

**ANTI-HARASSMENT POLICY
OF THE UNIVERSITY OF ECONOMICS AND HUMAN SCIENCES IN WARSAW**

Legal basis: art. 11³, 18^{3a}, art. 94 pkt 2b, art. 94¹, art. 94³ and art. 100 §2 point 6 of the Labor Code

General provisions

§1

The purpose of the Anti-Harassment Policy of the University of Economics and Human Sciences in Warsaw, hereinafter the “**Policy**”, is:

- 1) to prevent the occurrence of harassment and bullying in the workplace;
- 2) to intervene in the event of the occurrence or suspected occurrence of the phenomenon referred to in point 1;
- 3) to define the rules of conduct in the event of the occurrence of the phenomenon referred to in point 1, which includes determining appropriate disciplinary measures for any individuals who engage in harassing behavior, in accordance with applicable laws and regulations;
- 4) to support activities that foster positive relations between employees.

§2

Glossary of terms:

- 1) **harassment** - any action or behavior concerning an employee or directed against an employee that is persistent and prolonged, and that causes the employee to have a low opinion of their professional suitability, to be humiliated or ridiculed, or to be isolated or eliminated from the team of co-workers;
- 2) **University, Academy, or Employer** - University of Economics and Human Sciences in Warsaw;
- 3) **Rector** - the Rector of the University of Economics and Human Sciences in Warsaw;
- 4) **Managing Director** - Managing Director of the University of Economics and Human Sciences in Warsaw;

- 5) **employee** - a person in an employment relationship with the University of Economics and Human Sciences in Warsaw or a person performing tasks on the basis of a civil law contract;
- 6) **Complaint** - a report by an employee indicating that they or other employees have been subjected to actions or behavior that could be considered harassment.
- 7) **Anti-Harassment Committee of the University of Economics and Human Sciences in Warsaw** - hereinafter referred to as the “**Committee**”, a collegial body appointed by the Rector or the Managing Director to investigate Complaints.

§ 3

1. The Rector and Managing Director, as well as persons in leadership positions at the University, are required to take all actions permitted by law, including those described in this Policy, to prevent harassment at the University.
2. The Rector and the Managing Director and persons in leadership positions are engaged in active efforts to combat harassment within the University. These efforts include implementing preventive measures to counter harassment, promoting attitudes and behaviors that align with the principles of social coexistence and applicable laws.
3. The Rector shall implement the actions described in this Policy, particularly in matters pertaining to teaching and research staff as well as individuals providing teaching services to the University.
4. The Managing Director shall take the actions described in this Policy in particular in matters concerning administrative employees and persons providing administrative services to the University.

§ 4

1. Heads of organizational units are required to familiarize their subordinate employees with the contents of the Policy.
2. It is the responsibility of each employee to comply with the Policy and to familiarize themselves with its contents.

Anti-Harassment

§ 5

In order to counteract harassment, the Employer may take any action permitted by law. Such actions may include:

- 1) promoting desirable attitudes and behavior in relations between employees that are consistent with the principles of social coexistence,
- 2) dissemination of knowledge about harassment, methods of preventing it and the consequences of its occurrence,
- 3) monitoring the issue of harassment and applying anti-harassment procedures.

§ 6

1. The Employer explicitly prohibits any action or behavior that can be perceived as harassment.
2. The Employer is unequivocally opposed to all forms of harassment and requires all employees to adhere to the established Policy, which prohibits such behavior.
3. It is the responsibility of each employee to report any instances of harassment, both directed at themselves and at other employees, to their immediate supervisor.
4. It is possible to consider harassment, as well as the creation of situations that encourage such behavior, to be a violation of basic employee duties or a violation of the provisions of a civil-law contract. Such behavior may result in sanctions provided by law, including termination of employment without notice through the fault of the employee or immediate termination of the civil-law contract.
5. It is not considered harassment for a superior to direct an employee to perform tasks that are part of the employee's contractual duties.
6. A critical evaluation of work expressed by a supervisor to ensure proper organization of work does not constitute harassment if it is not demeaning to the employee.
7. The concept of harassment does not extend to legally permissible behavior on the part of the Employer.
8. Unfounded accusations of harassment and discrimination will result in disciplinary action against the person wrongly accused of such behavior and, in specific circumstances, may be treated by the Employer as a severe misconduct or a violation of the provisions of the civil-law contract and result in termination of the employment relationship without notice through the fault of the employee or immediate termination of the civil-law contract.

Complaint

§ 7

1. Any employee who believes that they or others have been subjected to harassment may submit a formal complaint to the Rector or the Managing Director.
2. The complaint must be in writing, date stamped, and signed in person by the employee filing the complaint or sent by email from a company email account.
3. The complaint should include:
 - 1) a detailed account of the specific actions or behaviors that they believe constitute harassment, accompanied by a clear and accurate description of the circumstances and situations in which they occurred,
 - 2) indication of the period during which the reported actions or behaviors took place,
 - 3) identification of the perpetrator of the alleged harassment.
 - 4) identification of possible witnesses to the reported actions or behavior,
 - 5) indication of any other evidence of the reported actions or behaviors.
4. Anonymous complaints will not be considered.
5. In a situation where the Rector or the Managing Director becomes aware of harassment from a reliable source other than those specified in sec. 1, they may, on their own initiative, launch the investigation procedure referred to in § 8 or take other actions to obtain more detailed information on the case.
6. The initiation of an investigation may also be requested by a person accused of inappropriate behavior, even if the Complaint referred to in sec. 1-3 has not been received.

