

Ordinance No. 4
of Rector of the University of Białystok
of 9 April 2014.
on the internal anti-harassment policy

Pursuant to Article 66(2) of the Act of 27 July 2005 The Law on higher Education (Journal of laws of 2012, , item 572, unified text), in connection with Article 94* of the Labour Code, I declare the following:

§1

The University of Białystok introduces an internal anti-harassment policy, which aims to counteract the phenomenon of harassment and support activities conducive to building positive relations between employees.

§2

Whenever the Ordinance refers to:

- 1) the employer — this should be understood as the University of Białystok,
- 2) Employee — this should be understood as a person remaining in an employment relationship with the University of Białystok,
- 3) Harassment – means actions or behaviour concerning an employee or directed against an employee, consisting of persistent and long-term bullying or intimidation of an employee, resulting in lowered professional esteem of the employee, causing or intended to cause humiliation or ridicule of the employee, isolating him/her or shunning him/her from the working team,
- 4) the committee – means the committee set up to investigate harassment complaints made by employees.

§3

1. Each employee is obliged to refrain from actions or behaviours that constitute harassment and to prevent harassment by other people.
2. The employer does not tolerate any actions or behaviours bearing the hallmarks of harassment.
3. The employer takes measures against harassment and other forms of violence. These can include interventions, training, making information materials available to employees.
4. Creating situations that encourage harassment or the use of harassment can be considered as a breach of fundamental employee duties.

§4

1. An employee who believes that he or she has been subjected to harassment may submit a written complaint.
2. The complaint should include:
 - 1) a description of the actions or behaviour which, in the applicant's opinion, constitute harassment,
 - 2) identify the person or persons who, in the complainant's opinion, are the perpetrators of the harassment,
 - 3) evidence in support of the described circumstances,
 - 4) the date and the handwritten signature of the complainant.
3. Anonymous complaints or complaints not signed by an employee are not subject to consideration.
4. Unfounded accusations of harassment are prohibited.

§5

1. The complaint referred to in section 4 shall be lodged by the employee with the Rector.
2. The investigation of a complaint of bullying is conducted by a committee appointed by the Rector and composed of at least 3 persons – 2 representatives

from the academic staff or the non-academic staff, depending on which group of staff the complainant represents, and the chairperson of the committee.

3. The committee is chaired by the designated pro-rector.
4. A member of the committee may not be:
 - 1) the person who is the subject of the harassment complaint,
 - 2) the complainant,
 - 3) head of the organisational unit in which the complainant is employed.
5. The committee shall carry out the proceedings within 30 days of the date on which the written complaint is lodged.
6. After hearing the complainant and the employee accused of harassment and any witnesses, and after considering the evidence submitted by them, the committee shall, by simple majority, express a position to the Rector on the merits of the allegations contained in the complaint. The committee should seek an amicable settlement of the dispute between the parties.
7. If the complaint is found to be justified, the committee shall indicate in the minutes the proposed mode of liability.
8. The minutes of the committee meeting shall be signed by its members and, in the event of an amicable settlement of the dispute, also by the parties to the proceedings.
9. Administrative support for committee meetings and record keeping is provided by the Personnel Department,

§6

The Rector, after reviewing the committee's position and hearing the parties, if the complaint is found to be justified, may decide to apply penalties to which the provisions of the Labour Code and the Law on Higher Education apply or other actions, including those leading to termination of the employment relationship.

§7

All persons carrying out activities under the anti-harassment procedures are obliged to maintain confidentiality.

§8

1. Each employee is obliged to familiarise themselves with the contents of this Order and to sign a written declaration
2. The declarations made by employees that they have acknowledged the anti-harassment policy are kept in their personnel file. A declaration template is set forth in the Annex to this Order.

§9

The Ordinance shall enter into force on the date of signature.

DECLARATION

On acknowledging Ordinance No. 4 of
the Rector of the University of
Białystok dated 9 April 2014.
on the internal anti-harassment policy

.....
(name of employee)

.....
(function)

.....
(organisational unit)

I declare that I have familiarised myself with Ordinance No. 4 of the Rector of the University of Białystok dated 9 April 2014 *on the internal anti-harassment policy and* undertake to comply with it.

Białystok, (date).

.....
(employee's signature)