

The Right to Human Dignity and Moral Integrity in the Workplace: Between the Idealism of Laws and the Harshness of Reality

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Abstract:

Most legal systems mandate that work should occur under conditions that respect workers' dignity, requiring employers to uphold the dignity of their employees. Employers are obligated to take necessary steps to protect workers' dignity, ensure appropriate conduct, and maintain public decency within the institution. This approach aims to affirm the worker's dignity, recognizing that, as a human being, the worker should not be exploited. Decent work has become crucial to the modern development of any nation, and the right to work is now fully realized only when it includes conditions that protect dignity amid expanding freedoms and collective rights.

Keywords: Work; Humane Treatment; Ethics; Decency; Moral Safety.

1. INTRODUCTION

According to the Universal Declaration of Human liberties, which was published on December 10, 1984, the right to dignity is considered one of the most fundamental liberties. The Declaration's preamble asserts that "the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." The same Declaration's Article 1 further affirms that "All human beings are born free and equal in dignity and rights." Reason and conscience are inherent in them.

In addition, the International Covenant on Economic, Social, and Cultural Rights and the International Covenant on Civil and Political Rights acknowledge this right. These covenants commence with the phrase, "Recognizing that the inherent dignity of all members of the human family and their equal and inalienable rights form the foundation."

Dignity has multiple connotations, signifying the status and value granted to an individual within society. It requires treating each human being as an end in themselves rather than as a means to serve others. This principle seeks to prevent feelings of humiliation and the experience of exploitation and injustice inflicted by the powerful upon the vulnerable. Global human rights organizations have agreed that dignity encompasses respect for human rights and ethical interaction among individuals in society (Cabrillac, Frison-Roche, &

Revet, 2012, p. 153), ensuring no one is treated harshly or demeaned. Every individual is entitled to equal access to opportunities on an equal footing. Although dignity may be a complex and multifaceted concept, legally, it conveys a singular meaning: it is a personal right acknowledged for every person (Héas, 2010, p. 162).

Violations of the right to human dignity are most prevalent in labor relations. The employer's authority and workers' need for employment and wages make the workplace a fertile ground for undermining their dignity. Among the most significant violations of dignity, considered a fundamental right, are poor treatment, discrimination among workers, and both moral and sexual harassment prevalent in the workplace. Is there any protection for the dignity and personality of workers against these actions? Does the dignity of the worker, as an intrinsic personal right, receive adequate attention from legislators and legal protection?

Such questions compel us to examine the extent of protection that legislation provides to safeguard the dignity of workers engaged in paid employment. This is what we will attempt to explore in the following sections, relying on an analytical approach to various relevant national and comparative legal texts.

2. Protection of Human Dignity in the Workplace

As stated in the preamble of the Universal Declaration of Human Rights, "Recognition of the inherent dignity and of the equal and inalienable rights of all members of the human

family is the foundation of freedom, justice, and peace in the world." This declaration upholds the right to human dignity. The same Declaration's Article 1 further states, "All human beings are born free and equal in dignity." According to Article 39 of Algerian law, which states: "The state guarantees the inviolability of human dignity and prohibits any physical or moral violence or any infringement on dignity," this concept is upheld ([Algerian Constitution, 2020, p. 12](#))."

Based on this constitutional provision, workers have the right to certain humane rights, which may be dictated by general rules and are regulated by labor law. In return, the employer is obliged to treat the worker humanely, providing a work environment that protects their life and safety from physical or moral harm.

Infringements on human dignity are more prevalent in employment relationships, where the employer's authority and workers' financial dependence create an environment ripe for undermining their dignity ([Hassain, 2015, p. 79](#)). Therefore, it is essential to mandate that employers treat workers humanely, provide decent working conditions, and prohibit any discrimination that undermines their dignity. We will address this in the following points:

2.1 The Obligation of Humane Treatment of Workers

Employers are required to treat workers humanely, meaning they must treat them respectfully and preserve their dignity. They are prohibited from insulting, striking, or engaging in any conduct that compromises the worker's decency or reputation. Employers cannot assign tasks that are

demeaning or exceed the worker's capacity ([Mansour, 2011, p. 300](#)).

