



BARCELONA
CHARTER
SERIES

BARCELONA CHARTER POSITION PAPERS
ON WORKPLACE INTEGRITY

DOCTRINAL PAPER

01

Organizational Harassment and Workplace Integrity

Doctrinal foundations for an organizational
understanding of workplace, sexual and
discriminatory harassment within the framework
of Labour Compliance



EUROPEAN CENTER FOR
WORKPLACE INTEGRITY
& LABOUR COMPLIANCE

DRIVEN BY

AVA

ASSOCIATION
OF VICTIMS
OF HARASSMENT

AND WITH THE PARTICIPATION OF
THE SCIENTIFIC COMMITTEE
OF THE FIRST NATIONAL CONGRESS
ON THE PREVENTION OF HARASSMENT
IN ORGANIZATIONS

BARCELONA
2026



DIGNITY
AND RESPECT



PROTECTION
OF PEOPLE



INTEGRITY
AND GOVERNANCE



PREVENTION
AND DUE DILIGENCE



ORGANIZATIONAL
COMMITMENT

Doctrinal Paper 1.

Organizational Harassment and Workplace Integrity

Doctrinal Foundations for an Organizational Understanding of Workplace, Sexual and Discriminatory Harassment within the Framework of Labour Compliance

Prepared by: European Center for Workplace Integrity & Labour Compliance

Promoted by: AVA – Association of Victims of Harassment

With the participation of the **Scientific Committee of the First National Congress on the Prevention of Harassment in Organizations**

Contents

1. The Problem
2. Limitations of the Traditional Approach
3. The Concept of Organizational Harassment
4. Distinguishing between:
 - a. Workplace Conflict
 - b. Organizational Non-Compliance
 - c. Relational Harassment
 - d. Organizational Harassment
5. Relationship with Workplace Integrity
6. Implications for Labour Compliance
7. Future Research Directions

1. THE PROBLEM

The prevention and management of workplace, sexual and discriminatory harassment have become increasingly significant within contemporary organizations. Over recent years, both legislation and organizational practice have evolved substantially in order to strengthen the protection of human dignity through the implementation of harassment policies, internal procedures, whistleblowing channels, investigation systems and organizational mechanisms designed to ensure an effective response to situations affecting fundamental rights in the workplace.

This evolution has contributed to the consolidation of an increasingly demanding framework for prevention and protection. Organizations now possess more sophisticated tools to identify risks, intervene in potentially harmful situations and implement measures aimed at protecting individuals. At the same time, legislation and case law have significantly reinforced employers' obligations regarding the prevention and management of harassment.

Practical experience, however, reveals a reality that raises important questions. Incidents of harassment are not distributed uniformly across organizations displaying similar levels of commitment to prevention, nor do they automatically reflect the quality of an organization's management systems. An organization may experience a serious case of harassment while nevertheless responding with diligence by activating effective mechanisms of protection, investigation and corrective action. Conversely, environments can also be identified where preventive obligations receive only limited attention, protective mechanisms fail to inspire confidence, or organizational responses prove insufficient to provide effective protection for those affected.

This observation invites a partial shift in analytical focus. The central question should not be limited to determining whether harassment has occurred, but should also include an assessment of how the organization acted before, during and after the relevant events. The quality of preventive mechanisms, the ability to identify risks, the independence of investigations, the protection afforded to those involved and the implementation of appropriate corrective measures all provide valuable indicators of an organization's genuine commitment to protecting human dignity within the workplace.

The importance of this perspective becomes particularly evident when comparing organizations that invest substantial financial, operational and organizational resources in prevention, training, investigation and employee protection with others that devote considerably less attention to these matters. While some organizations assume significant costs to strengthen their internal systems of protection, others operate under substantially lower standards. This disparity extends beyond prevention itself and raises important issues concerning organizational responsibility, governance and the competitive conditions under which organizations subject to identical legal obligations operate with markedly different levels of commitment.

