

The law protects the witnesses

Article L.246-4 of the Labour Code sets out the protection for witnesses of harassment in the workplace. Thus, an employee may not be the subject of reprisals for having been the witness of acts relating to psychological harassment.

Any disposition or act that is contrary to this, and in particular any dismissal in violation of these dispositions, is automatically null and void.

**I have several questions,
who can I contact?**

Useful external contacts:

For information:

Mobbing asbl

ITM (Labour and Mines Inspectorate)

For complaints:

ITM (Labour and Mines Inspectorate)

Mobbing:
**I am a witness,
what can I do?**

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LE GOUVERNEMENT
DU GRAND-DUCHÉ DE LUXEMBOURG
Ministère du Travail, de l'Emploi et
de l'Économie sociale et solidaire

Mobbing

Art. L. 246-2.

“Moral harassment in the context of employment relations within the meaning of this chapter is any conduct which, by its repetition or systematic nature, undermines the dignity or the psychological or physical integrity of a person.

Within the meaning of the first paragraph, business trips, professional training and communications in connection with or as a result of work by any means whatsoever, even outside normal working hours, are an integral part of the performance of work.”

What can I do as a witness?

Vigilance:

watch out for warning signs to detect possible cases of abuse.

Support the victim:

by describing what has been witnessed, by actively listening to the victim without judging her, by letting her make her own decisions and by directing her to the resources available for her situation. In all cases, respect your own limits.

Report:

by following the appropriate internal procedure or external authorities (such as the Inspectorate of Labour and Mines).

What can't I do as a witness?

- Conduct an investigation;
- Take on the role of a lawyer, psychologist or doctor;
- Replace the internal/external contact person provided for in the institution's procedure;
- Make decisions on behalf of the victim (the witness must make decisions that relate to his/her own role);
- When recounting/reporting, allowing oneself to be influenced by one's own emotions, feelings or personal perceptions instead of sticking to the facts.