

LABOR RELATIONS IN DANGER: LEGISLATIVE ANALYSIS OF PATHOLOGICAL RELATIONSHIP PHENOMENA IN SLOVAKIA AND IN FOREIGN COUNTRIES

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Abstract:

Research background: Every day, many employees face discrimination at work. Work is good for your health, but it may also be dangerous and damaging. It promotes self-confidence, quality of life, and self-affirmation, all of which contribute to higher self-esteem. At the same time, it provides benefits such as self-esteem, social support, and social integration. However, we must recognize that a person can only work till his physical and mental health allow it.

Purpose of the article: In the scientific contribution, we provide a comprehensive view of the issue of pathological relationships in the workplace, their occurrence, elimination, consequences, and types. The aim of the scientific contribution is to analyse and compare the legal arrangements for pathological relationships in the workplace in Slovakia and in selected countries of the world and to create recommendations for Slovak legislation.

Methods: The methods of analysis, deduction, induction, comparison of data collection and graphic display were used in the research.

Findings & Value added: The Slovak Republic does not have specific legislation dealing with workplace bullying, similar to Russia, Kazakhstan or Turkmenistan. These countries include, for example, Italy, where, however, for a long-time scientific worker and the legal community have been warning about the absence of legislation. In Australia, there is a Fair Work Commission (FWC), which, however, already defines bullying and can even be appealed to by an employee. The organization then investigates the issue of bullying. On the other hand, we have countries like Colombia, which has had its legislation since 2006, or Romania since 2020.

Keywords: mobbing; bossing; pathological relationships; prevention of mobbing; regulation of pathological relationships

JEL Classification: O15; M50; M59

1. Introduction

Businesses should take bullying, mobbing, or bossing seriously and responsibly investigate each situation. They should not look on passively from either moral or economic aspects. They must show by every measure that they will not tolerate these phenomena. The employer cannot overlook the fact that according to labour law, he is obliged to protect the personalities of his employees and take care of them. The most important thing is to name problems of this nature and to discuss them openly. Any form of mobbing is generally very difficult to prove, but it is even more difficult to convince victims of mobbing not to give up and solve the situation. After all, the solution is not to leave the company but to learn to defend yourself (Nekoranec and Kmosena, 2015).

In terms of power, initial research identified managers as perpetrators, with such behaviour being associated with organizational structure. The defenselessness of the target results from a lack of power, or an unbalanced distribution, which is manifested in the organizational structure. However, some subordinates are able to gain enough power outside of their competence, which they then use to mob the victim in the same or higher organizational position (Branch et al., 2013). According to Naranjo-Zambrano et al. (2023), perpetrators of mobbing use the opportunities created by the corporate situation, such as reorganization, cost reduction, bureaucracy, dizzying changes, and others, to direct successive impulses of psychopathic tendencies. In their research, Safina and Podgornaya (2014) state that in up to 33% of cases, the perpetrator was a direct superior; in 30% it was a colleague; a co-worker was the perpetrator in 22%; and the director in 15% of cases. 4% of the respondents identified themselves as perpetrators of pathological relationships. Naranjo-Zambrano et al. (2023) identify women as more vulnerable to sexual harassment and bullying. In general, this assumption can be generalized to the structure of most businesses, where women are traditionally placed in a position of subordination, which makes them more susceptible to this type of violence.

Ares Camerino and Ortega Marlasca (2018) state that the most common manifestations of mobbing in the workplace are discrediting or belittling the harassed person through disruption of communication, systematic blocking of work activities, degrading the harassed person with inappropriate tasks in the form or content outside of his competences, and behaviour supporting insufficient communication within the work area, e.g., ignoring her presence, not answering her questions, refusing to speak or discrediting, or disparaging a person's personal life through criticism. Studies have shown that there are many causes of mobbing, such as company goals and objectives, employee personalities, corporate culture, and social group structure in the workplace (Erdis et al., 2021). Perpetrators may bully because of a need to protect their self-esteem or because of a lack of social competence, such as emotional control or perspective-taking (Branch et al., 2013).

According to Stefko et al. (2023), leaders have different motives for bullying and use different strategies than in the case of mobbing. Among their basic motives are jealousy of a qualified worker and fear of losing his position, creating pressure on a subordinate worker to force his obedience, and efforts to exclude this person from the work team or from the workplace as such. Also notable are anger at the company itself, hatred of superiors, and negative personality traits of the leader, which are given the opportunity to manifest themselves the moment the individual gains power or influence. Bhusal et al. (2023) consider the causes of inappropriate behaviour at the workplace to be insufficient staffing, heavy workload, and ineffective methods of prevention. The mentioned factors increase the risk of exposure to occupational violence and its harmful effects on patients and medical personnel.

