-friendly. The report should contain the necessary information, which may include descriptions of the incident(s), relevant dates, involved parties and any witnesses.

Anonymous reporting should be facilitated, but in some cases the contradiction requirement (see Chapter 5.1) may make anonymity difficult to maintain. Whistleblowers who wish to remain anonymous may register themselves as witnesses to the incident being reported. This will provide a better starting point for the investigations that must be undertaken. A report may be made about one's own personal experiences (I'm being bullied/harassed), or be an observation that others in the company are behaving unacceptably. The company has a duty to investigate such reports, even if the individuals involved do not wish to submit a personal complaint.

The report shall be regarded as having been made as soon as it is received by a person with responsibility for handling such matters, e.g. the employee's line manager, a member of HR or a member of a whistleblowing committee. The report shall be dealt with as quickly as possible, but also as sensitively as possible, and no persons other than those strictly necessary to ascertain the details of the situation shall be involved. It can however be useful for there to always be two people assigned to investigate the report.

The use of digital systems for reporting bullying and harassment is recommended. In addition to the efficient handling of cases, this can remove barriers for employees who have difficulties with reading and writing, and those with language barriers. By facilitating digital solutions, such as text-to-speech technology, user-friendly interfaces and translation to relevant languages, all employees can easily report undesirable incidents without fear of misunderstanding or technical challenges.

Several free text-to-speech programs are currently available. These apps, such as Google Text-to-Speech and Natural Reader, provide the ability to read documents aloud, which makes the content more accessible and inclusive for all employees. A digital approach also guarantees that each report is registered and stored, ensuring cases cannot be hidden or lost. Digital evidence also helps to ensure accountability and transparency in the handling of reports.

5 Recommended practice – management of bullying and harassment

Bullying and harassment shall not occur, and are a management responsibility. However, if you are subjected to improper conduct or bullying, you may in some

cases be able to put an end to it yourself. Here are some suggestions for how to handle such situations:

- Refuse to smile or laugh at jokes made at the expense of yourself or others
- Directly confront the person who has acted inappropriately
- Seek help and support from colleagues/others

If you see that others are being bullied, you can help to put a stop to it by:

- Supporting the colleague being bullied
- Speaking with the bully about their behaviour
- Saying stop – tell the colleague doing the bullying that they should stop. This also applies on social media

Anyone subjected to bullying or harassment at the workplace who is unable to put a stop to it themselves, or who desires help, must contact their line manager, senior manager, employee representative or safety representative, and follow the internal reporting routines. It is also possible to contact the occupational health service, the Norwegian Labour Inspection Authority or the Equality and Anti-Discrimination Ombud for advice and guidance.¹¹ An overview of roles and responsibilities in connection with cases of bullying and harassment is provided in Appendix 4.

5.1 Investigations

Conditions that are reported or uncovered through working environment surveys shall be investigated.¹² This can be done through in-depth interviews, reviewing documentation, and other relevant survey and investigation methods to ascertain the facts and thereby clarify the seriousness of the matter.

As part of surveying the alleged incidents, the person about which the report/complaint has been made must be given the opportunity to give their side of events (contradiction). The subjective experience of bullying/harassment should be considered, but it is the objective aspects that must provide the basis for the conclusion. It must also be highly probable (more than 50%) that harassment has taken place in order to conclude that it has in fact occurred.

Many companies have had good experiences with establishing dedicated groups, such as reporting groups or whistleblowing committees, to handle all reports of issues of concern. These groups typically consist of personnel with varied competence within legal matters, investigation methods, interview techniques and handling difficult conversations. Bringing in external specialist assistance, such as from the occupational health service, may be appropriate in such cases.

Methodical investigations are important to ensure the proper handling of cases, and to safeguard the rights of both the complainant and the accused. All facts must be adequately clarified through interviews and contradiction, and by

¹¹ www.ldo.no/diskriminert/pa-jobb/klage-pa-diskriminering/

¹² Sections 2 and 3 of the Working Environment Act

reviewing/obtaining/collecting evidence, in order to establish whether a breach of the Working Environment Act or internal guidelines has occurred.

