Mobbing in Bosnia and Herzegovina and the member states of the European Union

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Abstract. Mobbing as a specific form of discrimination which applies only to the labor law, is a very young branch of labor law. It began to develop during the eighties of last century. This kind of psychoterror that appears in the workplace, was first spotted, formulated and diagnosed by the Swedish psychologist of German origin prof. Dr. Heinz Lejman (Heinz Leymann July 17, 1932.; Wolfenbüttel, Germany - 1999 Stockholm, Sweden). Today, the legal regulation of mobbing in terms of prevention, rules of behavior and sanctions is indispensable to every modern democratic state. I'll make a comparison of the legislative regulation provided by BiH with several European Union member states. I will compare the results of a survey conducted by the European Foundation for the Improvement of Living and Working Condition, during the year 2000. In the European Union Member States, with the results of the questionnaire for employees, which I conducted in Bosnia and Herzegovina. The conclusion I came to in this paper is: Bosnia and Herzegovina is lagging behind a lot of European Union member states, both in terms of prevention of mobbing, as well as legislation, that is insufficient to regulate this complex issue. Results of the questionnaire for the employees that I conducted in Bosnia and Herzegovina are devastating and alarming.

1. Introduction
In a world of mobbing started talking 80s of the last century. Below it will be seen that in some laws mobbing recognized as a criminal offense. On the other hand, the Labour Law of the Republic of Serbian to mobbing refers only one member, while in the Federation of Bosnia and Herzegovina, mobbing does not mention the Labour Law but to Law Against Discrimination.

The question is whether the territory of Bosnia and Herzegovina, the lack of legal regulations and lack of knowledge in all aspects of mobbing leads to "get used" to bullying as something that is socially acceptable [1].

2. The term mobbing
The word mobbing comes from the English language, of words mob - aggressive mob, mass and words mobbish - vulgar, coarse, vulgar. Very often associated with the word bully - a bully, bully, abuse, torment. The term mobbing in Serbian translates to psychological abuse, psychological terror, moral harassment, bullying, torture of employees, etc.

The term bullying is used in most European countries. In English-speaking countries, the term bullying, although it often indicates the physical abuse of students at school by other students or teachers. In the United States uses the term work abuse or employee abuse.
In a world of mobbing started talking 80s of the last century. This kind psychoterror first noted, formulated and diagnosed 1980s Swedish psychologist of German origin prof. Dr. Heinz Leymann (Heinz Leymann July 17, 1932.; Niedersachsen, Germany - 1999 Stockholm, Sweden). He is the beginning, during the sixties researched permanently hostile behaviour among children in schools and gave him the name of mobbing. Later, in the early eighties was the same kind of behaviour observed among employees in the workplace, and since then has been the world's leading expert on bullying (Heinz Leymann in 1984).

That the first definition of mobbing. He said that mobbing as psychological terror in the workplace relating to unethical communication that is systematically directed by one or more individuals to, in most cases, an individual, who is due to mobbing pushed into a position where he besmpomoca and in which there is no possibility to defend himself and was in that position is held by constant bullying activities. Mobbing activities take place very often, (according to the statistical definition, at least once a week) and over a longer period of time (according to the statistical definition of at least six months). Also Leymann stated that due to the high frequency and long period of time in which lasts hostile to harassment leading to mental, psychosomatic and social suffering.

The most comprehensive definition of mobbing given by the French law on mobbing (social modernization law no. 2002-73, which was adopted on 17 January 2002), as follows: "Mobbing is psychological harassment that is repeated through repeated actions that aim or consequence degradation of the employee's working conditions, which can cause an attack and damage human rights and human dignity, damage to physical or mental health or compromise the victim's professional future".

3. Method

3.1. Pattern
A sample of the subject and the issue of this paper is employed population of Bosnia and Herzegovina. For the first instrument in this work were taken positively legislation in the field of labour law regulating mobbing as a specific form of behaviour in the workplace in Bosnia and Herzegovina and some member states of the European Union.