A study conducted by Maran et al. (2021) investigated the impact of mobbing on witnesses of bullying by gender on 574 Italian workers. The findings showed that witnesses of both sexes

emphasized verbal, physical and psychological aggression that occurred in relationships within the company, intrusion into individuals' private lives, excessive surveillance, social isolation and destruction, all of which had an impact on their co-workers. Regarding health and work stress, it was found that men and women who witnessed psychological harassment considered their mental health problems to be more serious than those who did not witness such behaviour.

Silva et al. (2021) state as frequent consequences of mobbing, e.g., anxiety, insomnia, irritability, feelings of frustration or failure, and problems with concentration. In addition to psychological problems, they also talk about physical (cardiovascular diseases, diseases of the digestive tract, etc.), economic (loss of money due to job loss), or social (avoidance of human contact, fear of crowds, etc.).

In extreme cases, on the basis of pathological relationships, the idea of taking one's own life may arise. According to Swedish research, pathological relationships are the cause of 10–20% of all suicides. The victim requires long-term and complex treatment, the success of which is questionable (Droppa et al., 2018).

Mobbing is a major problem for businesses in developed countries. It became an important topic in Turkey as well. In this country, for example, the prime minister's circular was created and published in the official newspaper. The circular contains information on how to defend against such behaviour, who victims can turn to, etc. The reason was that the number of manifestations of mobbing and victims of this type of behaviour is constantly increasing (Saricam, 2016). What can a victim do against mobbing? It is necessary to analyse the situation and clarify the facts, or discuss the situation with someone outside the victim's workplace. Subsequently, document the facts related to these phenomena, such as the gathering of witnesses, discussion with a lawyer, etc. In the next step, it is necessary to file a complaint and a request to analyse the situation at the workplace, which should relate to the adoption of appropriate measures. The victim should not be afraid to apply laws that prohibit any kind of discrimination and thus claim their rights through the courts (Nekoranec and Kmosena, 2015).

1.1. Typers of pathological relationships

A characteristic feature of psychosocial risks is their high probability of causing significant damage. Consequences are more likely to occur and more likely to be severe (Benavides et al., 2002). The most cited psychosocial risks, which are generally more accepted, are violence and sexual harassment in the workplace or sexual harassment that threatens the physical and personal integrity, dignity, privacy, or other elements of workers' basic rights (Naranjo-Zambrano et al., 2023). Ares Camerino and Ortega Marlasca (2018) talk about hostile, repeated, and intimidating behaviour towards the worker in the framework of the employment relationship, which can be carried out by one natural person or several employees; it can be the employer himself, his representative, a leader or middle manager, or even co-workers with a de facto superior position.

It is claimed, for example, that aggression in the workplace can also be expressed in the form of sexual harassment. Nevertheless, Duffy and Sperry (2011) tend to distinguish sexual harassment from mobbing. They emphasize that mobbing is the non-sexual harassment of a co-worker by a group of other workers or other members of the company, the aim of which is to ensure the exclusion of the victim from the company. Sexual harassment has become a very popular issue in recent years in various cultural contexts. Fear of sexual harassment can limit the movement of women and other feminized or gender-differentiated subjects. The absence of harassment is a basic human right, a prerequisite for mental and physical health and well-being. Harassment can occur through threatening, degrading words and actions, but also through non-verbal signs that pass between people (Boyer, 2022).

Currently, as a result of the expansion of Internet communication and technological literacy, we encounter the term cybermobbing more and more often. This is a type of mobbing when it moves from such behaviour face-to-face to the virtual space. It is therefore mobbing, whether via email, chat, social networks, or via a computer connection, using a mobile phone or other electronic media. Cyber-mobbing is a very insidious way of mobbing because the victim is ridiculed for a short period of time. The reason may be the posting of ordinary videos or photos on a social network (Divincova and Sivakova, 2014).