The investigation must be based on specific incidents/episodes, and must examine what happened, whether the incident can be confirmed (or whether it is one person's word against another's), and whether it is highly probable that the incident has taken place. Minutes of conversations with the relevant parties should be read by the participants/interviewees themselves. If the participants disagree with the contents of the minutes, they should be given the opportunity to comment on this in writing in a separate letter, which shall be attached to the case documentation.

It should then be assessed whether the incident constitutes a breach of legislation/guidelines, or whether it is an acceptable/expected part of working life (i.e. what a normal employee can generally be expected to tolerate at work). An assessment shall also be made as to whether the incidents, when taken together, constitute bullying/harassment. The case summary, assessment and conclusion shall be provided in a thorough and detailed report (remember to document minutes of meetings, notes, emails, etc.). The name of the person making the report (unless the report was made anonymously), and the name of the person being reported, may be stored for as long as the company exists, but efforts should be made to anonymise other personal details.

The conclusion to the case shall be shared with the parties directly involved (who should be permitted to read the report without being given a copy), but generally not with interviewees and others who have been involved in the case. Given that serious cases may end in dismissal, and thereby possibly also in the Labour Court, it is important that the conclusion stands up to scrutiny and can be justified, even in this kind of situation.

5.2 Measures

When the investigation has been completed and the facts clarified, one should seek to discover what the root cause of the undesirable incident might be before any measures are implemented.

If organisational conditions might be the cause, one should check whether the preventive elements described in Chapter three are in place within the company. Measures to improve organisational conditions must naturally be directed at groups, rather than individuals. The most effective measures are those that are both rooted in research-based knowledge and tailored to the organisation. Insufficient surveys and analysis may result in the measures being too general (e.g. *"We shall help and support colleagues struggling with stress"*) or measures being directed at individuals (e.g. *stress management courses*).

If the investigation does not reveal a breach of legislation or internal guidelines, it is recommended that the matter be handled as a conflict, with dialogue and mediation between the parties. If breaches of legislation or internal guidelines are discovered, the employer has a duty to implement measures, so that the breach is rectified and a safe working environment is restored. Which measures should be used will depend upon the seriousness of the case.

In addition to organisational changes, it may be relevant to set clear expectations regarding the accused's behaviour through guidance and training. It may also be relevant to provide information about health-related help and support services such as advice or psychological support for both the complainant and the accused through e.g. the occupational health service.

It may also be necessary to implement appropriate consequences for the accused, such as follow-up conversations, exemptions from certain activities or disciplinary reactions/warnings. Relocation may also be necessary, or in the worst case dismissal. Clear reactions will send a strong signal to the employees and show that the company takes its responsibility to ensure a good working environment for everyone extremely seriously.

Relocation may be a possible solution within larger organisations, but the parties will often encounter one another again if they work at the same workplace, and this may cause problems. Relocation of one of the parties may also send conflicting messages – it may for example be perceived as a promotion or demotion. In such cases, it should be considered whether it is appropriate to communicate all or parts of the conclusion to those who have been aware of/involved in the case (interviewees and witnesses who are not usually provided with information about the case's conclusion). Confidentiality and privacy protection must be ensured.

Regardless of the conclusion and measures, it is important to follow-up all parties over a significant period of time. This should be regarded as a restorative activity, which is important to ensure a good, safe working environment for all parties.

5.3 Evaluation

The effective management of cases of bullying and harassment involves evaluation/learning in accordance with the figure shown in Appendix 2. Implemented measures should be followed up to see whether the desired effect has been achieved, or whether there is a need for adjustments.

It will also be natural to consider what the organisation can learn from the case. Have established routines and measures functioned as intended? Is there a need for adjustments or improvements at organisational level, in order to ensure the organisation functions effectively? Is there a need for more training and increased competence? Remember that the development and improvement of routines within the company shall always be carried out in co-operation with the employees and their representatives.