Employers' treatment of their employees should be proper; neither they nor their representatives may act violently or behave in a manner that violates decency towards the worker or their family members. Treatment must not exhibit cruelty, oppression, or humiliation.

Labor legislation prohibits unjust treatment of workers, which refers to any action by the employer that is unlawful or in violation of the employment contract due to the misuse of authority or any attack on the worker's dignity. Employers are also prohibited from assigning tasks that exceed the worker's capabilities or requiring work during unsuitable hours, with this obligation being especially critical in roles outside the typical scope of labor law, such as domestic work. Employers are also bound to avoid any form of mistreatment, whether physical or moral, that would harm the worker's dignity, hurt their feelings, or involve harassment ([Zahran, 1998, p. 577](#)).

Violation of contract terms is considered unjust treatment and is grounds for compensation, as contracts are legally binding for the contracting parties. Article 696, paragraph 2, of the Egyptian Civil Code states, "Transferring an employee to a lower position than that which they previously held, without fault on their part, does not constitute abuse if it is required by the interests of the work. However, it does constitute abuse if it is intended to harm the worker."

Some comparative legislations tend to consider treatment

that violates morals or the duty of good faith as grounds for terminating an employment contract. The Egyptian legislator, for instance, addresses the direct termination of the employment relationship by the worker due to unjust treatment. Article 696 of the Civil Code states that “compensation may be awarded for dismissal, even if it was not initiated by the employer, if the employer’s actions, particularly through unjust treatment, compelled the worker to appear as if they were the one who ended the contract.”

Similarly, Article 822, paragraph three, of the Jordanian Civil Code emphasizes the need for decency and propriety in the employer-worker relationship. If the employer engages in conduct that offends the worker, whether through language such as insults or derogatory remarks, or through actions like physical assault or sexual harassment, which compromise the worker’s dignity, such behavior is illegal and may subject the employer to penalties under criminal law.

French legislation also reinforces this concept, with Article 122/46 of the Labor Code prohibiting harm to workers and penalizing any abuse that undermines their dignity or moral safety in the workplace, thereby solidifying the principles outlined by the European Union in its Charter of Fundamental Rights ([Article 31 of the Charter of Fundamental Rights of the European Union](#)).

2.2 The Principle of Equality Among Workers

The Algerian legislator has adopted this principle in various provisions, particularly in Article 17 of the Labor Relations Law, which mandates nullification in case of violations,

whether stipulated in an employment contract or a collective agreement. This provision prohibits discrimination among workers of any kind, regarding employment, wages, or working conditions, based on age, gender, social status, family connections, political views, religious beliefs, union affiliation, or non-affiliation. The Algerian legislator has also assigned the Labor Inspectorate the responsibility of overseeing compliance with these provisions, in addition to judicial oversight, and has established criminal penalties for violations of Article 17.

Judicial precedents affirm that equality among workers is a fundamental principle dictated by justice. In a case where an Egyptian court addressed the denial of a production bonus to a worker despite eligibility, the ruling stated, “Equality among the employees of an employer is a fundamental rule, even if not explicitly provided for in law; justice requires its application whenever an employer differentiates among employees regarding any of their rights (Zahran, 1998, p. 579).”

For equality in workers' rights to be applicable, their circumstances must be identical, including working in the same location, performing equally demanding and hazardous tasks, and possessing similar qualifications, competencies, and experience.

Child labor creates subsequent inequality in the labor market, as it prevents those affected from gaining education and professional skills. Therefore, addressing these inequalities in the labor market helps reduce overall inequality.

Both men and women who migrate nowadays confront

several obstacles, such as unfavorable working circumstances, racism, gender bias, and discrimination in the job market. Their labor rights are regularly abused in spite of international regulations for migrant protection, particularly for those looking for employment overseas without the required travel documents.

The devaluation of women's labor and limitations on their job rights also result in a greater percentage of migrant women being unemployed. Many women who accompany temporary workers as spouses often find themselves excluded from the labor force (Piper, 2005, p. 04).