Stefko et al. (2023) state that bossing is defined as regular and long-term negative interaction between a supervisor and his employees. The main feature of bossing is systematic and long-term. Exposure to such systematic, negative, or anti-social acts can be considered a kind of psychological siege. There is a term "boss syndrome" occurring in bosses who, as managers or leaders, do not know how to handle the most important resource of the company, i.e., their employees. With their approach, such bosses threaten the overall performance of work teams as well as the psychological well-being of the individuals involved (Antonyova et al., 2018). Jenco et al. (2018) define bossing as dangerous behaviour that can affect the long-term cooperation of work teams as well as the overall performance of the company. Zhao (2018) supports this by arguing that bossing or abusive supervision can not only directly reduce subordinates' performance but can also have a negative effect on performance by reducing subordinates' trust in management. Contrary to the mentioned authors is Lu (2013), who claims that bossing can, on the contrary, stimulate passion for work among employees and thus improve the overall performance of the company. For this reason, it is necessary to distinguish between bossing, symbolizing abusive supervision leading to a decrease in performance, and bossing, representing the consistent fulfilment of duties, leading to an increase in performance.

2. Methodology

In a scientific contribution, we use the methods of induction, deduction, comparison, graphic display, analysis, and others. The data is taken from the global, independent, non-profit organization WageIndicator Foundation, whose mission is to ensure improved labour market transparency for workers, employers, and policymakers worldwide. In the next chapter, Results, we will look in more detail at the legislation of selected countries of the world. These are countries such as France, Sweden, Romania, Slovakia, Ecuador, Colombia, Turkey, Uzbekistan, Hong Kong, Japan, South Korea, Australia, South Africa, Israel, and others. The given countries were selected on the basis that they are developed countries that respect basic human rights, or countries that caught our attention from the point of view of approaches to pathological relationships or the complete absence of legal regulation. Of the selected countries, only five countries have pathological relationships regulated by laws in various forms (Table 1).

3. Results and Discussion

Lanata-Fuenzalida (2018) points out the need to pay priority attention to mobbing in all types of businesses, as it is a factor that is part of psychosocial risks. It is becoming a problem that requires precise and defined regulations through laws. Some authors argue that anti-bullying legislation fills the gap left by sexual harassment legislation as well as legislation prohibiting racial discrimination.

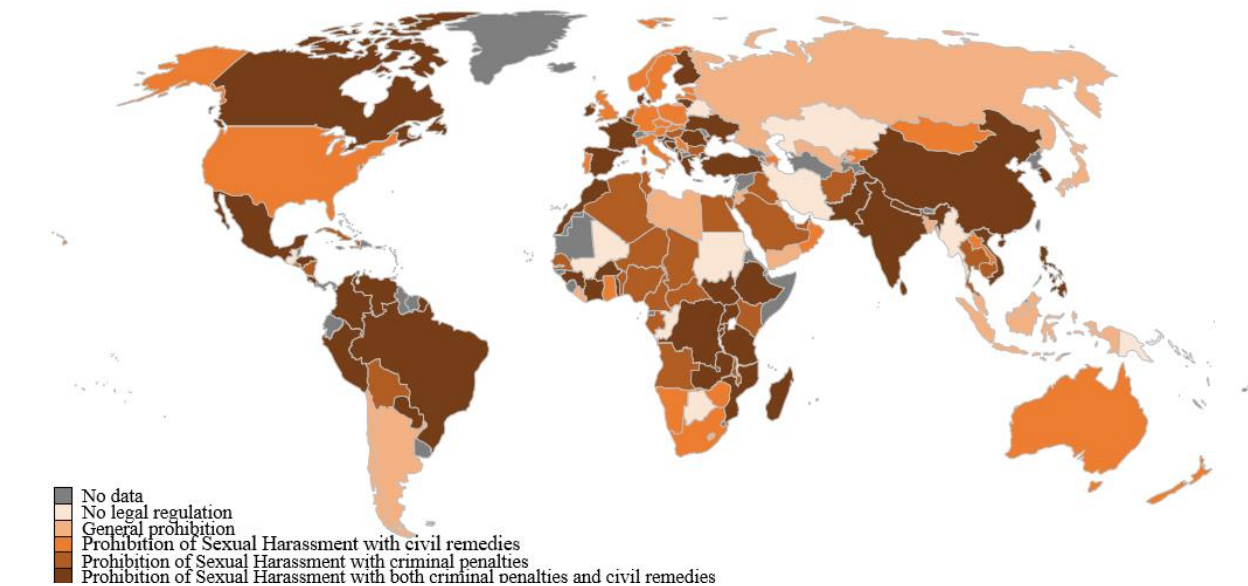
Table 1: Overview of the legal regulation of pathological relationships in selected countries of the world

