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PSYCHOLOGICAL VIOLENCE AT WORK: CHALLENGES OF IDENTIFICATION AND PREVENTION

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Abstract

Psychological violence at work is increasingly recognized as a serious occupational safety, public health and human rights issue. This paper examines the legal definition, identification challenges and preventive framework of psychological violence in the workplace in Lithuania, situating the national approach within European Union and international labour standards, primarily the International Labour Organization Violence and Harassment Convention No. 190 (2019). Lithuania has rapidly built a dedicated regime as of 1 November 2022, the Labour Code expressly defined mobbing, violence and harassment, including gender-based violence and harassment, and imposed prevention duties on employers; amendments to Article 30, in force from 1 January 2025, extended these obligations and were complemented by the binding Description of Measures to Prevent Violence and Harassment at Work (Order No. EV-221) and by stricter administrative liability under the Code of Administrative Offences. Despite this development, identification remains difficult because of the subjective nature of the conduct, broad and overlapping definitions, evidentiary problems and limited case law. The number of established breaches of Article 30 recorded by the State Labour Inspectorate rose by roughly 48% in 2025 (from 122 to 181). Drawing on doctrinal analysis, comparative literature and empirical studies of Lithuanian organizations, the paper argues that effective prevention requires not only adequate regulation but also workplace risk assessment, mandatory training, internal reporting procedures and victim assistance. The paper further examines the allocation of the burden of proof, the practical role of the State Labour Inspectorate and the Labour Disputes Commissions, emerging

administrative and judicial practice, and briefly situates Lithuania's approach against the regulatory choices made in few European Union countries. Lithuania has thus moved from a fragmented to a comprehensive regulatory model, yet implementation deficits, low awareness and limited interpretative guidance continue to undermine the protective potential of the law.

Keywords: psychological violence, mobbing, workplace harassment, Lithuanian Labour Code, prevention, ILO Convention No. 190

1. Introduction

Psychological violence at work, variously labelled in scholarly literature as workplace mobbing, bullying, psychological harassment or psychological terror, has emerged as one of the most challenging psychosocial risks for contemporary organizations. According to the Council of the European Union (2024), more than one in five people have experienced violence and harassment at work, whether physical, psychological or sexual, with women being particularly at risk. The European Agency for Safety and Health at Work classifies work-related psychosocial risks, including bullying and harassment, among the most challenging issues in occupational safety and health, noting that they arise from poor work design, organization and management and may produce negative psychological, physical and social outcomes (EU-OSHA, n.d.-c). Work-related stress, anxiety and depression are reported to be the second most common work-related health problem affecting European workers, and society and economic costs are substantial (EU-OSHA, n.d.-c).

In recent years, the problem has not diminished but has grown rapidly. The “OSH Pulse 2025” survey conducted by the European Agency for Safety and Health at Work (EU-OSHA) shows that about 29% of EU workers experience work-related stress, depression, or anxiety; more than 40% report feeling under significant time pressure; and one in three feels that their efforts go unnoticed and nearly 30% experience poor communication or cooperation (EU-OSHA, 2025). In light of this, the management of psychosocial risks has become a strategic priority at the EU level, and the prevention of bullying and harassment is viewed not as a secondary human resources issue, but as a core responsibility of occupational safety and health management.

In Lithuania, the issue acquired legal attention after the substantial 2022 amendments to the Labour Code, which for the first time introduced an explicit framework for psychological violence and detailed obligations for employers to prevent it (Labour Code of the Republic of Lithuania, 2016). Further amendments to Article 30 of the Labour Code entered into force on 1 January 2025, which tightened employer responsibility for ensuring a psychologically safe working environment, and were accompanied by an order of the Chief State Labour Inspector adopting a binding Description of Measures to Prevent Violence and Harassment at Work (Order No. EV-221, 2024).