For other instrument in this study used questionnaire „Are you a victim of mobbing?”. The questionnaire included demographic variables (gender, age, sector of employment, qualifications) and the variables examined various forms of mobbing.

The main hypothesis of this paper is that in Bosnia and Herzegovina mobbing is not adequately regulated by law and that is distinctly present in the work that would be needed to confirm the questionnaire.

The other hypothesis for the comparison of legal regulations in the field of safety at work, and on the issue of mobbing are:
1) The legal regulation of mobbing in the Member States of the European Union,
2) Regulation of the European Union in the field of occupational safety and health, with special emphasis on mobbing.

Methods used in this study are in line with the aim of research, and it is determined whether there is harassment at work in Bosnia and Herzegovina, and that is the best solution for this phenomenon in the legal sense. In line with the set goals were used the following methods of research: historical and legal, dogmatic, normative, logical, sociological, psychological and questionnaire - used questionnaire for employees who need to answer the question “Are you a victim of mobbing?”

3.2. Causes of mobbing
Disagreement or conflict triggered a cycle of mobbing. In most cases, this event is irrelevant. It is essential that the cause of the conflict does not speak openly and honestly, so that it becomes just an excuse to not start mobbing [1].
Mobbing for their causes have personal conflicts at work, which are associated with inadequate organization and work process, conditions in the working environment, inadequate methods of management - lack of communication, uncertainty regarding the prospects at work, frequent changes in working conditions, often the deployment to other jobs, lack of support inadequate working environment [2].

The cause of mobbing can be a reference to the illegality of the work of the employer, or to point out corruption, which causes a reaction of the employer in the form of mobbing.

In a way the growth phenomena of mobbing is conditioned by the processes of globalization and liberalization, and compromising the values of the European social model, which is an integral part of the concept of social market economy and the concept of socially responsible management.

Especially in terms of the transition in the countries of the former socialist system creates unfavourable conditions for the spread of mobbing, as sometimes brutal, inhumane, socially irresponsible management policies to employees themselves led to terminate the contract, allowing the employer to avoid legal obligations in collective redundancy procedures and payments severance [3].

3.3. Types of mobbing

- **Horizontal mobbing** - The horizontal mobbing occurs in cases where the mobbing activities occur among workers who are on the same hierarchical position in an organization. Horizontal mobbing can be manifested through mobbing activities one worker to another or through mobbing activities of the group of workers according to one worker.

  In the first case when a worker carried mobbing activity to another employee, the motives are usually of a personal nature (jealousy, envy) or the motive feeling of vulnerability working position or employee believes that this will lead to progress his career. Studies have shown that women are more often victims of mobbing by other women employees, as well as male employees often resort to bullying to other employees Muskara care to working women [4].

- **Vertical mobbing** - A vertical mobbing talking in two cases:

  1. When superiors carried mobbing activities according to one subordinate employee,
  2. When a group of workers carried out mobbing activities according to one supervisor [5].

  Vertical mobbing is manifested in many ways. For example in the form of "empty chair" or trivial tasks are assigned under the professional level employee to violate his / her professional dignity, or, in the form of a "full table" (so it remains to work overtime without being paid overtime work), which leads to excessive fatigue at work excessive fatigue at work is an increased risk to the health of employees, which can have fatal consequences - death at work due to heart attack or stroke udara.

  Vertical mobbing is manifested in the form of enhanced control employee exposure to constant criticism of superiors because of the alleged failure, with a slight professional skills, to frequent assignment to other duties without just cause, in the recess of the speech or in an attempt to provide explanations or challenge addressed criticism to professional "ostracism", avoiding or isolating employee [1].

  Mobbing is manifested in a number of other varieties, with the techniques of mobbing as a rule, less subtle to employees with low skills, and tend to be more subtle, "terror is more subtle the job better" to employees with high/expert qualifications.