2.3 Ensuring Decent Work for Workers

States and governments are obligated to provide decent work for the largest possible number of national and foreign workers alike. The International Labor Organization (ILO) rejects double standards regarding decent work, and public and private economic institutions are responsible for ensuring a minimum standard of decent working conditions in workplaces (Abdelmajid, 2014, p. 03).

Both the Egyptian and Algerian judiciaries adhere to this principle. In reviewing Egyptian court rulings, some judgments reflect a commitment to tranquility and peace of mind as fundamental to worker protection. Notably, Egyptian Court of Cassation Decision No. 3097, issued on May 8, 2000, involved a defamation case against an employee, ruling to cease this behavior that disturbed the worker's personal life and awarding

civil compensation.¹

The obligation to uphold good morals and public decency within institutions requires prohibiting the introduction or consumption of alcohol in workplaces, as well as preventing entry or residence for any person under the influence. This rule also applies to any narcotic substance use.

When male and female workers are employed within the same institution or worksite, employers must arrange facilities to ensure separate locker rooms, restrooms, and other private amenities for each gender.

In general, employers are responsible for maintaining ethical and decent behavior. Their authority extends to monitoring all external conduct within the institution, including dress codes and the manner of interaction between male and female workers, both during work hours and during breaks or meals within the institution (Khalfi, 2007, p. 637).

Decent work embodies people's aspirations for employment, fair wages, and full rights and benefits, as well as freedom of expression, family stability, personal development, justice, and gender equality (International Labour

1- Several rulings and decisions have been issued by the Egyptian judiciary, of which we mention a sample:

- Decision of the Egyptian Court of Cassation No. 1879 dated 14/01/2000 regarding the secret photographing of the plaintiff in his home, which ruled in favor of civil compensation.
- Ruling of the Cairo Criminal Court No. 1864 dated 13/11/1981, regarding a case of eavesdropping and recording private conversations of a group of female workers, which caused them distress and harm to their lives and disrupted their peace.

Organization, 2008).

In employment relations, the employer's duty to uphold good conduct, decency, and public decorum within the institution is considered a preventive legislative measure within the scope of labor law (Khalfi, 2007, p. 636).

Additionally, Algerian legislation restricts the employment of minors to those who have reached the legal age of 16, requiring a permit from a legal guardian unless the employment is under an apprenticeship, where the age limit is lowered to 15. Employing minors in hazardous or morally compromising work that endangers their health or night work is prohibited, as it interferes with the natural and physiological development of children.

Setting a minimum age for employing minors is vital for protecting their personal lives, whether in completing education or training or safeguarding their health to ensure their physical and psychological growth, which is highly susceptible to negative impacts.

Most legislations prohibit the employment of children in dangerous jobs that could expose them to abuse, physical, psychological, or sexual violence, such as underground work, high-risk areas, confined spaces, or the operation of dangerous machinery. Employment that involves heavy lifting or exposure to hazardous substances, inappropriate temperatures, noise, vibrations, extreme conditions, or night shifts is restricted to protect the physical and moral safety of young workers.

Comparative legislation also emphasizes the moral protection of young workers, prohibiting employment in

positions that endanger their ethical development. Employers are required to maintain good conduct, decency, and public decorum within institutions. Protecting minors from work harmful to their moral well-being is a key component of Algeria's new labor law draft.

In general, whether a worker is a minor or an adult, even though they are required to comply with the employer's directions, the employer must issue these instructions in a manner that respects the workers' dignity and does not provoke or offend them. Employers are required to refrain from using insulting or obscene language or any language that violates good morals. Labor laws consider verbal abuse, sexual harassment, and incitement to corruption as severe misconduct.

In terms of ensuring that migrant workers have decent employment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families states that a migrant worker is a person who works for pay in a nation where they are not a citizen. The Convention also extends protections to categories of workers equivalent to migrant workers regarding rights and freedoms in the host country, including border, seasonal, maritime, offshore, itinerant, project-tied, specified-employment, and self-employed workers ([United Nations General Assembly, 1990](#)).