However, the rapid legislative development has not been matched by an equally settled practice. According to the State Labour Inspectorate, the number of established breaches of Article 30 of the Labour Code rose by roughly 48% in 2025 compared with 2024 (from 122 to 181 cases), while complaints and reports concerning psychological violence reached 462, about a quarter more than in

2024, of which only around one third could be verified or partially verified. The largest numbers of complaints came from the human health and social work and education sectors (State Labour Inspectorate, 2026). Comparative legal analysis also highlights that the broad statutory concept of psychological violence, coupled with limited case law, creates considerable uncertainty for employers, employees and adjudicating bodies (Leščinskaitė, 2024).

The relevance of this topic is reinforced by the broader European policy context. International labour organization (ILO) Convention No. 190 (2019) was the first international legally binding instrument to recognize the right of everyone to a world of work free from violence and harassment (International Labour Organization [ILO], 2019a), and in March 2024 the Council of the European Union formally authorized and invited Member States to ratify it in the interest of the Union (Council Decision (EU) 2024/1018, 2024). The EU Strategic Framework on Health and Safety at Work 2021-2027, together with EU-OSHA's research programme on psychosocial risks has identified the management of psychosocial risks, including bullying and harassment, as a priority area for the coming years (European Commission, 2021). National legislation and practice in Lithuania must therefore be assessed not only on their internal coherence but also in relation to these supranational benchmarks.

The aim of this paper is to analyze the challenges of identifying and preventing psychological violence at work in Lithuania, taking into account the relevant EU and international framework. The paper clarifies the concept of psychological violence at work in legal and scholarly discourse, examines the EU and international standards relevant to its identification and prevention, evaluates the Lithuanian legal framework, with particular focus on the 2022 and 2025 amendments to the Labour Code and on the implementing Description of Measures and identifies practical challenges of identification and prevention and proposes directions for improvement. The research relies primarily on doctrinal analysis of legal acts and case law, supplemented by analysis of secondary scholarly literature and institutional reports of the State Labour Inspectorate, EU-OSHA and Eurofound. The paper combines a descriptive overview of the regulatory framework with a critical evaluation of its implementation, drawing on empirical evidence from Lithuanian organizations and on comparative experience from other European jurisdictions.

2. The concept of psychological violence at work

2.1. Scholarly definitions and dimensions

The scholarly understanding of psychological violence at work has been shaped, above all, by the work of Heinz Leymann (Leymann (1990), who introduced the term mobbing into the occupational health debate and defined it as hostile and unethical communication directed in a systematic way by one or several individuals mainly towards one individual, who is thereby pushed into a

helpless and defenseless position. Leymann conceptualized mobbing not as an isolated event but as a process unfolding over time, and he set quantitative criteria, namely at least one hostile act per week over a period of at least six months, that have since become a reference point for empirical research. Leymann's four-phase model traces how mobbing unfolds over time, moving from an initial unresolved conflict to stigmatization and escalation, then to formal administrative involvement and, finally, the target's removal from the workplace and exit from the labour market (Leymann, 1990).

Later researchers have refined this method. In the European research tradition associated with Einarsen, Hoel, Zapf, and Cooper, repetition and persistence remain essential characteristics of workplace bullying, while a single incident or a conflict between parties of roughly equal strength is generally not classified as bullying. At the same time, these authors criticize the one-week and six-month thresholds as overly strict criteria. Legal documents clearly take a different approach. For example, ILO Convention No. 190 explicitly covers both one-time and repeated acts, meaning that even a single sufficiently serious act may fall within its scope (ILO, 2019a). The literature also distinguishes between vertical mobbing (initiated by managers), horizontal mobbing (among colleagues), and upward mobbing (directed by subordinates against a manager), and it manifests itself in forms ranging from verbal aggression to subtle and forms, such as social isolation, manipulation, constant unfounded criticism, or the systematic exclusion from information and decision-making processes (Eurofound, 2006).