- **Strategic mobbing** is a specific type of vertical mobbing. Strategic mobbing occurs when top management arrangements that workers are undesirable and how they move away from the workplace. To strategic mobbing is mainly due to extensive changes affecting the work of the organization, which have the effect of reducing the number of workers (for example, combining the two companies). The only way to leadership "resolved" undesirable workers to psychological harassment forcing workers to leave the company.
3.4. Regulation of mobbing in some EU Member States

Sweden

The first rule that applies to the prevention of mobbing has been adopted in Sweden in 1993. It was the Regulation on victimization at work, which is applied to all activities in which employees may be exposed to victimization. This document defines bullying in a way that uses the term "victimization". Thus, under the victimization to include "periodic, repeated, admonishing or distinctly negative actions which are directed against individual employees, which are expressed in an offensive way and which can result in its isolation and exclusion from the labour community".

This document is provided for the employer to organize the work and provide the conditions that will largely be suppressed victimization. In doing so, emphasizes its obligation to cooperate with the union. For the purpose of efficient implementation of Regulation National Board of Occupational Safety and Health (Swedish National Board of Occupational safety and Health), issued a general recommendation, in which they detail specific causes and consequences of victimization in the workplace.

Thus, under the victimization subsumed almost all forms of workplace violence, such as abuse, psychological abuse, social isolation, harassment and sexual harassment. As a measure aimed at preventing victimization are: the creation of a safe working environment, training management and employees informed about their rights and obligations at work and in relation to work.

France

In France, this term is defined as "moral harassment", and the protection of this phenomenon is provided in addition to criminal prosecutions of law and labour law and a special law. These laws impose penalties for violators of the ban mobbing. Thus, the Criminal Code offender sentence of one year in prison and a fine of fifteen thousand euros, while the Labour Law envisages imprisonment of one year and / or a fine of 750.00 EUR. This is the law on social modernization in France in 2002 (Loi de modernisation sociale).

In this document, bullying is defined as "repeated moral harassment which has the purpose or effect of the deterioration of working conditions in a way that harms the rights and dignity of the employee, affect his physical or mental health or prejudice to the professional future of the employee". In this regard, prohibits discrimination in the exercise of labour rights (such as the right to remuneration, professional development and career advancement), as well as protection from termination of employment that would have been associated with moral harassment, or making the dismissal of an employee who is opposed to moral harassment at work has no legal effect.

In addition, the law provides for an obligation for employers and other responsible persons to take the necessary measures to prevent moral harassment in the workplace. One of these measures is the imposition of disciplinary sanctions to employees who initiate and participate in horizontal mobbing, as well as the mediation that the victim of mobbing can be triggered by the application. In doing so, the burden of proof that the behaviour to which the application refers employee does not constitute moral harassment lies with the employer, while the employee is required to prove the existence of the elements of moral harassment.

This burden of proof is a departure from the classic rules on the burden of proof in civil proceedings, and has its justification in the fact that mobbing is organized in a subtle way, as a kind of psycho-terror. In addition, a victim of the vertical mobbing can hardly provide witnesses in evidence, as they are in this mobbing next superiors often involved and other employees.

Also, employees who do not participate in bullying are afraid to testify in the process of demonstrating, because measures of repression that because the employer may apply to them. This was preceded by the judgment of the Working court in Paris who in 1990 awarded 100,000 francs in damages employee at the hotel who are superior constantly humiliated in front of guests, changing his working hours and insisted on doing the work for which he was trained.
Belgium
The burden of proving the existence of mobbing at work in the same manner provided for in the Belgian law against violence and moral or sexual harassment at work, in 2006. Also provided is an internal disciplinary proceedings against Moberly. In addition, the employer has an obligation and to set up a prevention plan and annual action plan to prevent abuse. One of the solutions that significantly contributes to the prevention of mobbing at work is the obligation of the employer to determine the commissioners to prevent abuse.