The Convention highlights the rights of migrant workers to freedom of thought, conscience, and religion, as well as the freedom to express one's opinions, equality, personal security, and equality with host country citizens with regard to all labor rights. These include employment conditions such as minimum

working age, equality in working conditions—particularly in regular and overtime pay, safety, health, and the termination of employment—alongside other working conditions and labor rights.

Migrant workers often face abuses and exploitation, which may occur early in the migration process or in less visible employment settings with limited oversight, such as domestic work. These abuses can include wage withholding, restrictions on freedom of movement, passport and identity document confiscation, excessively long working hours, extended seven-day workweeks, intimidation, and both physical and psychological punishment ([International Labour Organization, 2004, p. 11](#)).

In efforts to ensure decent work for women workers while respecting their personal lives, most legislations have enacted additional legal protections. These measures include creating a suitable work environment by prohibiting women from being employed in hazardous or physically demanding jobs that could endanger their health or the health of an unborn child or compromise their dignity. International conventions ([Arab Convention No. 5, 1976](#)), ([Arab Convention No. 6, 1976](#)) and most labor laws² establish the principle of prohibiting dismissal of female workers due to marriage, pregnancy, or childbirth. Although the scope varies across jurisdictions, these

2- This prohibition is stated in Egyptian law (Article 92 of the Unified Labor Law), Yemeni law (Article 45/4 of the Labor Law), Moroccan law (Article 159 of the Labor Code), Sudanese law (Article 250/4 of the Labor Law), Bahraini law (Article 104 of the Labor Law in the Private Sector), Kuwaiti law (Article 24 of the Labor Law), Saudi law (Article 156 of the Labor System), Qatari law (Article 98 of the Labor Law), and Omani law (Article 84 of the Labor Law).

protections aim to secure stability and peace of mind for women workers.

3. Protection of Moral Integrity in the Workplace

This section explores sexual harassment as a clear example of an assault on the right to dignity and moral integrity of female workers, examining the legal safeguards protecting women from workplace-related sexual harassment in both labor law and criminal law provisions.

3.1 Protection from Sexual Harassment in Labor Law

Most labor laws aim to protect workers' dignity by establishing regulations to ensure that work is conducted in conditions that respect workers' dignity. However, despite these regulations, workers' dignity—particularly that of female employees—remains vulnerable, especially in the context of sexual harassment, where women often become easy targets for harassment by employers, colleagues, or clients.

3.1.1 Defining Workplace-Related Sexual Harassment

Defining sexual harassment is challenging due to varying indicators and the broad range of behaviors it can encompass. Many legal scholars define sexual harassment as any sexually suggestive behavior directed by one person toward another without their consent, including gestures, actions, images, or words (Hassain, 2015, p. 81). Some define it more succinctly as pressures with a sexual intent (Roy-Loustaunau, 1995, p. 545), while others link sexual harassment specifically to the workplace, where the harasser, whether in a governmental or private organization, is frequently the boss or another authority

figure.

Legally, the French Penal Code describes sexual harassment as “an abuse of authority through orders, threats, or coercion to gain benefits or advantages of a sexual nature ([Article L. 222-33 of French Penal Code](#)).” This aligns with the Algerian Penal Code, where Article 341 bis defines sexual harassment as “the exploitation of authority, position, or profession by issuing orders, threats, or coercive pressure to compel others to submit to sexual advances.”

From this provision, it is clear that workplace-related sexual harassment must occur at the workplace and involve individuals in positions of authority, such as employers or supervisors, effectively excluding colleagues or clients. Such behavior typically originates from supervisors or managers, indicating a strong correlation between harassment and authority, as well as the subordinate position of women in the workplace.

The French legislator, under Article L222-33-2 of the Penal Code, introduced the concept of moral harassment, describing it as repeated pressure intended to erode the level of protection provided by workplace conditions, thereby infringing upon the rights and dignity of the harassed worker—often a female employee—and potentially harming her mental and physical health and endangering her professional future ([Boucehiba, 2013, p. 146](#)).