In organizational psychology, workplace bullying is generally regarded as a chronic psychosocial stressor whose consequences extend far beyond the workplace and contribute to anxiety, depression, sleep disorders, burnout, post-traumatic stress, and, in severe cases, suicidal thoughts. Recent empirical studies on the mental health consequences of workplace harassment confirm a link between experiencing harassment and increased levels of mental health disorders (Lipińska-Grobelny, 2024). However, for the purposes of legal analysis, it is important that scientific definitions agree on three elements: (a) hostile, unwanted, or unacceptable behavior; (b) repetition or systematic nature, or at least one sufficiently serious act; and (c) a negative impact on the victim's dignity or physical or psychological integrity. These three elements constitute the analytical framework against which the Lithuanian statutory definition can be assessed.

2.2. Legal terminology and its variations

In law, psychological violence at work is addressed through several overlapping concepts. These include psychological harassment, mobbing, bullying, moral harassment, sexual harassment, hostile work environment and, more recently, gender-based violence and harassment. This variety is not merely

linguistic. It reflects different legal traditions and starting points: occupational safety, equality law, or the protection of personality rights and dignity. ILO Convention No. 190 (2019) cuts across these traditions. It defines violence and harassment in the world of work as unacceptable behaviors or practices, whether occurring once or repeatedly, that aim at, result in, or may result in physical, psychological, sexual or economic harm, including gender-based violence and harassment. Its protection is also broad. It covers not only employees in the strict sense but also other persons in the world of work, including job applicants, interns, volunteers and persons exercising the authority, duties or responsibilities of an employer (ILO, 2019a).

Lithuanian law, by contrast, has adopted a particular term, psychological violence (in Lithuanian, *psichologinis smurtas*), used alongside the broader notions of violence and harassment and the concept of mobbing (Labour Code of the Republic of Lithuania, 2016). Under Article 30 of the Labour Code, violence and harassment, including psychological violence and gender-based violence and harassment, is defined, in substance mirroring the Convention, as any unacceptable behavior or threat of such behavior, whether occurring once or repeatedly, that seeks to or does cause, or may cause, physical, psychological, sexual or economic harm, that offends a person's dignity, or that creates an intimidating, hostile, degrading or offensive environment (Labour Code of the Republic of Lithuania, 2016). This terminological choice has been criticized as a source of definitional uncertainty, since it does not align perfectly either with the structure of the ILO Convention or with the terminology used by other Member States, many of which refer to moral or psychological harassment and attach distinct legal consequences to it, and since such a broad definition of psychological abuse allows even hypothetical actions to be classified as psychological abuse (Leščinskaitė, 2024).

3. The European Union and international framework

3.1. ILO Convention No. 190 and its EU dimension

ILO Convention No. 190, supplemented by Recommendation No. 206, is the first international legally binding instrument to recognize the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment, and to require an inclusive, integrated and gender-responsive approach to prevention (ILO, 2019a). Its scope is deliberately broad and covers all sectors, public and private, and the formal and informal economy, protects not only employees but also jobseekers, applicants, volunteers, persons whose employment has ended and those exercising the authority of an employer and it reaches beyond the workplace to places connected with work, such as work-related trips, training, employer-provided accommodation, work-related communications (including via information and communication technologies) and the commute (ILO, 2019a).

Regarding content, the Convention requires ratifying States to adopt an integrated approach and prohibit violence and harassment in law, ensure relevant policies, strengthen enforcement and monitoring, provide remedies and support for victims, and offer guidance, training and awareness of phenomena. It also requires States to oblige employers to take reasonable preventive steps, including adopting workplace policies, assessing the related risks and addressing them within occupational safety and health management (ILO, 2019a, 2019b). In March 2024 the European Union added its weight to the Convention. The European Parliament gave its consent on 12 March, and on 25 March the Council authorized Member States to ratify the parts of Convention No. 190 that fall within Union competence. The Council noted that the Convention provides the first internationally agreed definition of violence and harassment at work and supports the Union's goals of a safer, healthier working environment and gender equality. Ratification is still left to each Member State, but the decision sends a clear signal and encourages national action (Council Decision (EU) 2024/1018, 2024).