The Commissioner is an internal organ of the employer, which is autonomous in its work and that, among other things, participate in the development of risk analysis of prohibited conduct and the adoption of preventive measures. Responsibility for implementing these measures lies with the employer, which in this regard has an obligation to conduct a "risk analysis" of mobbing at work.

This analysis is based on questionnaires and interviews related to research potential situations that may lead to behaviours that constitute bullying at work. In addition, the analysis also includes instances of conduct for which the employee approached the Commissioner, in order to protect their rights. This analysis should serve the employer to determine the priority measures to preventive action on combating mobbing at work.

One solution that is present in comparative law is the right of employees to alert the competent public authorities of any unlawful conduct by the employer or the existence of corruption among state officials. If the employee due to the above warning a victim of corruption in comparative law is intended to protect it by administrative inspection and the courts. In cases of mobbing at work employees are entitled to seek compensation for non-pecuniary damage, which does not only aim to redress the victim, due to emotional harm, but also the function of private punishment with strong dissuasive effect.

3.5. The exercise of judicial protection of mobbing in the field of labour relations in Bosnia and Herzegovina
Mobbing is a novelty in our labour legislation. The amendments to the Labour Act ("Official Gazette of the Republic of Serbian" number 20/07) was introduced mobbing as a specific form of behaviour in the workplace. An employee who believes that his employer has violated a right arising from employment, may file a complaint with the competent court for protection of rights.

The right to claim is not conditional on previous recourse to the employer for the protection of rights. The lawsuit to protect the rights of the worker may be filed within one year from the date of knowledge of a violation of the (subjective term), and not later than three years from the date of the violation (objective term). Court proceedings are conducted according to the rules of the Civil Procedure. The Court always pays attention to the urgent need to resolve labour disputes, in setting the deadlines and hearings. In cases where the court has rendered a judgment ordering the execution of any deed, the court shall set a deadline of 15 days for its execution. An appeal against the judgment or decision of the labour relations shall be submitted within 15 days.

And the simplest case in which the worker is applying for salaries, our courts should be four years, and for cases in which there are elements of abuse is too long and the year, because such people are suffering financially and health. This data is devastating, and this violates the right to trial within a reasonable time within the meaning of Article 6 § 1 of the Convention.

Mobbing as a form of discrimination in the labour legislation of Bosnia and Herzegovina is not fully legally regulated because the legal provisions are not specified actions abusers implementing psychological abuse at work or mobbing. It also does not specify the duration of the exercise is not mobiga at work to certain actions or behaviour of the abuser to the victim - a worker could fall under mobbing.

Labour Law of the Federation of BiH (Official Gazette of BiH no. 43/99, 32/00 and 29/03) does not stipulate what is to mobbing, however, it is interesting that the Anti-Discrimination Act (Official Gazette, no. 59/09) in Section 4, paragraph 3 provides that the mobbing form of non-physical
harassment at working place with repetitive actions that have humiliating effect on a victim and aim for or has degradation of working conditions or professional status as.

Thanks to the Law on Prohibition of Discrimination, employees and entities in the Federation of Bosnia and Herzegovina have the possibility to initiate legal proceedings against mobbing, which was not the case because the mobbing was not regulated by law in the Federation.

Labour Law of the Republic of Serbian, unlike the labour legislation of the Federation of Bosnia and Herzegovina and the Brcko District, an entire area devoted to non-discrimination and in some ways closer to the legislation of the Republic of Serbian international standards in this area. Although the mentioned law concept of discrimination is not defined as forms of discrimination are defined terms:

1) Direct discrimination and
2) Indirect discrimination (Article 107, paragraph 2 of the Labour Law of the Republic of Serbian “Official Gazette of the Republic of Serbian”, No. 55 / 07 - Consolidated text.

Article 107, paragraph 3, of the Labour Law of the Republic of Serbian-revised text, "Official Gazette of the Republic of Serbian" No. 55/07 - revised text.)

Law with the definition of direct discrimination refers only to the current discriminatory treatment, which, in addition to defining the basic concept of discrimination can be considered a failure of the existing Labour Law.

