Although sexual harassment is consistently in the news today, the topic of workplace misconduct is much broader. It encompasses general harassment and other misconduct typically experienced by employees at the hands of their managers, including judges, as well as their peers. Harassment is broadly defined as unwelcome physical, verbal, non-verbal, and psychological behavior that interferes with work performance or the work environment. Examples of harassment include offensive jokes, name-calling, disparaging comments, displaying inappropriate images, unwelcome sexual advances, and inappropriate touching.

Workplace misconduct is a universal problem that causes serious harm to those subjected to it. There is much to be gained by exploring what causes such misconduct to persist, what actions can prevent such misconduct, and what consequences violators should bear. Discussing how to break down barriers to reporting this misconduct, such as limitations on confidentiality, is also paramount.

Questions:

1. Does your country have laws or regulations that cover workplace harassment? Is harassment defined separately or is it incorporated within other provisions of the labor code? There aren’t such separate laws in the legislation of the Republic of Armenia. Labor relations, rights and responsibilities of the parties and other labor issues are regulated by the Labor Code of the Republic of Armenia. Labor Code of the Republic of Armenia doesn’t contain separate provisions that define the concept of harassment. According to the article 3 (part 1, point 2) of the Labor Code of the Republic of Armenia, the basic principles of labor legislation, inter alia, are: the prohibition of forced labor of any form (nature) and violence against workers.
2. What remedies exist for victims reporting workplace misconduct? What penalties or ramifications do offenders face? Do you have examples of court cases/judgments or administrative proceeding involving harassment? They can restore their violated rights by judicial means (by applying to the court). Depending on the type of violence (misconduct), penalties vary.

3. Do you have examples of judicial misconduct related to harassment or bullying? No, there aren’t such examples.

4. Does the judiciary have rules, ethics codes, or legislation relating to harassment by judges and judicial staff? What are the procedures for reporting misconduct and enforcing the rules? What sanctions can be imposed against a judge? The Judicial Code of the Republic of Armenia contains rules on judges’ conduct (Chapter 12 of the Judicial Code of the Republic of Armenia), but there are no provisions relating to harassment by judges and judicial staff. According to the article 70 (part 2, point 5) of the Judicial Code of the Republic of Armenia when acting officially judge is obliged to show a respectful and courteous attitude towards the participants of the proceedings, judges, court staff and the all persons, with whom judge communicates officially.