

Accessibility

104. Certain measures may be necessary to ensure the accessibility of policies and procedures, for example, translation into languages other than English or the provision of interpreters.

Review of this code

105. The EEA has been in operation since October 1999. As case law and other developments occur in the area of sexual harassment and harassment, it will be necessary to further review and amend this code to reflect these changes.

Sources of Other Information and Advice

Irish Equality and Human Rights Commission (IHREC),

16-22 Green Street, Rotunda, Dublin 7, D07 CR20

Phone: (01) 858 9601

Website: www.ihrec.ie

Irish Congress of Trade Unions (ICTU),

31/32 Parnell Square W, Rotunda, Dublin 1, D01 X682

Phone: (01) 8897777

Website: www.ictu.ie

Irish Business and Employers Confederation (IBEC),

86 Baggot Street Lower, Grand Canal Dock, Dublin, D02 H720

Phone: (01) 605 1500

Website: www.ibec.ie

Workplace Relations Commission (WRC),

Lansdowne House, Lansdowne Road, Ballsbridge, Dublin 4, D04 A3A8

Phone: (01) 613 6700

Website: www.workplacerelations.ie

Dublin Rape Crisis Centre,

70 Lower Leeson Street, Dublin 2, D02 VW13

Phone: 1800 77 88 88 (national 24-hour helpline)

Website: www.drcc.ie

(Rape Crisis Centres in Athlone, Carlow, Cork, Donegal, Galway, Kerry, Kilkenny, Mayo, Limerick, Nenagh, Louth, Leitrim & West Cavan, Tipperary, Tullamore, Waterford, and Wexford can be contacted through the above helpline.)

Health and Safety Authority,

Metropolitan Building, James Joyce Street, Mountjoy, Dublin 1, D01 K0Y8

Phone: (01) 6147000

Website: www.hsa.ie

National Disability Authority,

25 Clyde Road, Dublin 4, D04 E409

Phone: (01) 608 0400

Website: www.nda.ie

Codes of practice

The following codes of practice may also be of assistance:

- » Code of Practice for Employers and Employees on the Prevention and Resolution of Bullying at Work, 2007, prepared by the Health and Safety Authority;
- » Code of Practice on Victimisation (S.I. No. 463 of 2015) prepared by the WRC;
- » Code of Practice on Procedures for Addressing Bullying in the Workplace (S.I. No. 17 of 2002) prepared by the former Labour Relations Commission; and
- » Code of Practice on Grievance and Disciplinary Procedures (S.I. No. 146 of 2000) prepared by the former Labour Relations Commission.

Appendix 1

- Relevant EU legislation on harassment

European Commission Recommendation: definition of sexual harassment:

The European Commission's code of practice annexed to its Recommendation of 27th November, 1991 on the protection of the dignity of women and men at work (92/131/EEC) provides the following definition:

'Sexual harassment means unwanted conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work'.

Framework and Race Directives: definitions of harassment:

Council Directive 2000/78/EC of 27th November, 2000 establishing a general framework for equal treatment in employment and occupation and Council Directive 2000/43/EC of 29th June, 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, contain definitions of harassment referable to religion or belief, disability, age or sexual orientation ('Framework Directive') and racial or ethnic origin ('Race Directive').

These Directives¹ define harassment as unwanted conduct related to a protected ground with 'the purpose or effect of violating the dignity of a person and of creating an intimidating, hostile, degrading, humiliating or offensive environment'.

Directive on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast):

Directive 2006/54/EC of 5th July 2006 recast in a single text (the 'Recast Directive') the main provisions regarding gender discrimination and took account of certain developments in the case law of the Court of

1 Article 2.3 of Council Directive 2000/78/EC of 27th November, 2000 and Article 2.3 of Council Directive 2000/43/EC of 29th June, 2000

Justice of the European Communities. Article 2(1)(c) and (d) respectively define gender-based harassment and sexual harassment:

'(c) "harassment": where unwanted conduct related to the sex of a person occurs with the purpose or effect of violating the dignity of a person, and of creating an intimidating, hostile, degrading, humiliating or offensive environment;

(d) "sexual harassment": where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs, with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.'

Appendix 2

Please see <https://www.workplacerelations.ie/en/> for current forms.



An Choimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

The Irish Human Rights and
Equality Commission
**16 – 22 Sráid na Faiche,
Baile Átha Cliath, D07 CR20**
16 – 22 Green Street,
Dublin, D07 CR20

Íosghlao/Lo-Call 1890 245 245
Guthán/Phone + 353 (0) 1 858 3000
Ríomhphost/Email info@ihrec.ie
Idirlíon/Web www.ihrec.ie
 [@_ihrec](https://twitter.com/_ihrec)