In a larger company, it will be natural to undertake an annual overall assessment of all the cases that have been processed. This assessment should cover all levels within the company – organisation, team and individual. Trend analyses of complaints will, along with the results of the working environment survey, be able to provide important information about how the company culture is developing.

Note that general trends within society may also impact upon the culture within the company. For example, it has been observed that increased social media use has

led to more digital bullying. Furthermore, periods of recession will typically lead to companies making greater use of their managerial prerogative, which may give rise to more conflict situations, which in turn may escalate.

6 References, links and literature

The following links provide lots of good information about the topics discussed above:

- Arbinn.nho.no – How to prevent bullying and harassment at work
- Ldo.no: Guide for preventing and managing sexual harassment
- AlwaysSAFE.no: Bullying and harassment (video)
- Idebanken.org: Bullying in the Workplace (booklet)
- [Idebanken](http://Idebanken.no) – “The conflict programme” – guide for understanding conflicts
- Arbeidstilsynet.no: How employers should handle reports of issues of concern

There is also plenty of good information directed at managers in particular:

- Idebanken.org: “Når dialog er nødvendig”. This booklet offers advice for managers who want to be better equipped to handle challenging conversations.
- Arbinn.nho.no NHO’s employer portal – Guide for managers who receive reports of bullying, conflicts and sexual harassment at the workplace.

Literature (in Norwegian):

- *Mobbing og harde personkonflikter. Helsefarlig samspill på arbeidsplassen* by Einarsen, Raknes, Matthiesen and Hellesøy (1994), Sigma forlag.
- *Håndtering av konflikter og trakassering i arbeidslivet – jus og psykologi* by S. Einarsen and H. Pedersen (2021), Gyldendal forlag.
- *Faktaundersøkelse* by S. Einarsen, H. Pedersen and H. Hoel (2016), Gyldendal forlag.

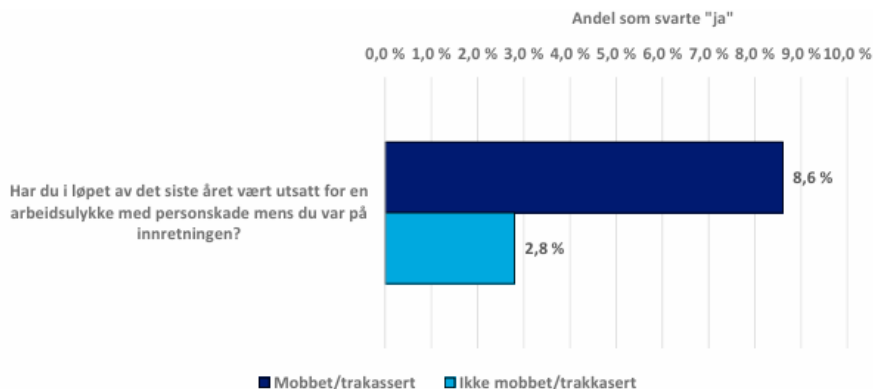
Various organisations offer courses in how to conduct fact-finding investigations and other topics.

7 Abbreviations

| | |
|--------|--|
| AML | Arbeidsmiljøloven (Working Environment Act) |
| Atil | Arbeidstilsynet (Norwegian Labour Inspection Authority) |
| BHT | Bedriftshelsetjeneste (occupational health service) |
| Havtil | Havindustritilsynet (Norwegian Ocean Industry Authority) |
| ICS | International Chamber of Shipping |
| ILO | International Labour Organization |
| IMO | International Maritime Organization |
| ISM | International Safety Management |
| LDO | Likestillings- og diskrimineringsombudet (Equality and Anti-Discrimination Ombud) |
| MLC | Maritime Labour Convention |
| RNNP | Risikonivå i norsk petroleumsvirksomhet (Trends in the risk level in the petroleum industry) |
| Sdir | Sjøfartsdirektoratet (Norwegian Maritime Authority) |
| STAMI | Statens arbeidsmiljøinstitutt (National Institute of Occupational Health in Norway) |