Rules of appointment and operation of the Anti-Harassment Committee at the University of Economics and Human Sciences in Warsaw

§ 8

1. The investigation of a case of harassment shall be conducted by Rector or the Managing Director or a Committee appointed by them.
2. The Committee is an impartial collegial body, consisting of:
 - 1) one representative of the Rector or Managing Director as chairperson;
 - 2) one representative from among the academic faculty;
 - 3) one representative from among the non-academic staff.

3. It is recommended that members of the Committee have knowledge and/or experience in the field of labor law, including issues of harassment, discrimination, and prevention of harassment and discriminatory behavior.
4. The members of the Committee should be of good repute and their work in the Committee should be characterized by impartiality and objectivity.
5. The Committee cannot include:
 - 1) neither the person filing the complaint nor the person suspected of engaging in conduct or behavior that bears the characteristics of harassment;
 - 2) a witness called by a party to the proceedings;
 - 3) a person who is a spouse, relative, or relative by affinity – up to and including the second degree – of any of the parties to the investigation, or who is in such a legal or factual relationship with the parties to the investigation that it may raise doubts about their impartiality.
6. If a member of the Committee has a legal or factual relationship with the person filing the complaint or alleged perpetrator that may raise doubts about impartiality – the member shall be excluded from the proceedings.
7. The Committee shall, at the request of a member of the Committee or a party, remove a member of the Committee from the proceeding if there is a circumstance of a nature that could give rise to a reasonable doubt regarding the impartiality of a member of the Committee in a particular case.
8. The exclusion of a Committee member from the proceedings shall be decided by the Committee in the composition of the remaining members.
9. If the Committee cannot make a decision due to the lack of a sufficient number of members then the Rector or the Managing Director shall make such a decision.
10. If a member of the Committee is excluded from the proceedings, a new member of the Committee is appointed to hear the case.
11. In order to ensure full objectivity, the members of the Committee at each proceeding shall submit a statement according to the model **attached** to this Policy.
12. The Chairperson of the Committee organizes its work and is responsible for the proper functioning of the Committee.
13. Minutes of the Committee's meeting are drawn up and signed by all Committee members.
14. The Committee's proceedings are confidential, and the facts established in the course of these proceedings may not be disclosed to the public.

15. Persons involved in the case are obliged to keep confidential any information obtained in the course of the proceedings, and may not copy or distribute case documentation. In the event of failure to do so, the Chairperson or member shall be removed from the Committee.
16. Employees of the University are obliged to make available, at the request of the Committee, documents relevant to the investigation of the harassment case, as well as to provide the necessary information for the Committee to determine the circumstances of the case.
17. The Employer shall grant the members of the Committee, the Parties, and witnesses exemption from the performance of activities and tasks arising from their job responsibilities for the time necessary for the investigation of the case, with retention of the right to remuneration.
18. The Committee shall consider the case within 21 days of receipt, and if the circumstances of the case make it impossible to process it within that period, the Committee may extend the period by up to one month.
19. The Committee may, during the course of the proceeding, suggest mediation to the parties and, with their consent, refer the case to a mediator. The mediator shall be designated by the Rector or the Managing Director after consultation with the Chairperson of the Committee.
20. After the proceedings, the Committee, by a simple majority, shall decide on the merits of the case under consideration and prepare a written decision on the matter along with the statement of reasons.
21. Within 14 days of the conclusion of the proceedings, the Chairperson of the Committee shall forward the decision with the statement of reasons to the Rector and the Managing Director. A letter of the same content is delivered to the reporting party and the alleged offender or offenders.
22. On the basis of the Committee's opinion, the Rector or the Managing Director shall take measures to eliminate the irregularities found and prevent their recurrence; this may include the application of sanctions in accordance with applicable law against the perpetrator or perpetrators.
23. The Rector or Managing Director shall also take measures to provide the injured employee with the necessary assistance and support, including psychological or legal assistance.
24. If the Committee determines that the actions did not consist in harassment or discrimination, the Rector considers the complaint unfounded.

Final provisions

§9

Nothing in this Policy precludes or takes away an employee's right to pursue claims under separate laws. The Committee's handling of harassment reports does not preclude either party from pursuing legal action.

**Appendix
to the Anti-Harassment Policy
of the University of Economics and Human Sciences in Warsaw**

.....

(name of Committee member)

.....

(official position, cell/organizational unit)

DECLARATION

I, the undersigned, declare that in connection with my appointment to the Anti-Harassment Committee, which will consider the case of a complaint about the occurrence of a situation that bears the signs of harassment, submitted by

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.....
.....

- 1) I am not a spouse, relative or relative by affinity of any of the persons concerned, nor do I have a legal or factual relationship with them that could raise doubts about my impartiality;
- 2) I will keep confidential any and all information obtained in the course of the investigation, and I will not copy or distribute case documentation.

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(Committee member's legible signature)