DEVELOPMENT OF CONSTITUTIONAL AND OTHER LEGAL MEANS FOR ELIMINATING VIOLENCE AND HARASSMENT IN THE SPHERE OF LABOR

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The article analyzes in detail and comments on the main legal means and instruments for the elimination of violence and/or harassment in the workplace through the prism of labor standards and regulations contained in the new Law No. 194/2025 on Amendments to the Labor Code of the Republic of Moldova No. 154/2003 (bringing legislation into line with the provisions of the International Labor Organization Convention No. 190/2019), and also clarifies the most correct ways and approaches to the practical and correct application of regulatory provisions in this area, with the formulation of substantiated conclusions and recommendations on the multifaceted and relevant topic under consideration in the process of presenting the material.

At the same time, the theses contained in this article are intended to assist the teaching staff, doctoral students, master's students and students of law institutions of higher education/faculties and scientific researchers of organizations/centers in the field of science and innovation in the systematic assimilation of the norms of Moldovan labor legislation regulating the procedure and conditions for combating such a negative phenomenon in labor relations as violence and harassment at work.

In addition, the postulates set out by the author of the article are aimed at the correct/accurate understanding and application of current labor standards for the elimination of violence and/or harassment in the sphere of work by employees of the State Labor Inspectorate and its territorial structural divisions, lawyers, HR inspectors, representatives of social partners and non-governmental organizations, entrepreneurs, judges, prosecutors, attorneys, mediators, trade unionists and activists, interested employees and civil servants.

Keywords: constitution, constitutional guarantees, labor legislation, labor relations, legal means, standards, comments, violence in the sphere of work, harassment at work.

Introduction

Violence in the world of work is any unacceptable behavior aimed at humiliating, harming, intimidating, or threatening a worker, which may be physical, psychological, verbal, or sexual. This includes sexual harassment, bullying, and even the consequences of domestic violence that affect work performance (carried out based on an individual employment contract (IEC) between the employee and the employer).

To combat this negative phenomenon, at the 108th Session (2019) of the International Labor Organization (ILO), the ILO Convention No. 190 on the Elimination of Violence and Harassment in the World of Work (hereinafter – ILO Convention No. 190) [1] and the accompanying ILO Recommendation No. 206 on the Elimination of Violence and Harassment in the World of Work (hereinafter – ILO Recommendation No. 206) [2] were adopted. These

are the first international labor standards that provide a framework for preventing, addressing, and eliminating violence and harassment in the world of work, including gender-based violence and harassment. The Convention establishes the obligation to respect, promote, and realize the right of every person to work free from violence and harassment.

On the last of the spring–summer session of the Parliament of the Republic of Moldova (hereinafter – RM), on July 10, 2025, an important organic Law No. 194/2025 amending the Labor Code of RM No. 154/2003 was adopted, which will enter into force on January 1, 2026 (hereinafter – Law No. 194/2025) [3]. Under this law, Moldovan labor legislation was brought into line with the provisions of ILO Convention No. 190, previously ratified by the organic Law of RM No. 440/2023 [4].

Thus, the ILO and the Parliament of Moldova made it clear that violence and harassment in the world of work cannot be tolerated and must be eliminated. The adoption of ILO Convention No. 190 and ILO Recommendation No. 206 form, for the first time, the foundation of international labor standards aimed at eradicating violence and harassment in the workplace; they can and should have long-term and far-reaching consequences.

In turn, the amendments and additions to the Labor Code of the Republic of Moldova (hereinafter – LC RM) [5], introduced for the first time by the Parliament of Moldova to combat violence and harassment in the labor process in light of the provisions of ILO Convention No. 190 and ILO Recommendation No. 206, require from the parties to labor relations a profound scientific and practical understanding through a comprehensive study of the most important socio-legal aspects concerning the ways and means of eradicating this negative phenomenon in the course of labor activity.

The initial theses briefly outlined above make it possible to substantiate the necessity, relevance, and timeliness of addressing the chosen topic of this article, which is oriented towards identifying ways of effectively countering violence and harassment in the course of labor at enterprises of the national economy, regardless of their form of ownership, organizational-legal structure, departmental subordination, or sectoral affiliation.