Appendix 1 Bullying and harassment vs. safety

Both the RNNP and the Norwegian Maritime Authority's autumn 2023 survey clearly show a strong link between bullying/harassment and safety. The figure below is taken from the RNNP report from 2003 (published 20 March 2024):

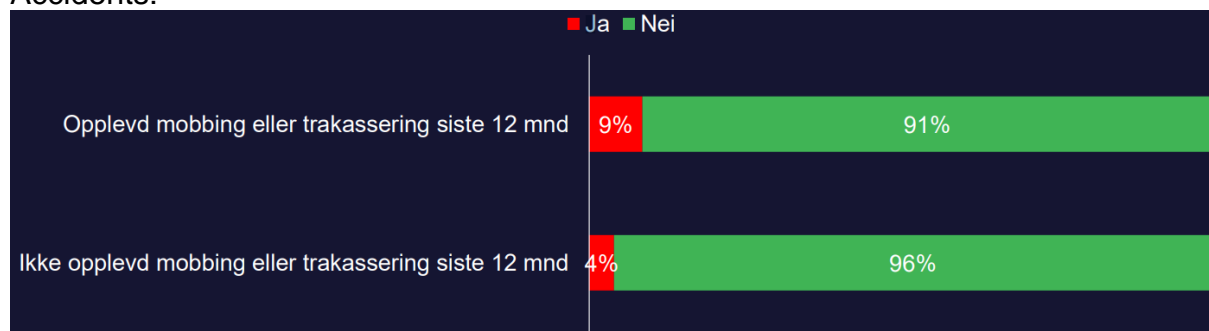


Figur 4-22 Svarfordeling utsatt for arbeidsulykke mellom de som opplever mobbing og/eller uønsket seksuell oppmerksomhet av og til eller oftere og de som ikke opplever det

The figure shows that last year, there were around **three times as many** work accidents among those subjected to bullying/harassment than there were among those who were not.

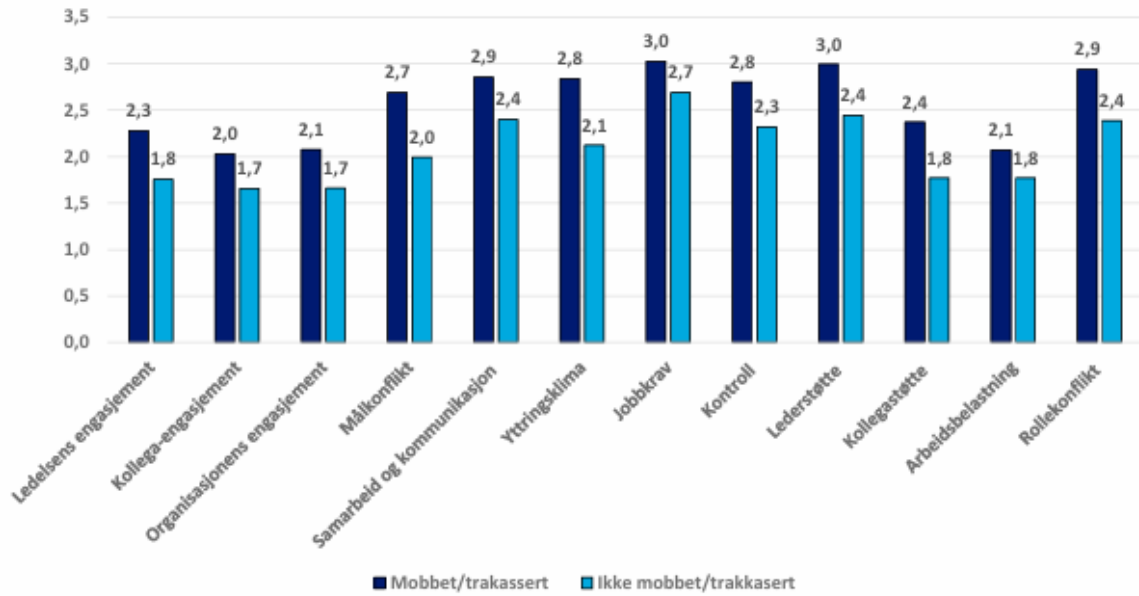
The equivalent figure from the Norwegian Maritime Authority's survey conducted in 2023, and shared at the Psychosocial working environment seminar on 2 May 2024, shows that here, too, there is an equivalent link between bullying/harassment and safety. If you are bullied/harassed, you are **more than twice as likely** to suffer an accident at work.

