

Protocol for the prevention, guidance, and action in situations of Violence and Harassment at the Workplace, including Gender-Based Violence.
Ministry of Foreign Affairs.

Introduction:

This Protocol for the prevention, guidance, and action in situations of harassment and violence in the workplace, including gender-based violence (GBV) within the scope of the Ministry of Foreign Affairs (MRREE), is included in the international commitments assumed by the Uruguayan State and the current national regulations regarding human rights and labor relations, including CEDAW, the Belém do Pará Convention, ILO Convention N° 190, Law N° 18,561, and Law N° 19,580, among other complementary standards.

This regulatory framework reflects a core belief: that everyone has the right to work and grow in an environment free from violence, discrimination, and harassment, under conditions that fully respect their dignity, integrity, and equal rights. Consequently, the MRREE takes on the duty and responsibility to ensure safe, inclusive, and respectful workplaces, strengthening institutions and promoting an organizational culture based on the principles of equality, non-discrimination, and human rights.

Under a **Zero Tolerance policy for Harassment and Violence in the Workplace**, all authorities and hierarchies must ensure respectful, safe, and equal work environments. These obligations also extend to everyone, regardless of rank, position, or place of work, and are strengthened through ongoing prevention, awareness, and training efforts.

This document is the result of a cross-sectoral, dialogic, and participatory process, inspired by fundamentally human reasons, which puts the individual at the center of institutional efforts in their entirety and in relation to workplace conditions and environments, with the goal of creating safe spaces free from violence and discrimination.

This Protocol represents a significant step forward in terms of rights, by incorporating a strong preventive approach that recognizes that preventive actions should not be sporadic, but should be permanently integrated into the everyday work dynamic. This approach is especially relevant in a highly complex and dynamic work environment, characterized by factors such as high staff turnover, decentralization abroad —Missions, Embassies, and Consulates—, intensive use of technology as a means and mode of work, and the evolving nature of labor relations, among other aspects.

Within this framework, the development of a Prevention Plan is established, which will be presented annually to the competent authorities and will explicitly include the annual evaluation of the application of this Protocol, thereby ensuring systematic, up-to-date monitoring in line with the institution's needs.

Finally, the protocol includes consideration of the impact of domestic violence in the workplace, in accordance with ILO Convention 190, which expressly recognizes that domestic violence can affect employment, productivity, safety, and the health of workers, as well as their job retention and performance. In line with this international

standard, measures are promoted to prevent and mitigate these impacts, strengthening the institutional capacity to provide support and ensure workplaces free of violence in all its forms.

Article 1. Governing Principles and Guidelines:

Priority of human rights:

The interpretation and application of this protocol shall be based on international human rights frameworks, prioritizing the protection and guarantee of the rights of people in vulnerable situations.

Gender perspective:

It allows understanding how gender roles, mandates, and stereotypes (socially constructed) can create conditions of inequality, both at the structural and relational levels, in the form of power asymmetries and gender gaps, as well as discrimination, harassment, and violence based on gender.

Intersectional Perspective:

It recognizes that each person embodies a unique set of intersecting factors shaped by gender, age, educational and socioeconomic status, disability, ethnic background, among others; that can create conditions of heightened vulnerability to harassment and violence or lead to multiple forms of discrimination. Understanding how these factors operate is essential to ensuring interventions and responses that are fairer, more inclusive, and context-specific.

Prevention Culture:

Through a comprehensive, multi-level strategy that promotes respectful, safe workplaces free of discrimination, harassment, and violence, with the participation of everyone. The goal is not only to avoid the likelihood of an incident occurring or to lessen its potential harm, but to act proactively within a framework of institutional responsibility.

Confidentiality:

The confidentiality of the facts shall be protected, and the identity of those making inquiries or complaints shall be kept confidential at all stages of the process.

Prevention of revictimization:

Unnecessary repetition of the account of events shall be avoided.

Prohibition of confrontation:

Under no circumstances shall direct confrontation between the complainant and the person complained against be permitted during the protocol process.

Right to information:

This protocol is public in nature and shall be available to any person who submits an inquiry or complaint. It will be the obligation of the responsible units and those in leadership positions to make this information available to the staff under their supervision and to display it in visible locations for this purpose. At offices abroad, translation into the local language shall be ensured where appropriate.

Prohibition of reprisals:

Any form of reprisal, intimidation, or sanction against those who make inquiries or

complaints, accompany the complainant, or participate in the investigation and resolution of the events is prohibited.

Comprehensive approach and inter-institutional coordination:

When necessary, actions shall be coordinated with other institutions and specialized bodies in order to guarantee a comprehensive and adequate response to the needs of protection, support, and reparation of the rights of the affected persons, particularly in situations involving domestic violence.

Due process:

The procedure shall guarantee the rights of the persons involved, ensuring timely notification of procedural actions and the opportunity to present the corresponding defense.

Article 2. Scope of application:

This Protocol applies to all persons performing duties within the scope of the MRREE, regardless of the nature of their employment or contractual relationship, both in positions within the country and abroad. It applies to situations that occur during work, in relation to work, or as a result thereof.