3.2. EU law and policy on psychosocial risks

In binding EU law, prevention is primarily enshrined in Framework Directive 89/391/EEC, which imposes a general obligation on employers to assess and prevent all occupational risks, adapt work to individual needs, and ensure adequate training (Council Directive 89/391/EEC, 1989). Although psychosocial risks are not explicitly mentioned in the directive, it is recognized that the general duty of prevention covers them as well; therefore, the assessment of risks of harassment and coercion is part of the standard risk assessment obligation. This is supplemented by the Equality Directives, which prohibit harassment as a form of discrimination, in particular Directive 2000/43/EC, Directive 2000/78/EC, and Directive 2006/54/EC. They cover harassment related to a protected characteristic but do not cover hostile behavior unrelated to any prohibited ground; it is precisely here that the general concept of psychological violence becomes indispensable (Council Directive 2000/43/EC, 2000; Council Directive 2000/78/EC, 2000; Directive 2006/54/EC, 2006; Volosevici, 2019).

In addition to binding legislation, the voluntary European Framework Agreement on Harassment and Violence at Work (2007) has shaped national policies and company procedures, encouraging employers to declare a zero-tolerance policy and establish incident management procedures (ETUC, BUSINESSEUROPE, UEAPME, & CEEP, 2007). EU-OSHA research indicates that the existence of national legislation and initiatives on psychosocial risks is associated with more active management of those risks at the organizational level, which confirms the need for clearer regulation (EU-OSHA, n.d.-b). The EU Strategic Framework on Health and Safety at Work 2021–2027 identifies

psychosocial risk factors and mental health as priorities, and they are also the focus of the EU-OSHA campaign “Healthy Workplaces 2026–2028: Together for Mental Health at Work.” (European Commission, 2021; EU-OSHA, n.d.-a). Thus, Lithuania’s reforms can be viewed as part of a broader European movement in which psychosocial risks, particularly psychological violence, are treated as a key occupational safety and health issue.

4. The Lithuanian legal framework

4.1. From fragmented regulation to the 2022 amendments

Before 2022, Lithuanian law addressed psychological violence at work only indirectly. Protection was spread across the prohibition of harassment in the Law on Equal Treatment, the constitutional and civil-law protection of dignity and health, and the employer's general duty under the Law on Safety and Health at Work to ensure safe and healthy working conditions. The Labour Code of 2016 contained only general references to a respectful working environment, leaving the definition of prohibited conduct, the criteria for identifying it and the concrete preventive measures to the courts and the State Labour Inspectorate. This created a regulatory gap: while hostile behavior was condemned in principle, the laws provided almost no practical guidance on how to identify it, prevent it, or impose sanctions (Law on Equal Treatment of the Republic of Lithuania, 2003; Law on Safety and Health at Work of the Republic of Lithuania, 2003; Labour Code of the Republic of Lithuania, 2016).

Empirical research from this period documented a significant prevalence of mobbing in Lithuanian organizations. Lithuanian studies found that managers were the principal initiators of bullying, that mobbing was especially intense in the public sector, notably in healthcare and education, and that domestically owned small and medium-sized enterprises were markedly affected. A nationwide survey covering more than a thousand respondents across some twenty economic activities, found that the dominant forms were insulting communication, defamation and social isolation, and that such conduct typically combined several types of unacceptable behaviour rather than appearing as a single, easily identifiable act (Žukauskas et al., 2015).

The first comprehensive reform came with the 2022 amendments to the Labour Code, which partly implemented the logic of ILO Convention No. 190. From 1 August 2022, employers had to publish information on the prevention of psychological violence and to assist employees who had experienced it. From 1 November 2022, the Labour Code defined violence and harassment, including gender-based violence and harassment, and extended the prohibition to work-related travel, training, events and social activities, employer-provided accommodation and the commute. Employers with more than fifty employees had to adopt, publish and implement a prevention policy following information and

consultation. This marked the decisive shift from indirect protection to an express, dedicated regime (Labour Code of the Republic of Lithuania, 2016).