The reflections developed in this Position Paper arise precisely from this reality and begin with a straightforward question: **Is it sufficient to analyse harassment exclusively through the conduct of the individuals involved, or is it equally necessary to assess the quality of the organizational compliance framework implemented to prevent, detect, investigate and manage these risks?**

The answer to this question constitutes the starting point for the doctrinal framework proposed in this paper, which seeks to enhance our understanding of the role organizations play in the effective protection of human dignity and in the management of risks capable of undermining that protection.

2. LIMITATIONS OF THE TRADITIONAL APPROACH

Existing approaches to the analysis of harassment have made a decisive contribution to strengthening the protection of individuals and to developing increasingly effective mechanisms for identifying conduct incompatible with human dignity in the workplace.

Most existing models focus primarily on three essential elements: the facts that occurred, the individuals involved and the consequences arising from the conduct under examination. This perspective is indispensable for determining legal responsibility and ensuring the effective protection of fundamental rights.

However, the evolution experienced by organizations over recent years introduces an additional dimension that has not always occupied a central place within traditional analysis. The widespread implementation of preventive obligations, specific harassment procedures, investigation protocols and internal protection systems has considerably expanded organizational responsibility in relation to harassment-related risks.

Consequently, assessing a particular situation can no longer depend exclusively on what occurred between specific individuals. It also requires an evaluation of how the organization responded when it had the opportunity to prevent, detect, investigate or appropriately manage the known events.

This reality reveals a significant limitation in traditional approaches. Similar situations may arise within organizations displaying profoundly different levels of preventive maturity, while radically different organizational responses frequently receive only secondary consideration during the assessment process. Individual conduct remains at the centre of analysis, whereas the quality of organizational action often occupies a merely complementary role.

Incorporating an analytical perspective capable of evaluating this organizational dimension therefore represents the principal challenge addressed by the present Position Paper.

3. THE CONCEPT OF ORGANIZATIONAL HARASSMENT

The mere existence of a harassment situation within an organization does not, in itself, permit conclusions to be drawn regarding the organization's commitment to

protecting human dignity. Organizations are composed of individuals who interact, disagree, collaborate and coexist within complex environments in which conduct incompatible with the organization's own values and principles may arise.

This reality requires a distinction between the conduct carried out by particular individuals and the response implemented by the organization in relation to that conduct. Although these two dimensions are closely connected, they follow different dynamics and therefore require different forms of analysis.

The occurrence of a harassment incident does not necessarily constitute evidence of organizational failure. An organization may have appropriate preventive mechanisms in place, actively promote respect for human dignity, conduct independent investigations into reported incidents and adopt effective protective and corrective measures whenever harmful conduct occurs. In such circumstances, the organization fulfils its protective function and responds in a manner consistent with the obligations it owes to the people who form part of its structure.

The situation assumes a different nature when the organization significantly fails to fulfil that protective function. The absence of reasonable preventive measures, failure to act in response to known risks, ineffective protection mechanisms, conflicts of interest affecting decision-making, or inadequate responses to situations affecting human dignity may transform organizational non-compliance into a relevant component of the phenomenon itself.

From this perspective, Organizational Harassment does not describe an organization that commits harassment, nor does it seek to attribute to the organization the conduct carried out by specific individuals. Rather, the concept identifies those situations in which a significant failure to fulfil organizational duties of prevention, protection, investigation or response contributes materially to the emergence, continuation, aggravation or inadequate management of situations affecting human dignity in the workplace.

The value of this approach lies in its ability to distinguish realities that are frequently merged within traditional analyses. One organization may experience an instance of relational harassment while responding diligently and effectively, whereas another may display a clearly inadequate organizational response to substantially similar facts. The essential distinction between the two does not necessarily lie in the initial conduct itself, but in the quality of the organizational response.

The concept of Organizational Harassment has therefore been developed to analyse precisely this distinction. Its purpose is to introduce into the study of harassment an additional dimension focused on the degree of organizational compliance actually demonstrated in addressing risks affecting human dignity, thereby enabling an

assessment of whether the organization forms part of the solution or ultimately becomes part of the problem.

Accordingly, Organizational Harassment may be defined as a situation in which an organization significantly fails to fulfil its duties of prevention, protection, investigation or response to harassment, thereby contributing to the occurrence, persistence or aggravation of the resulting harm. Organizational Harassment therefore exists when the organization's failure to comply becomes part of the problem itself.

