



CEE

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# LEGAL MATTERS

IN-DEPTH ANALYSIS OF THE NEWS AND NEWSMAKERS THAT SHAPE  
EUROPE'S EMERGING LEGAL MARKETS

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## Greece: Violence and Harassment in Workplaces – Overview of the Legal Framework

By Betty Smyrniou, Head of Labor, and Danaï Manousopoulou, Junior Associate, Bahas, Gramatidis & Partners



The topic of violence and harassment at work has become increasingly important in Greek employment law. In recent years, Greece has made significant steps by adopting legislative measures aiming at ensuring an equal and healthy working environment for all employees. However, the new framework raises certain complex legal concerns regarding the implementation of the legislation on violence and harassment by the employer. This article provides an overview of these issues within the context of Greek employment law.

### Legal Framework on Violence and Harassment in Workplaces

Greek law, namely *Law 4808/2021, as specified by Decision No. 82063/22-10-2021 of the Minister of Labor and Social Affairs and Decision DIDA/F.64/946/858* of the Minister of Interior, has introduced significant provisions to combat violence and harassment in the workplace.

The law is aligned with the International Labor Organization's (ILO) *Convention No. 190* and provides comprehensive protection for employees by prohibiting all forms of violence and harassment, including physical and psychological violence, mobbing, gender-based violence, and harassment and sexual harassment.

### Key Provisions of Law 4808/2021

One of the core elements of the law is the obligation placed on employers to take active measures to prevent and address incidents of harassment and violence. Namely, employers with more than 20 employees are obliged to adopt policies to prevent and combat work-related violence and harassment and establish internal procedures for receiving and processing complaints. The relevant policies must take a zero-tolerance approach and set out the rights and obligations of employees and employers in preventing and responding to relevant incidents or behavior. The policies may be part of or accompanied by a policy to promote equal opportunities and combat discrimination.

According to the provisions of *Law 4808/2021*, a person aggrieved by an incident of harassment at work has the right, apart from judicial protection and filing the complaint internally, to report the incident to the Ombudsman and request for an employment dispute procedure with the Labor Inspectorate. *Law 4808/2021* in fact establishes an independent department with the Labor Inspection Body (SEPE), which monitors the progress of complaints and prepares annual reports on complaints of violence and harassment.

Victims of work-related violence and harassment also have the right to leave the workplace for a reasonable period of time, with-

out adverse consequences, if there is an imminent and serious danger to their life, health, or safety.

### Confidentiality and Data Protection – Adopting Measures in Harassment Cases

Internal complaints of harassment or violence should be investigated with impartiality, confidentiality, and compliance with GDPR principles. Confidentiality is key when handling cases of violence and harassment at work, as it ensures that victims and witnesses feel secure when reporting or testifying on misconduct. However, ensuring confidentiality within internal complaints processes presents several challenges for employers in Greece. The law also provides that the employer is required to take the necessary appropriate and proportionate measures on a case-by-case basis against the person concerned in order to prevent and not allow the recurrence of similar incidents or behavior. Such measures may include compliance recommendations, changing their position, hours, place, or manner of work, or terminating the employment or cooperation relationship, subject to not abusing rights and disciplinary measures.

Disciplinary measures can be taken if the employer has in place a work regulation providing for a disciplinary legal framework. One of the basic provisions of the disciplinary law is the right of access of the employee to the data collected. It is argued that in cases of harassment, the confidentiality principle prevails, and the rights of the accused may be restricted.

### Reverse of the Burden of Proof in Judicial Procedures

One of the most significant changes introduced by *Law 4808/2021* is the reverse of the burden of proof to the employer in cases of violence or harassment at work. If employers cannot prove that they acted responsibly in preventing harassment, they may face significant liability in terms of monetary claims and labor disputes.

### Conclusion

Greek employment law has made significant progress in addressing workplace violence and harassment, with *Law 4808/2021* offering comprehensive protections for employees. However, this evolving legal landscape brings new challenges related to confidentiality, data protection under GDPR, and the reverse of the burden of proof.

By adopting best practices and procedures, offering training, and ensuring that proper policies are in place, employers in Greece will be able to address the legal complexities and create a safer, more respectful workplace for all employees. ●