Country	Form of pathological relationships	Act
France	Barcelement moral (moraal harrassment)	Loi De Modernisation Sociale
Japan	パワーハラスメント (power harrassment)	労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充:等に関する法律
South Korea	직장 내 괴롭힘 (workplace harrassment)	근로기준법
Columbia	De acoso laboral (workplace harrassment)	Lay 1010 de 2006
Romania	Bartuire morala (moraal harrassment)	Lege nr. 167 din 7 august 2020 pentru modificarea și completarea Ordonanței Guvernului nr. 137/2000 privind prevenirea și sancționarea tuturor formelor d discriminare, precum și pentru completarea art. 6 din Legea nr. 202/2002 privind egalitatea de sanse si de tratament intre femei si barbati
Slovakia	Diskrimination	Antidiskriminacny zakon
Sweden	Victimization	Ordinance of the Swedish National Board of Occupational Safety and Health containing Provisions on measures against Victimization at Work

Source: own elaboration

While legislation against sexual harassment and racial discrimination focuses on gender or race, anti-bullying legislation focuses on the abuse of power regardless of the gender or race of the victim (Friedman and Whitman, 2002). Figure 1 specifies in more detail whether the law in the countries allows sexual harassment in the workplace.

Figure 1: Map of countries of the world reflecting legal protection against sexual harassment in the workplace



Source: own elaboration according to www.wageIndicator.org (2022a)

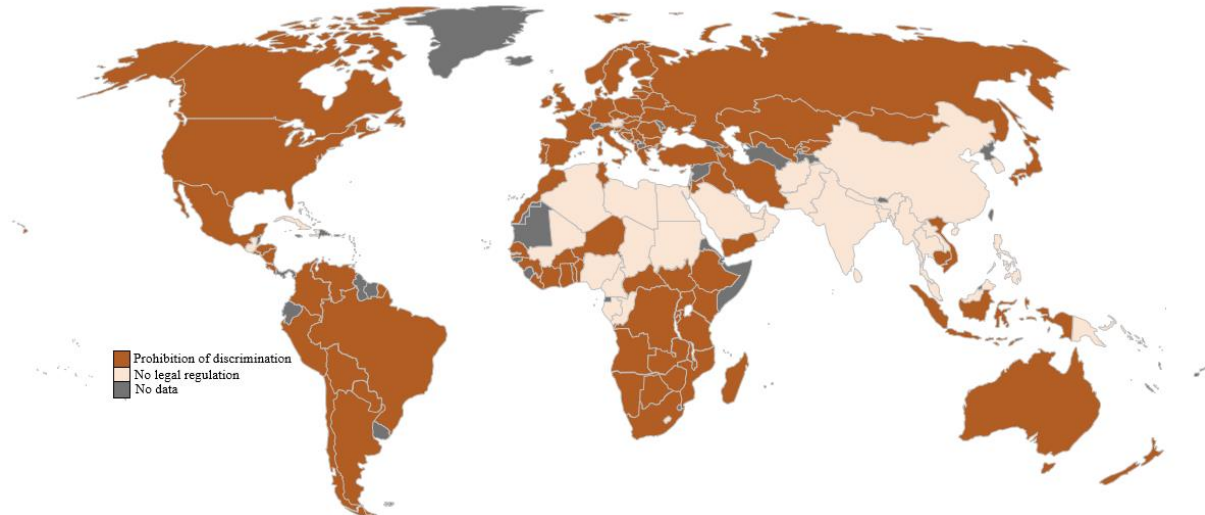
In the World:

- 54 countries prohibit sexual harassment with criminal penalties and civil remedies (Brazil, Canada, Democratic Republic of Congo, Morocco, France, Spain, China or India);
- 29 countries prohibit sexual harassment only with criminal sanctions (Bolivia, Nicaragua, Algeria, Nigeria, Bulgaria, Hungary, Afghanistan or Thailand);
- 26 countries prohibit sexual harassment with only civil remedies (United States of America, South Africa, Zimbabwe, Norway, Slovakia, Czech Republic, Poland, Sweden, Australia or Mongolia);

- 15 countries have only a general ban on sexual harassment (Argentina, Chile, Libya, Liberia, Russia, Uzbekistan, Indonesia or Japan);
- 11 countries have no measures against sexual harassment (Ecuador, Uruguay, Somalia, Mauritania, Moldova, Switzerland, Tajikistan or the DPRK).