A compliant organization may experience harassment. A non-compliant organization turns its own non-compliance into part of the problem.

The introduction of this category expands the traditional analysis of harassment without replacing existing legal concepts, allowing a more comprehensive understanding of the relationship between individual conduct and the role organizations play in the effective protection of fundamental rights.

4. DISTINGUISHING BETWEEN WORKPLACE CONFLICT, RELATIONAL HARASSMENT AND ORGANIZATIONAL HARASSMENT

A proper understanding of situations affecting human dignity in the workplace requires distinguishing between realities that arise from different causes, develop through different dynamics and require different forms of intervention. The use of overly broad categories to describe distinct phenomena may hinder the identification of the true source of the problem and lead to organizational responses that are inappropriate to the circumstances.

The framework proposed in this Position Paper distinguishes three fundamental situations: workplace conflict, relational harassment, and organizational harassment. Although these situations may share certain external characteristics, each possesses its own defining features and requires a distinct analytical approach.

Table 1. Framework for Distinguishing Workplace Situations

Situation	Harmful Conduct?	Does the Organization Fulfil its Protective Function?	Core of the Problem
Workplace Conflict	Not necessarily	It may or may not	Deterioration of the working relationship
Relational Harassment	Yes	Yes	Conduct carried out by one or more individuals

Organizational Harassment	Yes	No, not sufficiently	Harmful conduct combined with organizational non-compliance
----------------------------------	-----	----------------------	---

Workplace conflict is an inherent feature of every organization. Professional interaction between individuals with different responsibilities, interests and perspectives inevitably generates disagreements, tensions and disputes that may affect the working environment or weaken interpersonal relationships. The existence of conflict does not, in itself, constitute harassment, nor does it automatically imply an infringement of fundamental rights.

Relational Harassment arises when one or more individuals engage in conduct incompatible with the dignity of another individual or group of individuals within the workplace. In such cases, the primary explanatory factor lies in the conduct of those directly involved. The organization may nevertheless maintain appropriate preventive mechanisms, conduct diligent investigations and implement effective responses. Consequently, the existence of relational harassment does not necessarily indicate organizational failure.

Organizational Harassment possesses a fundamentally different nature. Its defining characteristic is not simply the existence of harmful conduct, but rather the organization's inadequate fulfilment of its protective obligations. The absence of reasonable preventive measures, inaction in the face of known risks, ineffective protection mechanisms or inadequate management of situations affecting human dignity transform organizational non-compliance into part of the problem itself.

From this perspective, Organizational Harassment identifies those situations in which the organization ceases to perform its protective function effectively and thereby contributes to the occurrence, persistence or aggravation of the harm suffered. The distinction between Organizational Harassment and Relational Harassment therefore lies not necessarily in the original facts, but in the quality of the organization's response to those facts.

Table 2. Relationship Between the Three Situations and Workplace Integrity

Situation	Relationship with Workplace Integrity
Workplace Conflict	Compatible with both high and low levels of Workplace Integrity
Relational Harassment	Compatible with both high and low levels of Workplace Integrity

The incorporation of this second analytical dimension is particularly important because **Workplace Integrity does not measure the existence or absence of conflict or harassment. Rather, it evaluates the organization's real capacity to**

prevent risks, protect individuals and respond appropriately when those risks materialize.

The distinction between workplace conflict, relational harassment and organizational harassment therefore constitutes the conceptual foundation of the approach proposed in this Position Paper, enabling the development of analytical models that simultaneously assess both individual conduct and the quality of the organizational response to the events under examination.

5. THE CONCEPT OF WORKPLACE INTEGRITY

The distinction between workplace conflict, relational harassment and organizational harassment provides a more comprehensive understanding of the situations that may affect human dignity within the workplace. However, this classification also gives rise to a further question. If different organizations may face similar situations yet achieve profoundly different outcomes in terms of protection, trust and organizational response, it becomes necessary to establish a criterion capable of assessing the quality of the organization's performance when confronted with such situations.

The existence of a workplace conflict, a formal complaint or even a harassment case undoubtedly provides relevant information about the events that have occurred. Nevertheless, these elements alone are insufficient to evaluate an organization's actual ability to protect individuals when circumstances arise that may jeopardize their fundamental rights.