Research Methodology

The methodology of this scientific article is based on a comprehensive study of the new legislative norms introduced by the Moldovan Parliament into the structure of the current Labor Code of the Republic of Moldova, aimed at regulating legal means and instruments for eliminating violence and/or harassment in the sphere of labor. In addition, several theoretical works by domestic and foreign authors were examined. The comparative legal method was primarily used in writing the article, to analyze the regulatory framework of Moldova and other states, as well as scientific and legal literature on the subject. At the same time, general scientific methods of dialectical philosophy (system-structural analysis, historicism, concreteness, inductive-deductive method) and special legal research methods (historical, sociological, comparative-legal, and logical-legal) were also applied.

Main Provisions of the Scientific Article

The adoption of ILO Convention No. 190 and ILO Recommendation No. 206, on the one hand, and the amendments/additions introduced by the Parliament of Moldova to the Labor Code of the Republic of Moldova, on the other hand, demonstrate that for the first time the right to a workplace free from violence and harassment was formulated in international treaties and, at the same time, fully embodied in national legislation. For the first time, a clear and unified conceptual framework emerged, enabling the prevention and elimination of violence and harassment, based on an inclusive, comprehensive, and gender-sensitive principle.

Violence and harassment in the workplace remain pervasive and affect most countries, including Moldova, across occupations and forms of employment. They manifest in various forms and contexts, depriving individuals of their sense of dignity and are incompatible with the principles of decent work and social justice. Chronic inequality, demographic shifts, and changes in work organization and technology can exacerbate violence and harassment, including gender-based violence and harass-

ment. The ILO and Moldovan legislation are committed to shaping the future workplace on principles of respect for human dignity, free from violence and harassment.

Specifically, the preamble of ILO Convention No. 190 acknowledges that: violence and harassment in the workplace may constitute a violation of human rights, threaten the principle of equal opportunities, and are unacceptable and incompatible with decent work; the importance of a workplace culture is fundamental to mutual respect and human dignity, conducive to preventing violence and harassment; ILO Members bear a special responsibility to promote a climate of zero tolerance towards manifestations of violence and harassment, to foster prevention of such conduct and practices, and that all workplace actors should refrain from acts of violence and harassment, prevent them, and address them; violence and harassment negatively affect individuals' psychological, physical, and sexual health, their sense of dignity, family life, and social environment; they also negatively impact the quality of public and private services and may hinder individuals, especially women, from entering the labor market, remaining in the workforce, and achieving professional development, noting that violence and harassment are incompatible with the principle of promoting viable enterprises and adversely affect work organization, workplace relations, employee engagement, company reputation, and productivity; gender-based violence and harassment disproportionately impact women and girls, recognizing that an inclusive, comprehensive, and gender-sensitive approach addressing root causes and risk factors, including gender stereotypes, multiple and intersecting forms of discrimination, and unequal gender power relations, is essential to eliminate violence and harassment in the workplace.

At the same time, paragraph 7 of ILO Recommendation No. 206 indicates that Moldova, as an ILO member, should, if necessary, clearly specify in its legislative and regulatory acts that workers and their representatives (trade unions) must participate in the development, implementation, and monitoring of workplace policies, including: specifying that no form of violence or harassment is acceptable; establishing programs for preventing violence and harassment, with measurable objectives if necessary; explicitly defining the rights and obligations of workers and employers; including information on complaints and investigation procedures; ensuring all internal and external communications related to violence and harassment are appropriately considered and executed according to circumstances; guaranteeing privacy and confidentiality while ensuring workers are informed of all risk factors; implementing measures to protect complainants, victims, witnesses, and whistleblowers from victimization and undue pressure.

According to paragraph 3 of the ILO Resolution on the Elimination of Violence and Harassment in the World of Work dated 21 June 2019 [6], Moldova needs to develop a comprehensive strategy to ensure compliance with ILO Convention No. 190, including measures aimed at: supporting social partners through informational and educational initiatives, promotional and informational materials, research, and technical assistance; engaging relevant social partners in joint initiatives to eradicate violence and harassment in the workplace; allocating resources within existing and future programs and budgets and mobilizing extra-budgetary resources to implement the aforementioned activities with social partners.