Figure 2 specifies in more detail whether the law in the countries allows discrimination in the workplace.

Figure 2: Map of countries of the world reflecting legal protection against discrimination in the workplace



Source: own elaboration according to www.wageIndicator.org (2022b)

The world as a whole is:

- 37 countries that do not meet at least 7 out of 10 criteria for combating discrimination (Cuba, Guatemala, Egypt, Libya, Austria, Saudi Arabia, China or India);
- 98 countries that prohibit discrimination in the workplace (Mexico, Colombia, Niger, Ethiopia, V4 countries, Ukraine, Cambodia or Iran).

Sweden was the first country to pass anti-bullying legislation. It took nine years before the next country, which was France, followed by Belgium and the United Kingdom, decided to take this legislative step. The second country to adopt such legislation was France, followed later by Belgium and the United Kingdom. What is notable about the Swedish, French and Belgian legislation is the focus on mobbing as an employer issue. The Swedish and French approaches require employers to create anti-mobbing policies and place the burden of preventing mobbing solely on employers. Belgian legislation goes a step further and requires employers to employ a prevention counsellor who is trained to mediate workplace relations, including the recognition, prevention and resolution of cases of psychological and sexual harassment (Browne and Smith, 2008).

3.1. Legal regulation of pathological relationships in Europe

The first rule that applies to the prevention of mobbing was adopted in Sweden in 1993. It was the regulation on victimization at work, which applies to all activities where employees may be exposed to victimization. This document defines bullying in a way that uses the term "victimization." Thus, victimization can include periodic, repeated, admonishing, or significantly negative actions that are directed against individual employees, are expressed in an offensive manner, and can lead to his isolation and exclusion from the working community (Rodic, 2016). This document is intended for the employer to organize work and provide

conditions that will largely suppress victimization. It emphasizes its obligation to cooperate with the union. In order to effectively implement the regulation, the National Board for Safety and Health at Work (Swedish National Board for Safety and Health at Work) issued a general recommendation detailing the specific causes and consequences of workplace victimization (Browne and Smith, 2008).

In France, this term is defined as "moral harassment." In addition to criminal prosecutions, the protection of this phenomenon is also provided by labour law and a special law. These laws impose sanctions for violators of the ban on mobbing. Thus, the Criminal Code stipulates a one-year prison sentence and a fine of fifteen thousand euros for the perpetrator, while the Labor Code foresees a one-year prison sentence and/or a fine of 750 euros. The French Social Modernization Act of 2002 prohibits discrimination in the exercise of labour rights (the right to remuneration, professional development, and career advancement) as well as protection against termination of employment linked to moral harassment or the dismissal of an employee. The employer is obliged to develop a prevention plan and an annual action plan to prevent abuse. One of the solutions that significantly contributes to the prevention of mobbing in the workplace is the employer's obligation to appoint commissioners to prevent abuse. The commissioner is considered to be an internal body of the employer, which is autonomous in its work and at the same time participates, among other things, in developing the analysis of the risks of prohibited conduct and taking preventive measures. The employer is responsible for the implementation of these measures, which in this context has the obligation to carry out a "risk analysis" of mobbing in the workplace. The analysis is based on questionnaires and interviews related to the research of potential situations that can lead to behaviour representing bullying at work (Rodic, 2016).

On August 10, 2020, the first Romanian normative act explicitly regulating moral harassment entered into force. Law no. 151/2020, amends the Labor Code and, in particular, Act No. 167/7. of August 2020, amending Government Regulation No. 137/2000 on preventing and punishing all forms of discrimination. The first Romanian regulation on moral harassment, on discriminatory and abusive behaviour at work, violation of dignity, rights to equality, physical or psychological integrity, can play a determining role in the way this multifaceted complex, destructive phenomenon is perceived and respected in Romanian society. The existence of the legal framework, repressive, protective and preventive measures of the legislation should be coordinated with raising awareness of the seriousness of moral harassment, not just fighting against it. To understand how abusive behaviour manifests itself and to educate people to protect their own rights and respect the rights of others (Bejan, 2020).