4.2. The 2025 reform of Article 30 of the Labour Code

A further consolidation took effect on 1 January 2025, when amendments to Article 30 reinforced the employer's duty to ensure a psychologically safe working environment. The amended provision makes clear that violence and harassment are prohibited regardless of who commits them, expressly including the employer, whether a natural person or the manager of a legal person. This closed a perceived loophole under which an employer that had formally adopted preventive measures might have escaped liability for hostile conduct by its own management. The legislator also acknowledged, without yet fully regulating, upward psychological violence directed by subordinates against managers (Labour Code of the Republic of Lithuania, 2016). Administrative liability was tightened in parallel. Under the amended Article 96 of the Code of Administrative Offences, in force from the same date, a breach of Article 30 of the Labour Code attracts a fine on the employer (a natural person), the manager of an employing legal person, or another responsible person, ranging from EUR 500 to EUR 1,400, with a higher fine for a repeated offence. The sanction is thus aimed at responsible individuals rather than the organization in the abstract, underscoring the personal accountability of management (Code of Administrative Offences of the Republic of Lithuania, 2015).

To implement these duties, the Order of the Chief State Labour Inspector approving the Description of Measures to Prevent Violence and Harassment at Work (Order No. EV-221 of 17 December 2024) entered into force on 1 January 2025. Adopted under Article 30(4) of the Labour Code, it sets out the necessary preventive measures for all employers regardless of size, declaring the prohibition and informing employees how to report it, setting standards of acceptable and unacceptable conduct, designating a responsible person, laying down a procedure for submitting and examining reports; carrying out an occupational risk assessment that includes psychosocial factors, and organizing training. It also distinguishes mandatory from merely recommended measures (Order No. EV-221, 2024).

The Description of Measures to Prevent Violence and Harassment at Work is most detailed on training, reporting and assistance. Training is mandatory for all employers regardless of size, must be repeated at least once every three years and must be documented, and absent or newly recruited employees must be given the materials within short defined periods. The employer must aid those who have suffered violence or harassment, including advice from psychologists, lawyers or other specialists. For cases involving the head of the entity, who occupies a structurally privileged position, it provides special routes, allowing the

employee to turn directly to the company's management bodies, the State Labour Inspectorate or the Labour Disputes Commission (Order No. EV-221, 2024).

4.3. Lithuania in comparative perspective: regulation in other EU Member States

Lithuania's approach can usefully be set against the regulatory choices made by other EU Member States, which range from detailed statutory definitions of workplace mobbing to reliance on general occupational-safety duties. Poland offers the closest comparator in the region, Article 94³ of the Labour Code (Kodeks pracy) defines mobbing as persistent and long-lasting harassment or intimidation of an employee that causes a diminished assessment of professional usefulness, or that is aimed at humiliating, ridiculing or isolating the employee, and it entitles a victim to compensation of not less than the statutory minimum wage even where no health impairment is shown, with further damages available where mobbing has caused a health disorder (Labour Code of the Republic of Poland, 1974, Art. 94³). Unlike Lithuania's broader, ILO-inspired concept of violence and harassment, the Polish definition is narrower and more precisely calibrated, which has produced a correspondingly more developed body of case law, although comparative research on Polish and Lithuanian organizations suggests that the mere existence of such statutory definitions and internal compliance measures does not, by itself, prevent mobbing in practice (Vveinhardt & Sroka, 2020).