A legal analysis of the cited international labor norms regarding violence and harassment at work allows us to state that these norms align with the fundamental requirements of p. (1) of article 24 and p. (1) of article 25 of the Constitution of the Republic of Moldova, which prescribe that the state guarantees every person the right to life and to physical and mental integrity, and that the right to freedom and personal inviolability is inviolable [7, p. 33].

In the context of the above international and constitutional norms, the perspective of researcher V.M. Sleptsova appears reasonable, emphasizing that: „The development and implementation of mechanisms and strategies in policy to combat violence and discrimination is a complex and multifaceted task: close cooperation between various ministries, trade unions, civil society, assessment of existing legislation, and preparation of new normative legal acts are necessary". [8, p. 33].

On the other hand, one can also agree with the well-founded general statement of Ukrainian lawyer P. Malanchuk, according to which aspects of violence are studied by various sciences: sociology, law, psychology, etc., which analyze violence through the lens of their respective principles, methods, mechanisms, and tools [9, p. 42].

1. Based on the above preliminary theses and international labor norms, the Moldovan legislator, regarding the manifestation of violence and harassment in labor relations – in the amended provisions of Article 1 of the Labor Code of the Republic of Moldova, as well as in the clarified prescriptions of p. b) and b[1]) of article 5 of the Labor Code (as amended by Law No. 194/2025) – defined the following concepts and principles:

- workplace violence – behavior, action, conduct, inaction, or threat, occurring once or repeatedly within labor relations and other directly related relations, whose purpose and/or consequence is to cause harm to physical and mental integrity, sexual integrity, or economic independence of a person. Workplace violence includes physical assault, intimidation, coercion, verbal abuse or psychological harassment, sexual violence, harassment via telecommunications networks, and other forms of behavior affecting a person's dignity, health, or safety, regardless of whether perpetrated by an employer, employee, or third party;
- workplace harassment – unwanted behavior, expressed once or repeatedly through actions, words, gestures, or other forms within labor relations and other directly related relations, whose purpose and/or consequence is to infringe human dignity and create an adverse, hostile, destructive, humiliating, or unwelcoming environment at work. Workplace harassment may be based on any legally protected actual or perceived characteristic and may be perpetrated by an employer, employee, or third parties with whom the individual comes into contact during their work duties;
- sexual harassment – manifestation of physical, verbal, non-verbal behavior or other actions of a sexual nature leading to the creation of an adverse, hostile, destructive, humiliating, or offensive environment, whose purpose or consequence is the violation of personal dignity;
- according to international law norms and the Constitution of the Republic of Moldova, the main principles governing labor relations and other directly related relations include, among others: prohibition of forced (compulsory) labor; prohibition of any forms of discrimination, violence, and harassment within labor relations.

2. The new provisions of Article 8[1] of the Labor Code (introduced by Law No. 194/2025) stipulate that within labor relations and other directly related relations, any form of violence and harassment is prohibited, regardless of manifestation, frequency, intensity, or the status of the perpetrator. Provisions on preventing and combating workplace violence and harassment apply to actions carried out during the performance of labor duties, in connection with employment, or as a result of employment, including situations and premises related to professional activities, in particular: at the workplace (agreed between the parties in the Individual Employment Agreement according to p. k) of paragraph (1) of article 49 of the Labor Code), including public or private premises used for professional activity; in auxiliary premises provided by the employer, such as facilities for remuneration (payment of wages according to article 142 of the Labor Code), rest (breaks for meals according to paragraph (1) and (2) of article 107 of the Labor Code), dining during work at continuously operating enterprises (paragraph (3) of article 107 of the Labor Code), sanitary facilities, changing rooms, or other similar premises (required under the employer's duty to provide proper sanitary and living conditions according to p. n) of paragraph (2) of article 10 of the Labor Code); during business trips (article 70 of the Labor Code) and work-related events, including official travel (paragraph (2) of article 174 of the Labor Code), professional training programs (articles 195 and 212-221 of the Labor Code), events or public activities organized in official interests (meetings, conferences, seminars, congresses according to paragraph (3) of article 387 of the Labor Code, etc.); through any work-related forms of communication, including information and communication