Accidents:



Both the RNNP and the Norwegian Maritime Authority's survey also show that those subjected to bullying or harassment respond more negatively to all questions relating to safety at the workplace; see the figures on the following page.

RNNP:

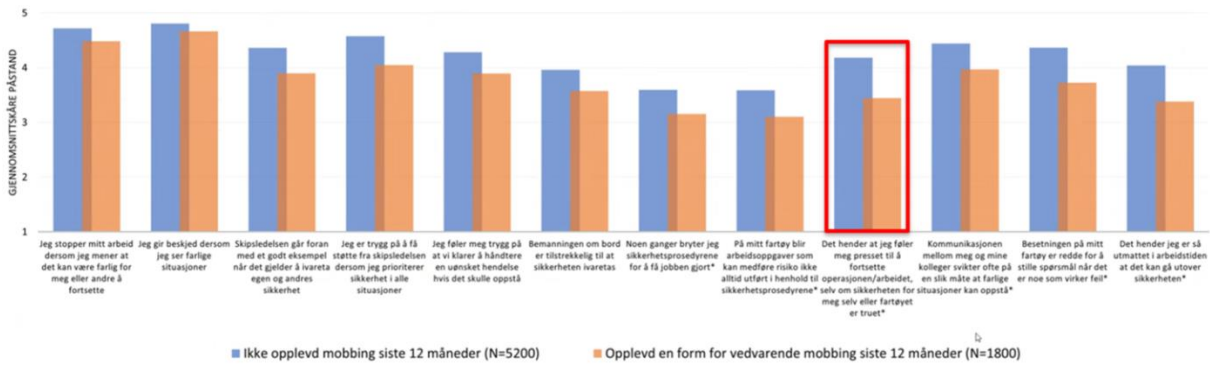


Figur 4-20 Svarfordeling på HMS- og arbeidsmiljøindekser mellom de som opplever mobbing av og til eller oftere og/eller uønsket seksuell oppmerksomhet minst én gang, og de som ikke opplever det

Norwegian Maritime Authority survey:

Hva betyr mobbing egentlig for sikkerheten blant sjøfolk i Norge? (Våren 2023; N=7000)

Påstander merket * er snudd slik at høyere resultat = mer positivt resultat



Appendix 2: Systematic prevention – bullying and harassment

Planning

Effective management of working environment risks requires that work processes are established in order to work preventively and systematically. The steps in the model for the management of working environment risks below reflect the requirements of the HSE legislation for the petroleum industry. Integrated overall management of the working environment requires employee involvement and the correct use of specialist competence at each of the steps in the model.



Surveys and risk assessment

During the survey phase, the collection of data is important to identify challenges and their underlying causes. Using a variety of data types and survey methods can be advantageous, as data from any single survey will not provide answers as to the reasons why risks are occurring. The data must be included in assessments of how the work is organised, planned and executed. In order to understand the causes, one must speak to the employees, and ask them to explain the problems they encounter.

The standard NS-ISO 45003:2021 provides guidelines for managing psychosocial risks, and ISO 45001 is an international standard containing requirements and guidance for safety management systems. These two documents in combination can help companies to work with the working environment systematically and preventively.