France addresses psychological violence through the concept of harcèlement moral under Article L1152-1 of the Code du travail, defined as repeated acts that degrade working conditions in a way that infringes the employee's rights and dignity, impairs their physical or mental health, or compromises their professional future. Critically, French law also reverses the burden of proof along lines comparable to discrimination claims: once an employee establishes facts from which the existence of harassment may be presumed, the employer must prove that the conduct did not, in fact, constitute harassment, and no intent to harm on the employer's part need be shown (Code du travail [Fr.], Art. L1152-1). Belgium adopted one of the earliest dedicated legislative frameworks in the Union through the Act of 11 June 2002 amending the 1996 Well-being at Work Act, which requires every employer to conduct a psychosocial risk analysis, designate a prevention adviser and follow a structured internal investigation procedure once a complaint of violence or harassment is raised (Loi du 11 juin 2002 relative à la protection contre la violence et le harcèlement moral ou sexuel au travail, 2002). Germany, finally, has no dedicated anti-mobbing statute at all and protection is derived indirectly from constitutional personality rights and the employer's general duty of care, developed almost entirely through labour-court case law (Vloosevici, 2019).

Set against this range, Lithuania's regulatory model is comparatively ambitious in scope, since its ILO-inspired definition covers single as well as repeated acts and extends beyond the immediate workplace, and it is unusual in being accompanied by a detailed, centrally issued implementing act. What it currently lacks, however, are two features that appear to matter most for practical enforcement in the more established regimes as a burden of proof calibrated to the evidentiary difficulty of the conduct, as in France, and either a narrower, more litigable statutory definition, as in Poland, or a mature inspection-based enforcement culture. This suggests that closing Lithuania's implementation gap depends less on further broadening the legal concept of psychological violence than on strengthening the evidentiary and institutional machinery that gives the concept effect.

5. Challenges of identification

5.1. Conceptual breadth and evidentiary difficulties

Even after the 2022 and 2025 reforms, the statutory definition of psychological violence remains broad and partly indeterminate. Scholarly commentary observes that the Labour Code's wide conception, combined with the recommendations of the State Labour Inspectorate, has caused confusion in companies, institutions and among managers themselves, and that the limited case law shows the framework is not always interpreted so as to prevent psychological violence effectively (Leščinskaitė, 2024).

The first difficulty is the boundary between psychological violence and legitimate management. The exercise of managerial prerogative, such as assigning tasks, monitoring performance, giving critical feedback or applying discipline, may feel hostile but should not, in itself, be treated as psychological violence. Distinguishing demanding but lawful management from abusive conduct requires assessing the purpose, repetition, proportionality and effect of the conduct, and whether it pursues a legitimate work-related aim by appropriate means. Such assessment presupposes expertise that is not always available within internal procedures or labour-dispute bodies, and that is hard to standardize across the many workplaces to which the law applies.

The second difficulty is evidentiary. Many acts of psychological violence are subtle, episodic and unwitnessed, like gaslighting, exclusion, persistent undermining and micro-aggressions are especially hard to prove. The literature notes that such conduct often manifests through small behaviors that are difficult to notice (Eurofound, 2006; Leymann, 1990). Since psychological harassment is a gradual process, no single act may seem decisive on its own, although the overall pattern of these acts can have devastating consequences. In labour disputes in Lithuania, both parties are expected to actively gather and present evidence, and any means of proof recognized in civil procedure may be relied

upon. However, because the underlying conduct is so easily denied or reframed as ordinary workplace friction, it remains genuinely difficult for a complainant to assemble evidence that a labour dispute commission or a court will find convincing.

In practice, the forms of evidence accepted by the Labour Disputes Commissions and the courts include written correspondence, such as emails, text messages and instant-messaging exchanges, documentary evidence of consequential harm, such as invoices for psychologists' or psychotherapists' consultations, testimony from colleagues who witnessed the conduct and audio recordings. Notably, Lithuanian courts have treated covert audio recordings as admissible evidence of psychological violence even where the other party was not informed that the conversation was being recorded, reasoning that this may be the only means realistically available to an employee of documenting a violation of their rights (National Courts Administration of Lithuania, 2023). Even so, complaints to the State Labour Inspectorate and requests to the Labour Disputes Commissions are routinely dismissed as unsubstantiated where such objective corroboration is missing and the account rests only on the complainant's own description of events (National Courts Administration of Lithuania, 2023).