According to the Labor Code, labour protection is an integral part of labour relations. The employer's duty is to ensure the safety and health protection of employees at work. Discrimination of employees is dealt with by Act No. 365/2004 Collections of laws. It defines (among other things) direct and indirect discrimination, harassment, sexual harassment, and incitement to discrimination. It also deals with ensuring equality, methods of legal protection, judicial enforcement, and accounting for non-monetary damages. He claims that the employer and the union body that concluded the collective agreements are obliged to bring the provisions of the collective agreements into compliance with the anti-discrimination law. This law also adopts the legal acts of the European Communities and the European Union. According to Act No. 9/2010 Z. z. about complaints, file a complaint to protect your rights or interests protected by law if they have been violated. The Anti-Discrimination Act provides an opportunity to seek legal remedies if it believes that these rights have been violated and the business has not taken adequate legal procedures to resolve them. The "Public Defender of Rights" institute has been operating in the Slovak Republic since 2002, where employees can also address the problem of

bossing (Droppa et al., 2018). The fulfilment of a specific form of discrimination is one of the basic conditions for violating the prohibition of discrimination. The UN Committee on the Elimination of Discrimination against Women stated that the forms of discrimination defined by the currently valid and effective anti-discrimination law do not sufficiently cover all situations that should be considered discrimination. However, this does not only apply to discrimination against women but also applies to other discriminatory grounds (Cunderlik et al., 2017).

3.2. Legal regulation of pathological relationships in Asia and Oceania

The Racial Discrimination Ordinance and Employment Code 2009 in Hong Kong prohibit discrimination and harassment of employees in the workplace. It is illegal under the law to discriminate against, harass, or condemn a person based on determinants such as race, colour, origin, national, or ethnic origin. However, this law does not cover discrimination based on religion (Akella, 2020).

The legal system of Uzbekistan does not provide effective protection mechanisms, especially when it comes to bullying and mobbing. It is therefore necessary to start from the Code of the Republic of Uzbekistan on administrative responsibility, where, for example, the penalty for slander or, for example, the protection of one's honour and business reputation in civil court proceedings is regulated. Another document that can be used as a starting point is the Criminal Code of the Republic of Uzbekistan (Vasyaev and Shestak, 2020).

In both Russia and Kazakhstan, society mostly condemns the victims of violence; the legislation ignores them and is limited to the existence of criminal law norms, which are not practically applied (Golovina and Voitkovska, 2020). For example, there is no legal definition of mobbing and bullying in the legislation of Kazakhstan or Russia. However, perpetrators of pathological relationships at the workplace in Kazakhstan can be brought to court by qualifying their actions as slander, refuting information that discredits the honour, dignity, or business reputation of a person based on the Civil Code of the Republic of Kazakhstan or the Criminal Code of the Republic of Kazakhstan (Kintonova et al., 2021).

It can be concluded that Japan has relevant legislation to prevent and address workplace harassment or bullying, including acts of physical violence, verbal abuse, intimidation, and social ostracism. They are stipulated in the Act on General Support of Labor Policy. However, these are not prohibitive provisions that can serve as a basis for civil claims for damages. Instead, they are provisions that set out the obligations of the national government, employers, and workers, and at the same time impose an obligation on employers to develop systems and take other such measures to prevent power harassment. The Ministry of Health, Labor, and Social Affairs considers bossing in Japanese workplaces unacceptable and as an expression against the dignity and well-being of the employee (Fumiko, 2021).

The Korean constitution, on the other hand, directly recognizes equality between the sexes, prohibits discrimination during maternity and childbirth, supports the workforce of women, and thereby ensures the quality of the working environment, workforce, and the working and family life of employees. In addition, the national government introduced a bill that currently imposes a criminal sanction on top management of a company for workplace harassment. All corporations in Korea are advised to review organizational policies and procedures, make appropriate adjustments, and monitor developments in the country (Seo and Hong, 2019).

The Australian Fair Work Commission (FWC) is given statutory authority to deal with complaints about workplace bullying. This is possible only on the condition that the worker is harassed while performing a constitutionally protected activity. The FWC defines bullying as repeated and unreasonable behaviour that is aggressive, intimidating, includes disparaging

comments, malicious rumours, social isolation, and assigning too much or too little work. It leads to health and safety problems for employees in the workplace. If an employee believes they have been the victim of bullying, they can apply to the FWC to stop the bullying. The FWC must then investigate the matter. If bullying has occurred, the FWC will issue an order to the employer to stop the bullying in the workplace with immediate effect. The FWC is also obliged to process the application within 14 days of receiving the complaint. This law does not apply to management control measures taken by senior employees to guide employees in organizations. Ultimately, it is necessary to rely on laws such as the Fair Work Act of 2009, the Gender Equality in the Workplace Act of 2012, or the amendments to the Health and Safety at Work Act of 2011 (Akella, 2020).