technologies (email or other individual communication means for teleworkers or remote employees according to Articles 290-292[5] of the Labor Code, etc.); in employer-provided housing (dormitory, hotel room, leased accommodation provided under p. c) of paragraph (1) of article 51 of the Labor Code, etc.); during transit to and from the workplace on employer-provided transport (in case of rotational work outside employees' place of residence according to articles 317-322 of the Labor Code), etc.

The employer is obliged to ensure a safe and healthy work environment, free from violence and harassment [16, p. 263], by: developing and implementing internal policies for the prevention of and combating violence and harassment in the workplace; establishing clear, accessible, impartial, and confidential procedures for reporting, investigating, and resolving complaints related to acts of violence and/or harassment in the workplace; identifying and assessing risks of violence and harassment in the workplace with the participation of employees or their representatives; informing employees at least once a year about their rights, responsibilities, and internal procedures for preventing and/or combating violence and harassment in the workplace, as well as available protection and reporting mechanisms; ensuring protection from any unwanted conduct or behavior toward individuals who report acts of violence and/or harassment in the workplace or are victims of such acts.

The employer develops and approves the provisions of the internal policy depending on the scale, nature of activity, and organizational structure of the enterprise [15, p. 90]. The internal policy must include at least the following elements: objective and general principles, relevant concepts and definitions, duties and responsibilities of designated persons or investigative committees, procedures for reporting and investigating registered cases, applicable protection and compensation measures, as well as monitoring mechanisms, effectiveness evaluation, and frequency of policy updates.

The employer ensures employees' access to the provisions of the internal policy by one of the following methods: posting in a prominent place, dissemination in electronic form, or other legally permissible means. Provisions concerning the development and implementation of the internal policy, the establishment of procedures for reporting, investigating, and resolving cases of workplace violence and harassment, and the appointment of designated people or investigative committees, are mandatory for employers with at least 50 employees. Employers with fewer than 50 employees must take reasonable and appropriate measures to prevent and combat violence and harassment in the workplace, proportional to the number of employees, nature of activity, and organizational structure, while adhering to the principles of prevention, impartiality, confidentiality, and effective protection of relevant persons, based on existing constitutional norms.

3. In the context of the above, Article 8[2] of the Labor Code of the Republic of Moldova (introduced by Law No. 194/2025) additionally prescribes that the employer establishes a clear, accessible, fair, and effective internal procedure to report, investigate, and resolve cases of violence and/or harassment occurring within employment relationships and other directly related relationships. Such a procedure must ensure at least the following guarantees:

- the possibility to submit complaints in writing, including electronically, directly by the affected employee or through their legally designated representative;
- immediate registration of the complaint, record-keeping using means established by the employer, and consideration of each complaint within a set timeframe, ensuring impartiality and confidentiality of personal data and identity of involved persons;
- appointment in each individual case, by internal order, of a trained person or investigative committee, consisting of staff trained in workplace violence and harassment prevention, not in a conflict of interest, and capable of objectively analyzing the situation;
- ensuring the right to defend all parties involved by providing the opportunity to give explanations, present evidence, obtain legal assistance or advice, and be thoroughly informed of their procedural rights;
- application—when there is an unavoidable risk of harm, intimidation, or coercion—of temporary protective measures concerning the complainant and, as appropriate,

witnesses or other involved people. Depending on specific circumstances, such measures may include temporary reassignment of workplace or work schedule for one party; limitation of direct interaction between involved parties; temporary redistribution of other duties or workplaces; granting paid or unpaid leave upon request and with written consent of the employee; and other measures provided in the employer's internal policy that ensure effective protection of the individual;

- consideration of the complaint within a reasonable period, not exceeding 30 days from registration, with a single possible extension for justified reasons of no more than 15 days;
- written notification within five working days after the completion of the procedure to the parties involved regarding investigation findings, assigned measures, and, where applicable, appeal procedures or submission of further petitions to competent authorities.

