



**Raccomandazioni comuni
delle parti sociali europee del settore del trasporto pubblico urbano
UITP ed ETF
per
Combattere la violenza e l'insicurezza nel Trasporto Pubblico Urbano**

Nel 2003, le Parti Sociali Europee, UITP ed ETF, hanno firmato le "Raccomandazioni comuni nel campo dell'insicurezza e delle sensazioni di insicurezza nel trasporto pubblico locale". Le Parti Sociali Europee, affermano che in parallelo alle evoluzioni della società, si sono evolute anche le minacce di violenza messe in atto da soggetti terzi, clienti e utenti della strada, ai danni dei lavoratori del trasporto pubblico urbano. Un clima di non rispetto per il bene pubblico, inclusi i lavoratori impiegati in aree pubbliche è sempre più diffuso in Europa e comporta per i lavoratori del trasporto pubblico urbano di dover affrontare quotidianamente violenza, aggressività e altre forme di comportamento antisociale sul lavoro. Un tale ambiente influisce negativamente sulle condizioni di lavoro e allo stesso tempo crea un'atmosfera di insicurezza anche per i clienti. Questo a sua volta contribuisce a rendere meno attrattivo il settore dal punto di vista occupazionale, in particolare per le donne, che sono già sottorappresentate. Di conseguenza, in base al nuovo contesto e agli sviluppi del settore, le Parti Sociali Europee hanno convenuto di rivedere ed aggiornare le raccomandazioni comuni del 2003.

La nuova Convenzione Internazionale "Porre fine alla violenza e alle molestie nel mondo del lavoro" adottata dall'Organizzazione Internazionale del Lavoro nel giugno 2019 afferma che ogni lavoratore dovrebbe essere protetto dalla violenza e dalle molestie. La violenza e le molestie nel mondo del lavoro si riferiscono a una serie di comportamenti e pratiche inaccettabili o minacce che mirano, provocano o sono in grado di provocare un danno fisico, psicologico, sessuale o economico, e comprendono la violenza di genere, le molestie nonché violenza e molestie contro altre tendenze e specificità. Inoltre, la legislazione dell'Unione europea in materia di salute e sicurezza sul lavoro stabilisce chiaramente l'obbligo giuridico, in capo al datore di lavoro, di salvaguardare la salute e la sicurezza dei propri dipendenti, anche contro ogni forma di violenza.¹ Tuttavia, anche con una solida base di legislazione e accordi europei, è necessario un approccio attivo da parte delle aziende.

Allo stesso tempo, le autorità urbane e le amministrazioni locali stanno prendendo sempre più coscienza di questo problema e alcuni paesi europei stanno adeguando di conseguenza le loro politiche sul territorio e per le reti di trasporto. Tutti questi sviluppi e cambiamenti richiedono pratiche adeguate da parte delle società pubbliche di trasporto e sostegno finanziario delle autorità competenti.

Il problema della violenza messa in atto da soggetti terzi deve essere distinto dalla violenza interna, che si riferisce alla violenza, alle molestie e alle forme di bullismo perpetrate da e contro i subordinati, i colleghi e i superiori nel lavoro. Secondo l'Organizzazione Mondiale della Sanità, la violenza nei luoghi di lavoro include atti derivanti da relazioni di potere, comprese minacce e intimidazioni. La violenza interna provoca o ha un'alta probabilità di provocare lesioni, morte, danni psicologici, sviluppo errato o privazione.² Nel 2007, le Parti

¹ Rapporto V (1) Porre fine alla violenza e alle molestie nel mondo del lavoro, Conferenza internazionale del lavoro, 108 °Sessione, 2019.

² Agenzia europea per la sicurezza e la salute sul lavoro (OSHA): relazione sull'Osservatorio europeo dei rischi. Posto di lavoro Violenza e molestie: un'immagine europea, 2010.

sociali europee intercategoriali hanno firmato L’“Accordo quadro sulle molestie e la violenza sul posto di lavoro.”³L'accordo si pone l'obiettivo di aumentare la consapevolezza e l'attenzione dei datori di lavoro, dei lavoratori e dei loro rappresentanti sul fenomeno delle molestie e della violenza sul posto di lavoro. Fornisce un quadro di azione per individuare, prevenire e gestire i casi di molestie e violenza sul lavoro.

UITP ed ETF approva pienamente questo accordo e richiedono ai propri membri e associati di agire concretamente per recepirlo a livello aziendale e / o settoriale.

La violenza sia interna che di messa in atto da soggetti terzi mina la fiducia e la dignità delle vittime e ha un reale effetto economico in termini di assenze, del benessere e del turnover del personale.

Entrambi i fenomeni sono ugualmente inaccettabili e richiedono un'azione forte per combatterli adeguatamente.

Tenendo conto di queste specificità europee, le parti sociali europee UITP ed ETF concordano sul fatto che la dichiarazione congiunta UITP-ITF in merito alle "Raccomandazioni per combattere la violenza e l'insicurezza sul trasporto pubblico urbano ", firmata il 27 maggio 2015, costituisce un elemento prezioso per aggiornare concretamente le raccomandazioni comuni UITP-ETF "Raccomandazioni comuni nel campo dell'insicurezza e delle sensazioni di insicurezza nel trasporto pubblico locale" firmate a Napoli nel 2003.

Le Parti Sociali Europee, UITP ed ETF, si impegnano a diffondere le raccomandazioni comuni e a mettere in atto azioni di sensibilizzazione attraverso seminari e conferenze e a monitorare l'attuazione delle stesse in tutta Europa dalle parti sociali del settore.

Firmato in duplice copia a Bruxelles il 29 gennaio 2020, dai rappresentanti dell'ETF e dell'UITP.

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³ Accordo quadro sulle molestie e la violenza sul lavoro, 2007.

Annex

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.

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

- 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 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
- 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 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

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