The allocation of the burden of proof compounds this difficulty. Individual labour disputes concerning breaches of Article 30, including complaints brought before the Labour Disputes Commissions and, on claims, before the courts, are governed by the general rule of the Code of Civil Procedure, under which each party must prove the circumstances on which its claims or objections are based (Code of Civil Procedure of the Republic of Lithuania, 2002). This differs markedly from the position under the Law on Equal Treatment, where a complainant who presents facts from which discrimination or discriminatory harassment may be presumed benefits from a reversed burden of proof, requiring the respondent employer to prove that the principle of equal treatment was not violated (Law on Equal Treatment of the Republic of Lithuania, 2003). Because psychological violence under Article 30 is not tied to a protected characteristic, an employee subjected to, for instance, purely personality-driven mobbing by a manager cannot invoke this more favourable evidentiary regime and instead bears the full burden of proving, unaided, a pattern of conduct that is by its nature designed to leave little trace. This asymmetry between the two regimes has been identified as one of the principal practical obstacles to the enforcement of Article 30, and narrowing it, whether by extending a rebuttable presumption to psychological violence claims that lack a discriminatory nexus or by developing clearer judicial guidance on what corroboration suffices, would meaningfully strengthen the protective force of the current framework.

5.2. Under-reporting and organizational structure

Under-reporting is a further challenge. EU-OSHA's enterprise surveys indicate that Lithuania, like several Central and Eastern European countries, has had relatively low rates of workplace procedures for managing psychosocial risks, including the prevention of bullying and harassment (EU-OSHA, n.d.-b). Lithuanian studies show that mobbing is most frequent in the public sector, particularly in healthcare and education, where authoritarian or pseudo-democratic management, poor work organization and disregard for fairness create fertile ground for hostile behavior (Žukauskas et al., 2015). Supervisory data point the same way: in 2025 the largest numbers of complaints to the State Labour Inspectorate came from the human health and social work and education sectors, while the largest numbers of established breaches were recorded in manufacturing and education (State Labour Inspectorate, 2026).

At the individual level, victims often hesitate to report because of fear of retaliation, distrust of internal procedures, skepticism about the response of supervisory bodies, or the stigma of being a victim. The fear of stigma around mental-health difficulties, identified by EU-OSHA (EU-OSHA, n.d.-c, 2025) as a Europe-wide obstacle, compounds these reservations. Cultural factors, including a comparatively low tradition of openly addressing interpersonal conflict and limited trade-union involvement in many workplaces, may further reinforce the silence surrounding psychological violence. Where reporting does occur, its effectiveness depends on a credible and independent point of contact, which smaller organizations often struggle to guarantee.

Complaints of harassment and mobbing are on the rise, yet Lithuanian case law on the subject is still sparse. As a result, the courts have yet to settle several central questions. They have not fixed how much repetition or severity is required before conduct counts as psychological violence, what standard and burden of proof apply, how psychological violence under the Labour Code relates to harassment under equality law, or how far an employer is liable for hostile acts committed by subordinate managers. As the State Labour Inspectorate records ever more established breaches, a growing number of disputes is likely to reach the Labour Disputes Commissions and, in time, the courts, slowly building up the interpretative case law. For the moment, though, an ambitious legal framework outpaces the system's ability to apply it consistently, leaving both employers and employees in a position of uncertainty (Leščinskaitė, 2024).

5.3. Judicial practice

Although Lithuanian case law on psychological violence remains sparse, a small but growing body of administrative and judicial decisions is beginning to illustrate how Article 30 is applied in concrete disputes. In September 2024, the

Regional Administrative Court found that an official of the Fire and Rescue Department had been subjected to psychological violence within the meaning of Article 30 over a period of almost two years: an employee with an until-then strong service record and repeated commendations was subjected to a sudden and sustained pattern of unfavourable performance evaluations, unlawful restrictions on the recognition of his qualifications, demotion and deliberate exclusion from the collective, while the employer took no steps to address the situation. The court held that this pattern, considered cumulatively, satisfied the statutory definition of psychological violence and awarded the official EUR 2,000 in non-pecuniary damages, alongside statutory interest, reasoning that the loss of a role that had become central to the claimant's professional identity, after more than two decades of service, caused significant psychological suffering (National Courts Administration of Lithuania, 2024). The case illustrates two recurring features of the emerging practice: first, that successful claims tend to rest on a documented pattern of escalating adverse treatment rather than on any single incident, and second, that psychological violence claims are most often litigated together with a separate claim, whether for unlawful demotion, unlawful dismissal or unpaid remuneration, rather than as a stand-alone cause of action (National Courts Administration of Lithuania, 2023).