3.3. Legal regulation of pathological relationships in Africa and Middle East

In South Africa, the Protection from Harassment Act 2011 protects individuals from harassment and provides redress for victims. The Amendment to the Employment Equality Act and Employment Equality Regulation 2014 applies to all employers and workers, providing protection to all workers and potential employees from unfair discrimination. The Occupational Safety and Health Act 1993 contains legal clauses relating to the health and safety of individuals in workplaces (Langeveldt, 2023).

The purpose of the Prevention of Sexual Harassment Act of 1998, amended in 2014 in Israel, is to prohibit sexual harassment of employees in the workplace, protect their dignity and self-respect, and ensure the freedom, privacy, and equality of employees within the enterprise. At the same time, employers are obliged to develop and implement preventive measures against sexual harassment in the workplace. If the employer does not do so, he bears both criminal and civil liability. Employers guilty of sexual harassment face up to four years in prison. The Equal Employment Opportunity Act of 1988, as amended in 2014, prohibits discrimination on the basis of race, ethnic origin, age, marital status, religion, sexual orientation, and political affiliation at all stages of employment. This also includes hiring, training, working conditions, promotion, severance, and retirement benefits. Israel is taking steps to implement legal laws on workplace bullying. Recently, in 2015, a bill on the prevention of abuse in the workplace passed preliminary reading (Akella, 2020).

It can be said that the legislation is relatively new in Turkey. It can be explained by the relatively late recognition of the criminal dimension of mobbing behaviour. For this reason, mobbing in the workplace is not yet fully defined, and the legal regulations in this area are not sufficient. There is no provision in the Turkish legal system that directly deals with mobbing; such cases are assessed by some articles of the Obligation Law, Labor Law, Criminal Law, and Civil Law. However, this situation can create a gap in mobbing, and at the same time it can weaken the evidence of mobbing behaviour in the workplace and the fight against this behaviour, causing mobbing to become a problem (Donar and Yesilaydin, 2022).

3.4. Legal regulation of pathological relationships in America

In Ecuador, the Labor Code (Asamblea Nacional, Law of 2021) states in Article 1 that all labour relations between employers and employees in all modalities and working conditions are regulated and harmonized with the proposal of the International Labor Organization. He states that it is necessary to establish legal regulations that frame this activity through a contract guaranteeing the interests of both the employer and the worker. According to these definitions, work is subject to laws for the benefit of both parties involved, so mobbing is of interest because it threatens the rights and well-being of workers in the workplace. The state must take into account the psychological consequences that may occur in workers (stress, anxiety, fear, and

loneliness) as well as the physical consequences (some diseases that developed during the health crisis in the families of Ecuadorian society) (Naranjo-Zambrano et al., 2023).

Colombia is one of the first countries to legislate this phenomenon through a special law (Law 1010 of 2006, through which measures are taken to prevent, remedy, and punish bullying in the workplace and other bullying in the framework of labour relations), thus contributing to its visibility. However, according to the authors Seco-Matin and Lopez-Pino (2015), the government only tried to restore the image of the country at the international level, far from respecting human and labour rights.