Article 3. Concepts:

Workplace Sexual Harassment (WSA): WSA is defined as any behavior of a sexual nature, carried out by persons of the same or different sex, that is not consented to by the recipient and where the rejection thereof causes or threatens to cause detriment to the recipient's employment situation, or creates an intimidating, hostile, or humiliating work environment for the recipient. (Art. 2, Law 18,561).

Workplace Psychological Harassment (WPH): defined as any abusive conduct (gesture, word, behavior, or attitude) that, due to its frequency or systematic nature, violates a worker's dignity or psychological or physical integrity, thereby jeopardizing their job or creating a hostile, intimidating, humiliating, or offensive work environment.

Workplace Harassment (WH): any conduct constituting aggression or harassment perpetrated by the employer or by one or more workers against another worker or workers. Such conduct is recognized as harassment when carried out by any means, whether occurring once or repeatedly, and results in the impairment, mistreatment, or humiliation of the affected individual(s), or threatens or harms their employment status or job opportunities.

Gender-Based Violence in the Workplace: Gender-based violence (GBV) is a form of discrimination that affects, directly or indirectly, women's lives, freedom, dignity, and physical, psychological, sexual, economic, or asset-related integrity, as well as their personal safety. Gender-based violence against women is understood as any conduct, action, or omission, whether in the public or private sphere that, based on an unequal relationship of power based on gender, has the object or result of undermining or nullifying the recognition, enjoyment or exercise of human rights or fundamental freedoms of women. (Art. 4, Law 19,580).

Multiple discrimination: Multiple discrimination occurs when a person is simultaneously affected by two or more grounds of discrimination that interact with one another. These dimensions do not merely add up, but rather generate aggravated effects and specific forms of exclusion.

Article 4. Commission for the Prevention, Approach and Assessment on situations of Harassment and Violence in the Workplace:

4.1 Establishment: The Commission for the Prevention and Approach on situations of Harassment and Violence in the Workplace (hereinafter, the Commission), established by this Protocol, shall be the competent body in this matter, with jurisdiction and scope covering both the national territory and the Ministry's representations and offices abroad, and shall consist of five members, who shall be appointed by Ministerial Resolution. Each principal representative shall have an alternate member. The team shall have a minimum weekly time commitment, to be determined by the Commission's internal regulations. Thereafter, working hours shall be based on the demand for relevant consultations or advisory services.

Individuals appointed to join the Commission must sign a confidentiality agreement regarding the matters to which they gain access in their capacity as such. The time spent by members on Commission tasks shall be counted as working time.

4.2 Composition: The Commission shall be composed of the Directorate of Human Resources Management and Development, the Directorate of Legal Affairs, a representative from the Occupational Health and Safety Department, and the Gender Specialized Unit Coordination Office. The Chair shall be held by one of these members, as designated. Likewise, a separate individual shall be assigned to perform secretarial functions, who will also have a voice in the meetings and be a member of the Commission. All members, including the secretary, shall have an alternate.

4.3 Profile of its Members. Mandatory Requirements: Commission members must be trained in the subject matter (human rights, gender, harassment, and violence), and must not have a record of final disciplinary rulings regarding harassment and/or any form of gender-based violence, whether in the public or private sphere. In the event that the individuals appointed to join the Commission do not have the required training at the time of its formation, the MRREE must ensure such training is completed within a maximum of 30 days from the date of appointment.

Article 5. Competencies of the Commission:

5.1. Organization and internal functioning

- a) Prepare the internal operating regulations of the Commission—including roles, functions, responsibilities, action criteria, and meeting schedules and venues—within a maximum period of 30 days from the approval of this Protocol.
- b) Prepare an accessible and educational annex detailing the procedure routes and providing examples of behaviors that constitute workplace harassment or violence, within the same 30-day period.

5.2. Planning and prevention actions

- c) Design an Annual Prevention Plan within a maximum period of 45 days from the approval of this Protocol, to be submitted to the Directorate General Secretariat for review and subsequent approval. The plan must include awareness-raising actions, technical exchange forums, and training and capacity-building activities, specifically addressing the implementation of these actions both at the Ministry headquarters and at missions abroad, in order to ensure a comprehensive and consistent approach across the entire institution.
- d) Define and coordinate an institutional strategy for preventive communication on WSA, MH, WH and VBG.

5.3. Assistance, guidance, and advice

- e) Provide advice and guidance regarding inquiries related to potential situations of harassment or violence, offering clear information on rights, procedures, and support mechanisms.