The Act stipulates that is not considered discrimination putting at a disadvantage workers, as well as a person seeking employment in exercising labour rights and the right to work, making a distinction in relation to the nature of the work and the conditions under which they perform, as well as providing protection for certain categories of workers in accordance with the provisions of the Labour Law, General collective contract and employment contract, which means that the law provides for affirmative action.

Regardless of the procedural safeguards, which started with the employer, the competent court or in arbitration, an employee may seek protection of the rights of the competent labour inspector, which is regulated by Article 120 of the Labour Law of the Republic of Serbian. In cases where workers pay the labour inspectorate with the statement that mobbing by the employer, inspectors conduct the inspection in order to determine whether an employer respects the basic rights of workers who have a guaranteed employment contract, the collective bargaining agreement and the Rules of Procedure.

The employee can contact the labour inspector for the protection of rights within three months of learning of the violation, and not later than six months from the date of the violation (Article 120, paragraph 3, of the Labour Law of the Republic of Serbian, "Official Gazette of the Republic of Serbian "No. 55/07).

In our interview with the inspectors of the Republic of the labour inspection of the Republic of Serbian for mobbing, we came to the following conclusions:

- Do employees very rarely reported mobbing,
- To labour inspection does not have safeguards already referred the employee to go to court,
- Yes inspectors work very hard in the field recognize mobbing on the ground of insufficient training of inspectors themselves and the lack of time to make this kind of discrimination identified,
- Labour inspectors cited deficiencies in the legislation that are specifically related to the field of mobbing because the Labour Law of the Republic of Serbian only Article 111 refers to mobbing, while other members of discrimination. In the opinion of labour inspectors is necessary to adopt regulations that would precisely define mobbing activities, responsibilities of employers, and to help expand the powers of inspectors of the labour inspection.

4. The results of the questionnaire for the EMPLOYEES
We felt that if we want to get the right information on the representation of mobbing in Bosnia and Herzegovina, we must analyse the employees in terms of mobbing. We devise a questionnaire for employees with the help of which we get the answer to the question "Are you a victim of mobbing?"
The questionnaire contains 25 questions, is designed so that respondents generally correspond with YES or NO. The total number of respondents was 101. It must be emphasized that the major problem was the resistance of employees to complete the questionnaire. Notable was the fear among employees. Some of the issues with which we are confronted by employees were:

- Are you sent by the "boss"?
- What party are you doing?
- When will this (referring to the questionnaire) to review?
- Do I have to write a name? - And others.

Also, I noticed that a large number of respondents, although the question "Do you know what is mobbing?" Answered with YES, do not really know what is mobbing. Most respondents were ashamed to say they do not know what is mobbing. At issue are the conversation that took place during the tests gave vague or incomplete answers. There were subjects who were asked to answer such as:

- This is what happens when the boss is constantly yelling.
- This is what you can push the boss - ff.

Based on the responses I received during interviews with respondents, I can conclude that more than half of employees do not know what is mobbing, and all the ways it manifests what is in our view devastating. I will analyse the results of the questionnaire for employees. 

Number of male respondents was 32, and the female is 63. Employees' females were more open to fill the Questionnaire of employed males. When an employee survey, I came to the conclusion that subjective employed men do not want to participate in the study because of "over men cannot be done mobbing".

The age groups covered by the questionnaire are grouped into four categories, 25-35 years, 35-45 years, 45-55 years and over 55 years. It is evident that respondents aged 20-35 years, are easier to fit the testing of older employees. The demographic variables included steppes qualifications and most of the sample had the secondary and high school education.

The questionnaire is included in public and private sector, where 45 participants coming from 56 public and private sector. I must emphasize that the public sector did not have any problems by superiors in the implementation of the questionnaire, while in the private sector, in large work organizations, superior (human resource management) did not allow me to perform testing of employees.