Relevant professional expertise within the psychosocial working environment should be involved, and tailored survey and analysis methods should be used.

Measures

The results of conducted surveys and analyses of the collected data shall be used to plan the measures. The measures should be specific and primarily directed towards groups, rather than individuals. The most effective measures are those that are both rooted in research-based knowledge and tailored to the organisation.

Insufficient surveys and analysis may result in the measures being too general (e.g. *“We shall help and support colleagues struggling with stress”*) or that measures are directed at individuals (e.g. *stress management courses*). This means that the measures will fail to address the underlying causes of the problems that may exist with regard to how the work is organised, planned and executed (e.g. Ask: *“Is there anything about the way the work is organised that might lead to conflicts?”*).

Checks and learning

The measures' effects should be evaluated in order to see whether the desired result was achieved, or if any adjustments may be necessary.

Relevant regulatory requirements:

Management Regulations, Section 16: General requirements for analyses

Management Regulations, Section 18: Working environment analysis

Activities Regulations, Section 34: Psychosocial aspects

Regulations concerning Organisation, Management and Employee Participation, Section 7-1:

General requirements for mapping and risk assessments, and Section 13-2: The employer's use of the occupational health service

Appendix 3: IMO / ILO training requirements

The International Labour Organization and International Maritime Organization have collaborated and identified bullying, harassment, violence, sexual assault and sexual harassment as a serious safety challenge with regard to the ISM code's "serious threats to the safety of personnel" and the duty to "ensure safety at sea". In order to foster a culture focused on safety at all levels, through table A-VI/1-4 of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), obligatory basic safety training for maritime personnel has been introduced, and will come into force no later than 1 January 2026.

At a minimum, the training shall cover the following topics:^{13,14}

- *Prevention of and response to violence, bullying and harassment, including sexual harassment and sexual assault.*
- *Basic knowledge and understanding of violence, bullying and harassment, including sexual harassment and sexual assault, and the consequences of harm.*
- *Basic knowledge and understanding of the consequences of violence, bullying and harassment, including sexual harassment and sexual assault, for victims, perpetrators, bystanders and stakeholders, and its effects on health, safety and job satisfaction.*
- *An understanding of how the abuse of power, drugs or alcohol may be used to force people into situations that contribute to bullying and harassment, including sexual assault and sexual harassment.*
- *Be able to identify violence, bullying and harassment, including sexual harassment and sexual assault, and possible consequences.*
- *Knowledge of measures that shall be implemented to prevent, intervene in and report instances of violence, bullying and harassment, including sexual harassment/assault.*
- *An understanding of the basic principles of trauma-informed response and how to provide appropriate support to a victim, a bystander or oneself.*

The Norwegian Maritime Authority administrates and controls the regulations in Norway. In the event of an inspection, the crew's competence certificates shall be checked, and if not valid, this will give grounds for holding back the personnel in question. A dedicated website has been established, with a reporting "button". The shipowner is responsible for ensuring that everyone working on board has the necessary valid training before they enter into service on board. The shipowner is also responsible for implementing this in the safety management system, so that both ISM and MLC certificates can be maintained and issued, and the regulations practiced in accordance with the parties' intentions. Introducing this as part of ISM also means that the possibility to report issues of concern and reporting routines are covered, both internally and externally towards prosecuting authorities.

¹³ [ITF & ICS Guidance on eliminating shipboard harassment and bullying](#)

¹⁴ [ILO C190 - Violence and Harassment Convention, 2019 \(No. 190\)](#)

Appendix 4: Roles and responsibilities

It is the employer and manager's responsibility to prevent and manage cases of harassment and bullying. The fact that bullying is occurring within an organisation may or may not be an issue of management, but if bullying is permitted to continue, this will *always* be a management issue. In addition to the employer and manager, employees, safety representatives, employee representatives, the HR department and several others also have a role in cases of bullying and harassment – see the overview below.