5.4. Institutional liaison and inter-departmental coordination

- f) Suggest short- and medium-term measures to the Occupational Health and Safety Commission for the prevention and mitigation of workplace risks regarding violence and harassment.
- g) Identify institutional areas with the highest level of interaction regarding these situations -including the Human Resources Management Directorate, the Occupational Health Department, and the Directorate of Legal Affairs- in order to establish channels for systematic information exchange that allow for the gathering of relevant data, while guaranteeing strict confidentiality and the anonymity of individuals.
- h) Coordinate actions with the Artigas Institute of the Foreign Service, contributing to its training mandate and planning joint initiatives.
- i) Invite staff associations and the Network of Women Diplomats on Gender Equality every 60 days to provide updates on the Commission's work and encourage their participation in defined initiatives and activities.
- j) Hold meetings with the Association of Locally Hired Staff whenever deemed necessary, for the purpose of coordinating and planning joint actions.
- k) Propose, when deemed appropriate, actions to assess the work environment, both at Ministry headquarters and at offices abroad, to verify compliance with applicable regulations and respect for dignity in working relationships, in accordance with this Protocol. Such actions may be suggested by the Commission to the competent authorities or initiated directly by said authorities.

5.5. Recording, analysis, and production of information

- l) Maintain a record and a confidential archive of all reports, proceedings, and other background materials the Commission deems relevant, ensuring confidentiality.
- m) At the end of each year, issue a document evaluating the work performed, analyzing the implementation of this Protocol and proposing, where appropriate, its update or necessary adjustments.

Article 6. Inquiries:

Inquiries regarding situations of WSA, MA, WH, and GBV may be made in person on the days the Commission holds meetings (which will be announced in due course) to any of its members, or in writing via email to comision.prevencionyabordaje@mrree.gub.uy.

Upon receiving an inquiry related to possible situations of WSA, MA, WH, or GBV, the Commission will provide clear and accessible information regarding which behaviors constitute these forms of harassment and violence, the rights of the person making the inquiry, and the mechanisms available for assistance. Likewise, the Commission will provide guidance in cases of domestic violence affecting individuals covered by the scope of this Protocol.

Confidentiality will be guaranteed. Furthermore, affected individuals will be encouraged to access support services through the Occupational Health Department.

All such actions will be carried out using an approach based on human rights, dignity, and intersectionality—taking into account factors such as gender, hierarchy, interculturality, age, sexual orientation, or disability—while ensuring respectful treatment free from gender stereotypes.

Article 7. Procedure for Complaints:

Any worker who believes their rights have been violated due to an alleged situation of harassment or violence may file a formal complaint before: the Commission, the Directorate of Human Resources Management and Development, the Gender Specialized Unit Coordination Office, the person in charge of the office where they work, the Directorate General Secretariat, or the Minister.

When the complaint is received by any of the first four aforementioned bodies or officials, it must be forwarded -in a confidential document- within twenty-four hours to the Directorate General Secretariat or the Minister, as appropriate.

The complainant may file the complaint verbally, in which case the receiving official shall draw up an official record, or in writing via the email address denunciaacosoviolencia@mrree.gub.uy; in both instances, the complaint must be signed by the complainant. The complaint must include the identifying details of the Parties involved and any potential witnesses, as well as a description of the alleged workplace harassment and/or violence. Access to this email address shall be restricted to the Directorate of Legal Affairs and the Gender Specialized Unit Coordination Office.

Notwithstanding the foregoing, individuals who believe they are affected by a situation covered by this Protocol may choose to file their complaint with the General Labour and Social Security Inspectorate (MTSS - Ministry of Labor and Social Security).

Article 8. Procedure for action:

In the event of a complaint regarding psychological harassment, workplace harassment, or discrimination, the procedure shall be applied in accordance with the provisions of Decree N° 500/991 and Decree N° 222/014, as well as any amending and related regulations, where applicable.

In the case of a complaint regarding sexual harassment, the provisions of Law N° 18,561 and Decree N° 256/017 shall also apply.

When the reported situation involves gender-based violence against women, the guarantees, obligations, and standards set forth in Law N° 19,580 shall also be taken into account, ensuring the due diligence, comprehensive protection, and intersectional approach provided for in said regulatory framework.

Article 9. Comprehensive Protection Measures for the Parties:

Upon being informed of the complaint, the MRREE shall consider the appropriateness of adopting, on a precautionary and temporary basis, and pending the final resolution of the proceedings, measures necessary to minimize the harmful effects of the reported situation on the health, safety, and dignity of all persons involved, ensuring at all times a people-centered approach, particularly regarding the complainant.

Furthermore, while strictly maintaining due confidentiality, the MRREE may request an opinion from the Commission when deemed appropriate to assist in the analysis of the case and the proper conduct of the investigation.

Included among others, in accordance with the measures provided for in applicable regulations, particularly Laws N° 18,561 and N° 19,580, and ensuring at all times that their application does not result in detriment to the complainant, are the following:

Adjusting work schedules to allow affected employees to attend medical appointments related to the complaint.

Implementing appropriate measures to avoid tasks that entail contact between the complainant and the person against whom the complaint is made.

In the event that a preventive transfer of the employees involved is ordered, such transfer shall be considered a protective measure rather than a disciplinary sanction, without prejudice to any final resolution that might order a permanent transfer.

Article 10. Interpretation:

Nothing in this Protocol shall be interpreted as contrary to and/or restrictive of the provisions of applicable international instruments, including ILO Convention 190, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention of Belém do Pará, as well as the mechanisms provided for in Law N° 18,561 and its implementing Decree N° 256/017, and in Law N° 19,580.