Given the negative impact of sexual harassment, which primarily transforms the workplace into an unsafe or hostile environment for female employees and has severe

consequences for women's health, sexual harassment violates a woman's right to work safely and with preserved dignity. These repercussions have prompted legislators to address this phenomenon, often aggravated by the power dynamics present in the workplace ([Kamili, 2015, p. 251](#)).

Articles 56 to 59 of the proposed draft of the Labor Law are devoted to regulating measures pertaining to sexual harassment in the workplace. Sexual harassment is defined under Article 56, specifying that it must involve the employer or their representative misusing authority to exert pressure or threats on the opposite sex to obtain sexual favors for themselves or a third party. Article 57 reinforces the prohibition of any discriminatory actions by the employer, such as dismissal, transfer, or any disciplinary penalty, against any employee of either gender who refuses to submit to sexual harassment([Articles 56 to 59 of the Algerian Labor Law draft](#)).

3.2 Extent of Protection for Female Workers from Sexual Harassment in Labor Law

Workplace-related sexual harassment has received significant attention in comparative labor legislation, particularly in French law, due to its severe economic implications and its impact on women's inherent human dignity, prior to its violation of legally recognized rights.

However, upon reviewing Law 90/11 concerning labor relations, we find no provision specifically addressing workplace sexual harassment. The Algerian legislator, through Article 06 of the Labor Law, emphasizes respect for the

physical and moral integrity and dignity of the worker, without elaborating on what constitutes moral integrity or worker dignity.

In contrast, the now-repealed Law 78/12 on the Basic Worker Law states in Article 8: "The law guarantees the worker's protection during their work or tasks from all forms of insult, defamation, threats, coercion, or attempts to induce adherence and subservience."

This repealed provision more clearly addresses sexual harassment (Shehab, 2013, p. 134) by encompassing terms such as insult, threat, and coercion, which the Algerian Penal Code employs in defining sexual harassment.

However, in the new Labor Law draft, the Algerian legislator demonstrates an increased focus on sexual harassment, granting workers the right to protection from sexual harassment under Article 12, paragraph four, which states: "Within the employment relationship, workers have the right to... protection from sexual harassment as defined in this law."³

In the meanwhile, the French lawmaker incorporates measures in labor legislation to safeguard victims of sexual harassment at work in addition to criminalizing sexual harassment. According to Article L1153-2, no employee may face disciplinary action, termination, or any other kind of direct or indirect discrimination because they accepted or rejected sexual approaches from someone looking to gain sexual

3- "The full text of Article 12 of the new Algerian Labor Law Project in French: Art 12 P.C.T.A: 'In the context of the employment relationship, workers also have the right: ... to protection against sexual harassment as defined by this law; ...'"

advantages for themselves or another individual.

According to the same law's Article L1153-3, no employee may face penalties, termination, or any kind of direct or indirect discrimination, for providing testimony or disclosing information on the behaviors mentioned in the previous paragraph. Article L1153-5 assigns the employer the responsibility to take necessary measures to address incidents of sexual harassment and to prevent and penalize such behavior.

Such provisions undoubtedly help protect the dignity of female workers when they experience harassment—not only from employers but from anyone—while extending protection to workers who provide testimony in such cases, allowing them to speak up without fear for their professional future (Hassain, 2015, p. 85). This approach is especially relevant in societies where sexual harassment in the workplace is widespread (Moreau, 1993, p. 115).

This phenomenon has recently become more prevalent in Arab countries, manifesting in various forms, from sexually suggestive looks to blackmail, threats, and insults. This prompted some Arab legislatures to recognize the risks of harassment in the workplace. Morocco, for example, although initially delayed in explicitly addressing sexual harassment and penalizing it under labor law, ultimately recognized it as severe misconduct when committed against a worker by the employer or head of the institution. Should a worker leave their job due to proven harassment by the employer, it is considered

wrongful dismissal, according to Article 40 of the Labor Code⁴, entitling the victim to compensation based on Article 41 of the same code.