During the investigation procedure, the employer is obliged to ensure confidentiality of personal data and identity of involved parties, including after completion of the procedure; protect complainants, witnesses, or other involved persons from any form of undue influence, pressure, or intimidation; and retain documentation related to the complaint and procedure for at least three years from its completion, in accordance with personal data protection laws. The obligation to maintain confidentiality of the investigation and protect personal data and identity applies to all participants in the procedure, including members of investigative committees, witnesses, persons authorized to receive complaints, and any other individual with access to this information by virtue of their duties or involvement. Violation of this obligation entails legal liability.

Depending on the results of the investigation, the employer takes necessary measures in accordance with the law, which may include: initiating disciplinary proceedings based on investigation results under the LC of the RM (articles 206–211[1]) to apply appropriate sanctions to the employee who committed the act; reporting to competent authorities, including law enforcement, if the act constitutes an offense or crime; providing the victim with necessary support, including temporary protective measures, assistance in restoring a safe work environment, and prevention of recurrence of risk situations.

Establishing acts of workplace violence and/or harassment and applying disciplinary sanctions for them do not exclude the possibility of holding the perpetrator legally liable for an offense (e.g., failure of the employer to take measures to prevent discrimination and sexual harassment at the workplace and to combat these phenomena, or obstruction of reporting discrimination or sexual harassment in any form, pursuant to p. i) and j), paragraph (1), article 55 of the Code of Offenses of the Republic of Moldova [10]) or for crimes (e.g., sexual harassment at work in the form of physical, verbal, or non-verbal conduct aimed at performing a sexual act or other sexual activity that creates an unpleasant, hostile, oppressive, humiliating, discriminatory, or offensive environment for the victim, committed using the victim's dependent status or threats, provided the act does not constitute rape or non-consensual sexual acts, under article 173 of the Criminal Code of the RM [11]), if such acts meet the criteria of an offense or crime under the law.

The employer has the right to consult a specialized external advisory service or request support from employee representatives (trade unions) or competent authorities to ensure an impartial investigation in accordance with the law. The exercise of an employee's right to appeal to a court, the State Labor Inspectorate, the Council for Equality, or another competent authority is independent of the initiation or completion of the internal procedure described above [14, p. 58].

4. Furthermore, according to paragraph (1[2]) of article 9 of the LC of the RM (as amended by Law No. 194/2025), employees have the right to a safe, healthy, and decent work environment free from any forms of violence and/or harassment, as well as the right to:

- periodically receives information about internal procedures and measures applicable for preventing and combating workplace violence and harassment;
- confidentially report any act of violence or harassment they have experienced;

- request and receive, under conditions established by the internal policy, appropriate protection and support measures, such as psychological, legal, or other advisory assistance, if they are victims of workplace violence or harassment;
- suspend work activities, with employer consent, in cases of unavoidable and significant risk of workplace violence and/or harassment, with mandatory immediate notification to the employer of the circumstances.

Moreover, p. d^{3}), paragraph (2) of article 9 of the LC of the RM establishes that employees must refrain from acts of violence or harassment in the context of employment relationships.

At the same time, p. f^{7}) - f^{10}), paragraph (2), article 10 of the LC of the RM stipulates that the employer is obliged to:

- prevent, identify, stop, and punish all forms of workplace violence or harassment in accordance with the law;
- develop, approve, and implement a clear, consistent, and functional internal policy for preventing and addressing workplace violence and harassment, including procedures for reporting, investigating, and reviewing complaints;
- regularly inform employees about their rights and responsibilities, as well as measures for prevention, protection, and response to workplace violence or harassment;
- cooperate, upon request or proactively, with competent authorities in the investigation and resolution of workplace violence or harassment cases, and maintain records of complaints received, measures taken, and outcomes obtained in accordance with the law.