By analysing the type of violence being committed against the employees, I concluded that the most common form of violence, verbal violence. Unfortunately, during a conversation with sexual violence in most cases, I came to the conclusion that many of behaviour in the workplace that can be characterized as sexual violence in the workplace, in our society generally accepted, are regarded as normal, and in some cases and desirable (e.g., provocation aimed at the physical appearance).

According to the frequency researched phenomena most respondents replied that the researched phenomena repeated monthly (Table 1).

| How often does this phenomenon happen? | Daily | Weekly | Monthly |
|--------------------------------------|-------|--------|---------|
|                                      | 8     | 10     | 40      |
| 13.8%                                |       | 17.2%  | 69%     |

Most violence in the workplace suffers employees with higher education (Table 2). We believe that the results of this question like this, because they are employees with higher education more educated on the issue of mobbing and all its forms. Also we noticed that the employee has a higher level of education are forms of mobbing activities that are manifested to them more sophisticated.
Table 2. Frequency of experiencing abuse by educational attainment

|                | Sexual | verbally | not | %    |
|----------------|--------|----------|-----|------|
| High school    | 0      | 4        | 39  | 42.6 |
| University Degree| 2      | 15       | 34  | 50.5 |
| Master         | 0      | 0        | 1   | 1.0  |
| Ph.D.          | 0      | 0        | 3   | 3.0  |
| Elementary school| 0     | 1        | 2   | 3.0  |
|                | 2.0%   | 19.8%    | 78.2%| 100% |

By sex, female employees suffer more violence in the workplace of employees’ males (Table 3). Table 4 shows that the public sector verbal violence. These data can be interpreted so that every fourth worker suffered verbal abuse, and of these, one in three is employed in the private sector. On the other hand, this data should be interpreted with caution due to the aforementioned confounding factors (e.g., fear employees, ignorance). It is assumed that the aforementioned events mobbing more often than respondents declare.

Table 3. The frequency of experiencing violence by sex Sexual Verbal No.%

|        | Male | Female | %   |
|--------|------|--------|-----|
| Sexual | 2    | 0      | 2.1 |
| Verbal | 6    | 11     | 17.9|
| No.    | 25   | 51     | 80.0|
| %      |      |        | 100 |

Table 4. The frequency of experiencing violence by sector of employment Sexual Verbal No.%

|        | Public | Private | %   |
|--------|--------|---------|-----|
| Sexual | 1      | 1       | 2.0 |
| Verbal | 15     | 5       | 19.8|
| No.    | 29     | 50      | 78.2|
| %      |        |         | 100 |

At the level of the entire sample of respondents most often complain of assigning meaningless tasks, assign tasks without prior notice, instructions and materials for the work, then you have their merits attributed to others, you are swamped with work and deadlines that are impossible to comply with, to have difficulty in progressing that they attributed to someone else's fault, and that they were not paid overtime. Almost every fourth employee is paid for overtime.

From Table 5 it can be seen that respondents on average experience a little less than 4 criteria mobbing (M1). When the sample is cast respondents who declare that they have not experienced any criteria of mobbing, the arithmetic mean is growing (M2) over the 4 criteria of mobbing. The data suggest that the 95% confidence we can say that, in the population, the average number of criteria mobbing is between 3.1 and 4.5 per person.

By calculating the ratio between those who have failed to indicate any criteria of mobbing and the remaining 1.2 is obtained, which means that the one person who has not experienced a single criterion mobbing going 5 people who have experienced at least one of the criteria. Furthermore, if you single out people who have experienced more than 10 criteria of mobbing and calculate ratios, we get the information that every tenth man had more than 10 different criteria of mobbing. In our sample, the maximum number of experienced mobbing criteria is 14, and four people had 13 criteria mobbing (Table 14:15).