However, despite this legislative step by the Moroccan legislator to explicitly protect workers from sexual harassment under labor law and deem it a serious offense that justifies compensation for wrongful dismissal, this provision has faced criticism. Some scholars argue that the way harassment is addressed raises several issues that could lead to serious complications if not amended. There is no definition of sexual harassment, no guidelines on how to prove it, and the Labor Code lacks strict penalties for harassment, placing the burden of proof on the complainant. This is often an insurmountable challenge for victims, particularly for working minors ([Ajweid, 1992-1993, p. 55](#)).

The main critique of Algerian legislation is its omission of sexual harassment as a criminal offense under labor law ([Dhib, 2005, p. 25](#)), which restricts the Labor Inspectorate's ability to monitor compliance with labor provisions by employers. The Inspectorate intervenes only if the offense is associated with a tangible violation, such as an employer requiring a female worker to work late at night without authorization from the Inspectorate or for reasons unrelated to the needs of the institution.

4- The literal text of Article 40 of the Moroccan Labor Code is as follows: 'Among the serious errors committed against the employee by the employer or the head of the company or institution are the following: serious insult, the use of any form of violence and assault directed against the employee, sexual harassment, incitement to corruption; and the departure of the employee from their work due to one of the errors mentioned in this article, if it is proven that the employer committed one of them, is considered as arbitrary dismissal.'

3.3 Protection from Sexual Harassment in Criminal Law

When sexual harassment is intended to fulfill desires of a sexual nature, it can sometimes escalate to a level that warrants criminal penalties. In such cases, a female worker who is a victim of sexual harassment may pursue legal action against the employer to protect her right to dignity (Hassain, 2015, p. 89).

3.4 Responsibility for the Crime of Workplace-Related Sexual Harassment

Most comparative legislations, including Algerian law, consider the abuse of power as the basis for establishing the crime of sexual harassment. This abuse must be aimed at violating human dignity, a fundamental human right, as well as the protection of privacy and the moral and psychological health and safety of the worker. The crime is contingent on the employer or anyone with a position of authority overstepping their boundaries within the workplace (Kamili, 2015, p. 255).

This offense can only occur in a hierarchical relationship where the abuse of power is used during employment. In this regard, Algerian criminal law aligns with Moroccan law. Under Article 341 of the Algerian Penal Code, sexual harassment is tied to the exploitation of authority or profession, punishable by imprisonment for two months to a year and a fine between 50,000 and 100,000 dinars. Similarly, Article 503-15 (Law No. 03-24, 2004, p. 125) of the Moroccan Penal Code specifies that harassment involving someone exploiting their authority to obtain sexual favors through commands, coercion, or threats is

punishable by imprisonment from one to two years and a fine of up to 50,000 dirhams.

These legal provisions do not account for harassment by a colleague or a customer of the institution. It is worth noting that the French legislator, since amending the Penal Code through the law of January 17, 2002, no longer requires a hierarchical relationship in cases of sexual harassment, and the perpetrator need not be someone exploiting job-related authority (Moreau, 1993, p. 115). As a result, harassment can be established even if it originates from a colleague, a client of the institution, or the employer (Amer, n.d.). Moroccan law also adopted this approach with the amendment to its Penal Code under Law No. 13/02, where Article 1-1-503 stipulates that the penalty is doubled if the offender is a co-worker.

Some countries, including the United States, have gone as far as holding the employer accountable for sexual harassment perpetrated by employees against other employees. In certain cases, constitutional judges have ruled that an employer may be held civilly liable when one of their supervisors exerts sexual pressure on a female employee, regardless of whether the employer was aware of the subordinate's conduct. There is no requirement for the victim to experience harm—such as denial of promotion or transfer—to prove the incidents (Zecchini, 1998, p. 01). French jurisprudence and legal doctrine also hold employers responsible for sexual harassment against female employees within the institution, given their duty to ensure the physical and moral safety of their employees during work.⁵

5- For more details on this point, you can refer to the following website:

