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Government Decision of Romania No. 970/2023 for the approval of the Methodology on the prevention and combating of gender-based harassment and moral harassment at the workplace

On October 18, 2023, Government Decision No. 970/2023 came into effect, imposing new obligations on employers regarding the prevention and combating of gender-based harassment and moral harassment at the workplace.

Government Decision of Romania No. 970/2023 for the approval of the Methodology on the prevention and combating of gender-based harassment and moral harassment at the workplace

On October 18, 2023, Government Decision No. 970/2023, which approves the Methodology for preventing and combating of gender-based harassment and moral harassment at the workplace ("**GD 970/2023**"), entered into force. The government decision imposes new obligations on employers concerning preventing and combating of gender-based harassment and moral harassment at the workplace.

Additionally, the normative act contains a model of a guide for the prevention and combating of gender-based harassment and moral harassment at the workplace.

Some of the most important obligations imposed by GD 970/2023 are the following:

- the obligation to collect and analyze data and information regarding gender equality and equal treatment between women and men;
- the obligation to develop reports, studies, analyses, and/or forecasts concerning the application of the principle of equal opportunities and equal treatment between women and men in the specific field of activity;
- the obligation to establish internal procedures for recruiting and selecting new employees.
- the obligation to establish internal procedures for promotions, including the appointment to decision-making positions, in the boards of administration and supervision of private companies;
- the obligation to provide a framework for continuous training and career development, the organization of work, working conditions, work environment and ensuring equal treatment regarding occupational safety and health;
- the obligation to define concrete roles and responsibilities for the prevention of harassment, both on the part of the employer and the employees;
- the obligation to inform and provide annual training regarding the provisions of the methodology to all employees by organizing training courses.

Furthermore, the methodology includes an explicit list of examples/stages of moral harassment/gender-based harassment that employers must consider, especially given the victim's express right to file a complaint in any of these situations.

Employers are required to implement the methodology (including the adoption of the policies mentioned in its content, detailed above), having, however, the option to adopt their own guide on preventing and combating moral harassment in the workplace and gender-based harassment, starting from the model provided in GD 970/2023 (with respect to the terms and principles provided in the annex to the methodology).

For further questions regarding the aspects mentioned in this alert, please contact us.



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