The need to address this question leads to the introduction of the concept of **Workplace Integrity**.

From this perspective, Workplace Integrity is **not** defined by the absence of conflict, complaints or harassment. Organizations are composed of people, and no organizational structure can guarantee the complete elimination of all risks arising from professional interaction. The true measure of organizational integrity lies in **how the organization responds when those risks emerge**.

Organizational integrity is demonstrated through concrete decisions. It is reflected in an organization's ability to identify risks, inspire confidence, act independently, protect the individuals involved and adopt appropriate measures when situations affecting human dignity arise. Its value does not depend solely upon the existence of formal procedures, but upon the organization's genuine ability to translate its protective obligations into effective action.

The incorporation of the concept of Workplace Integrity broadens the traditional understanding of organizational compliance by introducing an approach centred on the quality of the organization's response to risks affecting individuals. Its purpose

is to provide a conceptual framework capable of assessing the extent to which an organization effectively fulfils the protective function entrusted to it within the workplace.

Accordingly, **Workplace Integrity may be defined as the degree of an organization's actual capacity to protect human dignity effectively through the effective fulfilment of its preventive and protective responsibilities in relation to risks affecting fundamental rights at work.**

This definition places organizational performance at the centre of the analysis. Rather than asking whether adverse events have occurred, Workplace Integrity asks whether the organization possesses the structures, culture, procedures and decision-making capacity necessary to respond effectively when such events arise.

In this sense, Workplace Integrity should be understood as a dynamic organizational capability rather than a static condition. It reflects the organization's continuous ability to anticipate risks, maintain the confidence of its workforce, ensure impartial decision-making and uphold the effective protection of fundamental rights throughout the employment relationship.

Consequently, Workplace Integrity complements, rather than replaces, existing compliance frameworks. While legal compliance establishes the minimum obligations imposed by legislation, Workplace Integrity evaluates the quality, effectiveness and credibility with which those obligations are implemented in practice.

Table 3. Distinction Between Organizational Harassment and Workplace Integrity

Concept	Key Question	Purpose
Organizational Harassment	When does organizational non-compliance become part of the problem?	To identify situations involving organizational risk.
Workplace Integrity	What is the organization's actual capacity to protect people effectively?	To evaluate the quality of the organization's protective performance.

The relationship between these two concepts is complementary. **Organizational Harassment** identifies situations in which the organization's failure to fulfil its preventive and protective obligations contributes significantly to the harm suffered. **Workplace Integrity**, by contrast, measures the organization's overall capability to prevent such failures and to respond effectively whenever risks affecting human dignity materialize.

Accordingly, Organizational Harassment functions as an indicator of significant deficiencies in organizational performance, whereas Workplace Integrity serves as the broader standard against which the effectiveness of that performance may be assessed.

Together, these concepts provide a more comprehensive analytical framework for understanding how organizations protect fundamental rights in the workplace. They shift the focus beyond individual conduct alone and introduce an additional organizational dimension, allowing both the behaviour of individuals and the quality of the organization's response to be evaluated simultaneously.

6. IMPLICATIONS FOR LABOUR COMPLIANCE

The incorporation of the concepts of **Organizational Harassment** and **Workplace Integrity** broadens the traditional approach to analysing risks affecting human dignity in the workplace. Together, these concepts introduce a complementary perspective that focuses not only on the conduct of individuals, but also on the organization's actual capacity to fulfil its protective function effectively.

This perspective is particularly relevant within the field of **Labour Compliance**. Over recent years, labour compliance systems have progressively evolved towards risk-based management models designed to identify, assess and control situations capable of generating legal, economic, reputational and organizational consequences. Within this framework, the protection of human dignity extends beyond the formal fulfilment of statutory obligations and requires organizations to establish mechanisms capable of delivering effective protection in practice.

From this standpoint, **Organizational Harassment** may be understood as a specific manifestation of organizational risk. Its occurrence reveals situations in which the organization displays significant deficiencies in fulfilling its responsibilities of prevention, protection, investigation or response regarding conduct affecting the fundamental rights of individuals.