Employer:

The employer is responsible for ensuring that all employees have a safe working environment at all times, and a duty to act if it becomes known that bullying/harassment has occurred in the workplace. In addition, the employer is responsible for:

- Facilitating a good culture of speaking up at the workplace
- Preparing reporting routines
- Preventing and managing harassment/bullying and other improper conduct
- Investigating reports “within a reasonable timeframe”
- Following up all reports, including anonymous reports
- Ensuring that the identity of the person making the report is not made known to more persons than necessary
- Ensuring that the person making the report is not subjected to retaliation or any other form of punishment or sanctions
- Implementing the necessary measures so that the issue of concern is resolved

Line manager:

The line manager may be a manager with personnel responsibility or a manager with technical responsibility.

Line managers have a management prerogative, and may make decisions the employees may not necessarily agree with. Line managers are responsible for ensuring a safe working environment within their area of responsibility, and for preventing and handling conflicts as quickly as possible. The line manager (lowest level) shall help the parties find a solution to the disagreement/conflict via mediation and dialogue, without involving more parties than necessary.

NB: In the event of a report or complaint relating to bullying or harassment, the case must be escalated to a competent level within the organisation in order to ensure proper handling.

Employee: All employees have a duty to report bullying/harassment and discriminatory behaviour.¹⁵ They are also obligated to actively participate in measures that the company arranges to improve the working environment, including those relating to conflict management.

¹⁵ Section 2-3 (d) of the Working Environment Act

Safety representative: The safety representative shall act as a link between the employee and employer. The safety representative shall safeguard the employees' interests in general matters relating to the working environment, and primarily has a role in the preventive HSE work. If the safety representative becomes aware of bullying/harassment, the individual has a duty to report it to the employer. The safety representative is therefore unable to keep the information confidential, even if involved parties desire this.

The safety representative may be present during the handling of bullying cases, to ensure guidelines are followed and assess whether the matter has or has had consequences for the working environment.

The safety representative represents everyone within their safety area, and must therefore be conscious of their role. In matters where an employee makes a report about a colleague, this may lead to a conflict of roles if the safety representative only acts in the interests of one of the parties.

- The safety representative shall forward the report to the employer
- The safety representative shall be available for advice and guidance throughout the process
- The safety representative should not participate in meetings as a source of support for one side in the case
- The safety representative is not party to the case, and shall not be responsible for the administrative handling of the case

Working environment committee

The working environment committee (AMU) does not usually have a role in specific reports, but may participate in the work with reporting routines. The AMU should also be informed of the number of reports that have been made, the issues of concern reported, and how the reports have been handled and resolved. The AMU is also involved in preventive work and the development of routines.

HR department

The HR department may provide assistance and offer advice regarding the management and prevention of conflicts.

Employee representatives

Elected representatives from unions, who protect members' interests. Employee representatives who are made aware of bullying/harassment are not obligated to report this to the company, since they are not covered by the duty to report. However, the employee representatives will often have a role in supporting employees and may speak to employees about the matter in confidence. Employee representatives safeguard members' interests in accordance with legislation and agreements. *(Remember that both parties to a conflict / bullying case may belong to the same union, and the employee representatives may therefore act as a source of support to both parties.)*

Support person

Employees should be given the opportunity to have someone other than the employee representative present as their support person, should they wish. It is

recommended that the chosen support person is not a manager, since experience shows this can escalate the situation.

Occupational health service (BHT)

The occupational health service can assist with surveying the working environment, undertaking surveys of the workplace and work processes, and assessing the risks to health. The occupational health service can suggest measures that may have a preventive effect, and measures that reduce the risk of harm to health following bullying and harassment. The occupational health service shall provide assistance if this is requested by the employees, safety representatives or working environment committee.

Public authorities

Employees are always able to make an external report to a public supervisory body or other public authority. Supervisory bodies and other public authorities shall accept and consider reports of issues of concern covered by their legislation.