General courts have followed a broadly similar approach. According to a judge of the Šiauliai Regional Court, awards of non-pecuniary damages for psychological violence at work have generally ranged between EUR 150 and EUR 1,500, although first-instance courts have on occasion exceeded this range considerably. In one case combining psychological violence with pregnancy-based discriminatory dismissal, a court awarded EUR 5,000 in non-pecuniary damages. The same source confirms that the quantum awarded is sensitive to the circumstances of the individual case, including which party initiated the underlying conflict and how long it persisted, and that courts have accepted covert audio recordings as valid evidence of psychological violence even without the other party's knowledge or consent, treating this as often the only realistic means available to an employee of substantiating a violation (National Courts Administration of Lithuania, 2023). These early decisions, while too few to amount to settled doctrine, suggest that Lithuanian courts are willing to give practical effect to Article 30 where a claimant can assemble a sufficiently documented pattern of conduct, reinforcing the paper's broader conclusion that the central obstacle lies not in the substantive breadth of the legal concept but in the practical difficulty of proving it.

Conclusions

Psychological violence at work has become a fully recognized legal concept in the Lithuanian Labour Code and a key point of EU and international labour standards, most notably ILO Convention No. 190 (Council Decision (EU)

2024/1018, 2024; ILO, 2019a). Within a few years Lithuania has moved from fragmented, indirect protection to a dedicated regime that defines violence and harassment, imposes detailed prevention duties on employers and backs them with administrative liability and binding implementing measures.

At the same time, the analysis has shown that identifying and preventing psychological violence remains difficult in practice. The breadth of the statutory concept, the evidentiary problems inherent in subtle and cumulative conduct, the thinness of case law, persistent under-reporting and organizational cultures that tolerate authoritarian management all continue to limit the law's protective force, and the sharp rise in established breaches recorded by the State Labour Inspectorate confirms that the problem is far from resolved. Prevention cannot be reduced to formal compliance. Comparative research on Polish and Lithuanian organizations shows that the mere formal presence of responsible-management measures does not by itself prevent mobbing, (Vveinhardt & Sroka, 2020) and the supervisory capacity of the State Labour Inspectorate, however reinforced, remains limited relative to the number and diversity of workplaces, so that effective prevention depends primarily on what employers and the social partners actually do (State Labour Inspectorate, n.d., 2026).

Several directions for improvement follow from this. First, clearer interpretative guidance is needed, whether from the courts or the State Labour Inspectorate, to distinguish lawful but demanding management from psychological violence and to settle the threshold of repetition or gravity, the burden of proof and the boundary with harassment under equality law. Second, employers need practical methodologies and capacity-building for psychosocial risk assessment, with particular attention to small and medium-sized enterprises that lack in-house expertise, so that assessment becomes genuine diagnosis rather than paperwork. Third, internal reporting should rest on a credible and independent point of contact, effective protection against retaliation and consistent follow-up, since a procedure perceived as biased deters reporting. Fourth, awareness-raising and a stronger culture of openly addressing conflict, supported by trade unions, are needed to reduce stigma and under-reporting. Finally, systematic monitoring of supervisory data and emerging case law would gradually build the interpretative consistency that the framework still lacks. Taken together, these measures would help close the gap between an ambitious normative framework and its everyday application and bring Lithuanian practice closer to the preventive ambition of ILO Convention No. 190 and the EU strategic agenda.

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