5. It is also important to note that, according to p. i) of article 211^{1} of the LC of the RM (as amended by Law No. 194/2025), committing acts of workplace violence or harassment, including sexual harassment, within employment relationships and other directly related relationships constitutes a gross violation of the employee's labor duties, giving the employer the right to dismiss the employee on the basis of p. p), paragraph (1), article 86 of the LC of the RM (for a gross violation, even a single instance, of their labor duties).

6. On the other hand, the provisions of paragraphs (1) and (2) of article 331^{1} of the LC of the RM (as amended by Law No. 194/2025) are also aimed at preventing acts of workplace violence or harassment, as the employer bears full financial liability for damage caused to employees due to failure to ensure a safe, healthy work environment free from any form of violence or harassment. Such employer liability arises when damage is caused to an employee due to the failure to prevent or stop workplace violence or harassment, including, but not limited to, the following situations:

- failure to implement or insufficient application of measures necessary to prevent, identify, and stop acts of violence or harassment at the enterprise and to combat them;
- tolerance of offensive, destructive, hostile, or dignity-violating behavior through inaction, indifference, or negligent handling of reports of inappropriate behavior;
- failure to promptly, impartially, and patiently review complaints regarding workplace violence or harassment, or refusal/neglect in taking necessary protective measures.

According to paragraphs (3) and (4) of article 331^{1} of the LC of the RM, in the above cases, the employer fully compensates: the material damage suffered by the employee; moral damages in accordance with the law (articles 329 - 332 of the LC of the RM). Determination of the size of damages and obligations for compensation may be made by agreement between the parties (considering acceptable provisions of article 343 of the LC of the RM) or by the decision of a competent court in accordance with the law (articles 353 - 356 of the LC of the RM). In this regard, the affected employee must correctly apply the above-mentioned articles 329–332 and 343 of the LC of the RM to protect their labor rights and legally guaranteed constitutional interests, according to which:

- the employer must fully compensate material and moral damage caused to the employee in connection with performance of labor duties in cases of workplace discrimination or unlawful deprivation of the ability to work, unless otherwise provided by the LC of the RM or other normative acts;
- moral damage is compensated in monetary or other material form determined

by the parties. Disputes regarding moral damage are resolved by the court regardless of the amount of material damage to be compensated;

- the employer must compensate the employee for unpaid wages in all cases of unlawful deprivation of the ability to work, including: unjustified refusal to hire; unlawful dismissal or unlawful transfer to another job pursuant to point a), paragraph (2), Article 90 of the LC of the RM; dissemination of defamatory information about the employee by any means (media, written references, etc.); failure to comply with a court decision resolving a dispute over deprivation of the ability to work;
- the employer causing material damage due to improper performance of duties under internal labor regulations must fully compensate for such damage;
- a written claim for material and moral damage must be submitted to the employer. The employer is obliged to register, review, issue an appropriate order within 10 calendar days of registration, and inform the employee by acknowledgment or another method ensuring receipt/notification. If the employee disagrees with the employer's order or if no order is issued within the specified time, the employee may appeal to the court to resolve the individual labor dispute in accordance with articles 353 - 356 of the LC of the RM;
- by agreement between the employee and the employer, moral damage may be compensated in installments. In this case, the employer must provide a written commitment (usually in the form of an order or directive) for voluntary compensation for material damage specifying the payment deadlines. If the employee who received this commitment ends employment (article 81 of the LC of the RM), the unpaid debt continues to be compensated in accordance with current legislation (applying civil law norms).

In this context, it should also be noted that when an employer compensates moral damage to an employee for acts of workplace violence or harassment (voluntarily or by court order), in addition to the above labor law provisions, the following may be applied accordingly:

1) Provisions of Article 2 of the Law on Prevention and Combating Violence against Women and Domestic Violence No. 45/2007 [12], according to which moral damage means causing physical and/or psychological suffering leading to humiliation, fear, degradation, inability to resist violence, feeling deprived, and other similar consequences;