Table 5. Descriptive measures rounded criteria mobbing CI 95%

|        | M1   | M2   | Min | Max | Lower | Upper |
|--------|------|------|-----|-----|-------|-------|
| 3.8    | 4.6  | 0    | 14  | 3.1 | 4.5   |       |

5. Conclusion

Analysing the results of the questionnaire for employees, whose aim was to get to the data that the mobbing as a form of discrimination in the workplace, present in Bosnia and Herzegovina, and if so, to what extent. I came to the devastating conclusion that every fourth employee in Bosnia and Herzegovina victim of mobbing and even every tenth employee has experienced more than 10
different mobbing activities. Comparing our legislative solutions to the solutions offered by the country, members of the European Union, the Republic of Serbia and the European Union came to the conclusion that Bosnia and Herzegovina is lagging behind in addressing the problem of mobbing.

The paper shows that the countries, members of the European Union joined the mobbing issue very seriously in concrete laws relating to mobbing. In addition to the laws mentioned States have adopted the rules or instructions that accompany the law, and also the penalties provided for Moberly are extremely high and act as preventive measures.

The best example of the legislative solutions of mobbing can be emphasized France whose law provides for criminal liability of the employer who conducted mobbing of employees. An example of a successful legislative activity on the issue of mobbing the Republic of Serbia, which in 2010 adopted the Law on the Prevention of Harassment at Work, and the Ordinance on the rules of conduct of employers and employees in relation to the prevention and protection from abuse at work in which precisely these measures prevention, forms of mobbing, mobbing activities and mechanisms of protection from mobbing. Although Bosnia and Herzegovina signed and ratified a number of conventions of the ILO and the European Social Charter, the report from 2014, the European Committee of Social Rights, it is evident that Bosnia and Herzegovina does not fulfil the obligations assumed by the ratification of the European Social Charter, and then we do not need to note that nothing has been done for members of the Charter to which Bosnia and Herzegovina made reservations.

In Bosnia and Herzegovina mobbing evident to the disturbing extent. The legislation and solutions it offers are insufficient and inefficient with a large possibility of abuse due to lack of any secondary legislation (regulations, directives, instructions, etc.) that are imposed as necessary to solve the problem. The notable lack of case law on claims for mobbing as could be seen in Bosnia and Herzegovina has issued only a few judgments of mobbing. And the penalties imposed Moberly are unacceptable low and as such do not have the punishing purpose let alone preventive.

In order to effectively solve the problem of mobbing, it is necessary to educate both employees and employers and labour inspectors, and unfortunately the referee. General acceptance of mobbing as a socially acceptable behaviour of employers, fear of job loss, shame addressing professional support (psychologists, psychiatrists) are the biggest problems of our society in which mobbing found fertile ground. Unfortunately, superhuman efforts should be done to confiscated "magical power" of the term "boss" who in our society implies and justifies all forms of violence against employees.

The mere recording of mobbing, and sketchy legal regulations in Bosnia and Herzegovina, the problem does not solve mobbing. Examples of good practice can be found in the European Union, its member states and the countries of the region, and the existence of these regulations and the success in the implementation of legislative measures, should be an indicator to the Amendments to the Law on the work of Bosnia and Herzegovina.

The questionnaire for employees, on the other hand is an example of an instrument for assessing the presence of mobbing, which your application can be found in the labour inspection, human resource management, the practice of consulting workers (psychologists, psychiatrists) as a quick and effective diagnostic tool. Specifying potential solutions entails interdisciplinary and systematic approach to solving the problem, because it is not enough just to extend the law, but it is necessary to bring the appropriate bylaws. In the preparation of secondary legislation would, in addition to experts in the field of law in parallel by the experts in the field of psychology and medicine, whose goal was to instruct the employees and employers, and human resources managers in the prevention, early discovery of mobbing, professional help the victim, as well as all forms of protection. This would in resulting higher level of awareness of the problem of mobbing and therefore, more certain road to a solution to this problem.

Considering that mobbing is a big issue that has been side-tracked by the end we ask the question: "Is it in our society is the best protection against mobbing as a greater impact" in the pocket "of the employer by the court?"
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