Workplace Integrity complements this analysis by assessing the organization's actual capacity to manage those risks effectively. While Organizational Harassment identifies circumstances in which organizational non-compliance becomes part of the problem, Workplace Integrity evaluates the effectiveness with which the organization performs its protective function.

Taken together, these concepts enable Labour Compliance to adopt a broader understanding of people-related risks. The focus therefore shifts from the mere formal fulfilment of legal obligations towards the organization's actual capacity to prevent harmful situations, protect those affected and respond effectively whenever risks materialize.

This evolution is particularly significant for **small and medium-sized enterprises (SMEs)**. A substantial proportion of the workforce is employed by organizations operating with more limited resources and less complex structures than large corporations. Consequently, compliance models must be proportionate to the size and characteristics of each organization while maintaining the fundamental obligation to protect human dignity effectively.

The principle of proportionality makes it possible to recognise that Workplace Integrity does not depend exclusively upon the volume of resources available. Rather, it depends upon the organization's genuine commitment to exercising its protective function. The mechanisms adopted may vary according to organizational size and complexity; the responsibility to protect people remains constant.

The incorporation of these concepts into Labour Compliance therefore contributes to the development of more comprehensive management models capable of integrating the protection of human dignity into the governance, oversight and risk management systems that characterize contemporary organizations.

7. FUTURE RESEARCH DIRECTIONS

The concepts of **Organizational Harassment** and **Workplace Integrity** proposed in this Position Paper represent a first doctrinal approach to a reality whose complexity requires the continued development of analytical tools, evaluation criteria and intervention models capable of addressing the challenges faced by contemporary organizations.

The principal contribution of this proposal lies in introducing an organizational dimension into the study of harassment based upon the quality of the organization's effective fulfilment of its responsibilities for prevention, protection, investigation and response. The consolidation of this approach requires an ongoing process of academic reflection, critical discussion and empirical validation capable of progressively refining the conceptual model presented in this paper.

One of the principal areas for future development concerns the identification of **objective indicators** capable of assessing an organization's level of Workplace Integrity. The establishment of verifiable criteria, evaluation methodologies and measurement systems represents an essential step in moving from a conceptual framework towards practical tools capable of producing comparable and meaningful assessments across organizations of different sizes and sectors.

Particular attention should also be devoted to analysing the factors that contribute to the emergence of Organizational Harassment. Identifying recurring patterns, structural deficiencies, conflicts of interest, inadequate management practices and

weaknesses in preventive systems will facilitate a more precise understanding of the circumstances that increase the likelihood of organizational non-compliance becoming part of the problem itself.

The reality of **small and medium-sized enterprises** likewise constitutes a priority area for future research. Developing Workplace Integrity models compatible with organizations operating with limited resources represents one of the principal challenges in ensuring that the effective protection of human dignity can be extended proportionately throughout the business community.

The relationship between Workplace Integrity, Labour Compliance, organizational governance and the protection of fundamental rights also opens a particularly significant field of research. Exploring these interactions will contribute to the development of more integrated management models capable of connecting the protection of individuals with the systems of oversight, control and risk management that characterize modern organizations.

The future development of this doctrinal framework likewise requires the active participation of universities, legal professionals, employers' organizations, social institutions, public authorities and specialists from a wide range of academic disciplines. The complexity of the issues examined calls for a multidisciplinary approach capable of integrating legal, organizational, preventive, psychological and compliance perspectives.

This Position Paper does not seek to conclude the debate, but rather to contribute to its beginning. Building workplaces that are more ethical, more resilient and more respectful of human dignity requires the continued development of knowledge, analytical tools and organizational models that enhance our understanding of the role organizations play in the effective protection of people.

The future consolidation of the concepts of **Organizational Harassment** and **Workplace Integrity** will ultimately depend upon their capacity to generate practical value, improve our understanding of organizational risks and strengthen those organizations genuinely committed to protecting human dignity in the workplace.

European Center for Workplace Integrity & Labour Compliance

This Position Paper has been approved for publication by the Scientific Committee of the First National Congress on the Prevention of Harassment in Organizations.

Barcelona, 2026