2) Requirements of articles 2036 and 2037 of the Civil Code of the RM [13], according to which, in cases of moral harm caused to a person through acts infringing their personal non-property rights or other cases provided by law, the court may require the responsible party to pay compensation; moral harm is compensated regardless of the existence or amount of material damage; the right to compensation for non-property harm may be transferred only if established by settlement or final court decision; the amount of compensation is determined by the court depending on the nature and severity of moral harm, the degree of fault of the perpetrator if fault is a condition of liability, and the extent to which compensation ensures fair satisfaction of the victim; the nature and severity of moral harm are assessed by the court considering circumstances, restrictions on family and social life, and the social status of the victim; the court must seek compensation that is, on one hand, comparable to that normally provided in similar circumstances and, on the other hand, takes the specifics of the case into account.

7. In turn, the provisions of article 338^1 of the LC of the RM (as amended by Law No. 194/2025) are also aimed at preventing acts of workplace violence or harassment, as they prescribe that employees who violate professional behavior duties during the performance of their labor duties and commit acts of violence or harassment against other employees or third parties may be held fully financially liable for damage caused to the employer, in accordance with articles 333 - 347 of the LC of the RM. Full financial liability in this case arises if:

- the act (as a deliberate human behavior, in the form of action or inaction, resulting from volition and potentially producing various consequences) was committed directly in connection with labor duties and violates norms of professional conduct or legal obligations (LC of the RM, internal policy, collective labor agreements, and internal labor regulations);

- the act directly caused economic damage to the employer, including compensation paid to the victim (material and/or moral damage, etc.), court costs (article 353 of the LC of the RM), damage to the enterprise's reputation (article 19 of the Civil Code of the RM), or other property damage to the employer (articles 333 - 347 of the LC of the RM).

In this context, it should be clarified that holding an employee financially liable requires the simultaneous fulfillment of the following conditions:

- investigating procedure in accordance with the LC of the RM (article 342) and internal procedures of the employer (contained in the internal regulatory act issued by the employer pursuant to p. e), paragraph (1), article 10 of the LC of the RM);
- establishing actual economic damage and a direct causal link between the employee's act and the damage;
- ensuring the employee's right to defense, to receive information, and to present explanations and evidence.

The established damage may be compensated/collected by the employer through the following methods:

- by mutual agreement – through a settlement with the employee in accordance with the LC of the RM (considering requirements of article 343);
- through judicial proceedings – by filing a claim with a competent court in accordance with the law (more precisely, articles 344 in conjunction with 353 - 356 of the LC of the RM).

Conclusion

The synthesis of the analyzed legal norms, based on the Constitution of the Republic of Moldova and the presented scientific-practical theses, allows for the formulation of the following main conclusions:

A. Workplace violence constitutes behavior, action, inaction, or threat, committed once or repeatedly within employment relationships, whose purpose and/or consequence is to harm the physical and psychological integrity, sexual integrity, or economic independence of a person.

B. Workplace harassment is recognized as unwanted behavior, expressed once or repeatedly through actions, words, gestures, or other forms within employment relationships, whose purpose and/or consequence is to infringe human dignity and create an unfriendly, tense, destructive, humiliating, or hostile work environment.

C. Committing acts of workplace violence or harassment within employment relationships legally constitutes a gross violation of labor duties, giving the employer the right to dismiss the employee for a gross violation, even if it occurs once, under p. p), paragraph (1), article 86 of the LC of the RM.

D. The employer bears full legal financial liability for damage caused to employees as a result of failure to ensure a safe, healthy work environment free from any form of violence or harassment. Such liability arises when damage occurs due to failure to prevent or stop workplace violence or harassment.

E. Employees who violate professional behavior duties during labor duties and commit acts of violence or harassment toward other employees or third parties may be held fully financially liable for damage caused to the employer, according to articles 333 - 347 of the LC of the RM.

F. The Republic of Moldova needs to develop, based on the Constitution, a comprehensive strategy to ensure compliance with international labor standards, including implementing measures aimed at supporting social partners through informational campaigns, educational materials, research, technical assistance, as well as allocating resources in existing and future programs and budgets, mobilizing extrabudgetary resources to effectively eradicate acts of workplace violence or harassment.

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