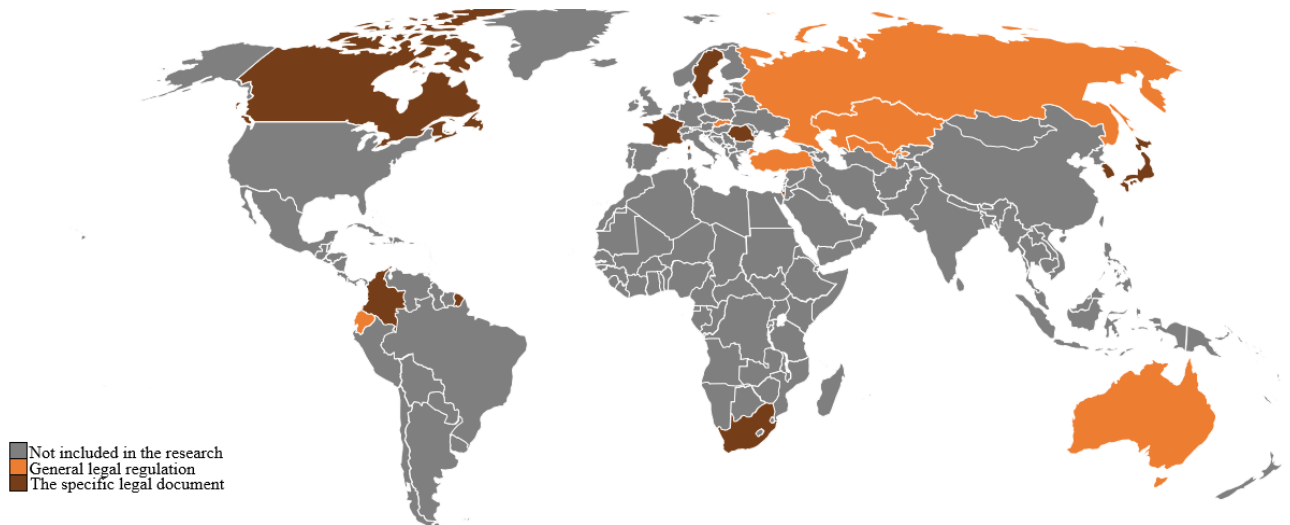
The Canadian Human Rights Act of 1985, as last amended in 2014, prohibits employers from discriminating or discriminating against employees directly or indirectly on any of the prohibited grounds of discrimination during employment. The aforementioned law applies to sexual harassment. Sexual harassment is not permitted in all workplaces in Canada. The law contains enactments dealing with equal pay for employees regardless of gender. The Canada Labor Code, as amended in 2016, consolidates all labour laws that govern work in organizations in Canada. Part XX of Canada's Occupational Health and Safety Regulations deals with workplace violence. Violence in the workplace can be defined according to the regulation as all actions, behaviours, threats, or gestures that can cause damage, injury, or illness to an employee. Unlike Canada, which has had concrete legal protections in the form of several amendments in recent years, workplace bullying has not had a strong presence in the US in recent years. Therefore, it is possible to state that the USA tends to lag behind in the addressed issue (Akella, 2020).

4. Conclusions

Based on the findings, we decided to create a comparison of the legal regulation of pathological relationships in selected countries and create recommendations for the legislation valid in the territory of the Slovak Republic. Based on the representation of the countries (Figure 3), it can be concluded that only ten countries have legislation dealing with the manifestations of pathological relationships at the workplace. However, it is possible to see that the Slovak Republic does not have a specific legal regulation dealing with workplace bullying, similar to, for example, Russia, Kazakhstan, or Turkmenistan. In Australia, there is a Fair Work Commission (FWC), which, however, already defines bullying and can even be appealed to by an employee. The organization then investigates the issue of bullying. On the other hand, we have countries like Colombia, which has had its legislation since 2006, or Romania since 2020.

Although Slovakia has an Anti-Discrimination Act, we are inclined to the opinion of Nekoranec and Kmosena (2015) that the Anti-Discrimination Act is not sufficient. This law does not allow discrimination on various grounds such as gender, race, religion, etc. However, there is no mention of workplace bullying in the law. The issue of pathological relationships, as we demonstrated in the submitted dissertation, is a complex issue that includes not only discrimination or sexual harassment but also other manifestations. For the stated reasons, we therefore consider it crucial to include in the legislation an amendment to the Anti-Discrimination Act, within which the term bullying at the workplace should be supplemented and its specific definition established, as we do not consider the term harassment, which is defined in the Anti-Discrimination Act, to be sufficient. For this reason, we recommend adopting the definition of workplace bullying according to the Australian Fair Work Commission (FWC) into the legislation, as this definition includes many manifestations of pathological relationships in the workplace and at the same time mentions the fact that the employee has health problems. The wording should read as follows: Bullying is repeated and

Figure 3: Map of countries with legal regulation of pathological relationships in the workplace



Source: own elaboration

unreasonable behaviour that is aggressive and intimidating; it includes disparaging comments, malicious rumours, social isolation, and being given too much or too little work, which leads to health, financial, social, and safety problems for employees at workplaces. This would lead to the introduction of a generally known and frequently occurring phenomenon in the world. At the same time, we consider it essential that the law, whether anti-discrimination or the Labor Code, states the obligation to directly implement measures ensuring the minimization of bullying in the workplace and its individual manifestations and to grant the employer the obligation to remove bullying at its own expense in the event of bullying and at the same time protect the employee from dismissal or reassignment to a less qualified position, similar to Sweden or France. This is mainly due to the fact that we have shown in our survey that the victim of bullying is moved to another job position or prefers to leave the organization.

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