3.5 Protection from the Consequences of Workplace-Related Sexual Harassment

The consequences of workplace-related harassment refer to the repercussions of refusing to submit or respond to actions intended to secure sexual favors. Algerian legislation, like most other Arab laws, does not address this issue. In contrast, French law was a pioneer in offering special protection to female workers who may face sexual harassment in the workplace, extending this protection to any witnesses or individuals involved in these incidents⁶. This is regulated under Article L1153-1 of the French Labor Code,⁷ which prohibits all forms of sexual harassment, and Article L1153-2, which forbids penalizing, dismissing, or taking any action against employees who reject sexual harassment.⁸

According to the French legislator, these consequences may include actions by the employer or other authority figures

<https://blog.osezvdroits.com/wpcontent/uploads/2015/07/Cass.-soc.-11-mars-2015-n%C2%B0-13-18603.pdf>.

6- Article L 1153-3, C.T.Fr. and Article 222-33-22 C.P.Fr.: 'Harassing another person through repeated actions aimed at or resulting in the deterioration of working conditions that may harm their rights and dignity, impair their physical or mental health, or compromise their professional future, is punishable by one year of imprisonment and a fine of 15,000 euros.

7- Article L.1153-1 C.T.Fr.: 'The acts of harassment by any person with the aim of obtaining sexual favors for their own benefit or for the benefit of a third party are prohibited.'

8- Article L.1153-2 C.T.Fr.: 'No employee, no candidate for recruitment, an internship, or a training period in a company may be sanctioned, dismissed, or subjected to any discriminatory measure, direct or indirect, particularly concerning remuneration, training, reassignment, qualification, classification, professional promotion, transfer, or renewal of contract for having suffered or refused to suffer acts of sexual harassment.' (Formerly Article 122-46).

within the institution affecting employment, wages, training, assignment, qualification, promotion, transfer, suspension of the employment contract, or disciplinary measures. This list is not exhaustive, as indicated by the use of the term "particularly," implying other possible consequences that may impact the victim's or witness's professional life (Kamili, 2015, p. 258).

The French legislator grants specific protections to victims, including the illegality of any dismissal related to sexual harassment incidents. This implies that any dismissal of a worker who accepted or rejected sexual harassment is null and void by law, and reinstatement to their position is the natural result of this nullification. This differs from other cases of unjustified dismissal, as disciplinary actions linked to sexual harassment against the victim or witnesses—such as job reassignment or training—can also be annulled (Kamili, 2015, p. 258).

By establishing an exceptional provision for nullifying dismissal, French law grants the victim the right to request reinstatement through the courts (Couturier, 1994, p. 252). In practice, however, this remains at the employer's discretion. The real threat facing the victim in such cases is that the employer might fabricate other reasons for dismissal, masking the true motive, which is harassment.

One argument likely to be accepted by the courts is the difficulty the victim may face in proving the harassment (Couturier, 1994, p. 252). However, in labor law, a fundamental rule exists that could offer final protection: the principle that doubt is interpreted in favor of the work (Defossez, 1993, p.

3662).

4. CONCLUSION

It is of utmost importance to establish legal provisions that protect the right to worker dignity, especially given the severe violations that continue to affect it in the absence of any specific legal texts safeguarding workers—the weaker party in the employment relationship. This protection would help prevent harm or risk to the psychological well-being and health of workers and address the rise of immoral practices that infringe upon the rights and dignity of women in the workplace, specifically the issue of sexual harassment, which must be legally confronted. Additionally, it is essential to assess the effectiveness of the deterrent policies set by the Algerian legislator to combat violations of human dignity. Based on this, we conclude with a few recommendations.

4.1 Recommendations:

- A legislative intervention to protect the right to human dignity in general, and worker dignity specifically, is necessary and urgent. This should be clearly established by including explicit penalties for any infringement on personal rights, including dignity.
- The judiciary should be bold and proactive in elevating these rights through judicial discretion in cases involving assaults on worker dignity and ethics.
- Collective labor agreements should incorporate clauses that recognize worker dignity as a fundamental personal right.

- It is essential to raise awareness among workers and their unions about their personal rights and their significance, requiring collaborative efforts between workers, employers, and the state to pursue humane labor laws and institutional frameworks.

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