

**INTERNAL ANTI-HARASSMENT POLICY
AT CRACOW UNIVERSITY OF TECHNOLOGY
(Consolidated text)**

§ 1

GENERAL PROVISIONS

1. The Internal Anti-harassment Policy, hereinafter referred to as the "Policy", establishes the principles of preventing the phenomenon of harassment or having the signs of harassment at Cracow University of Technology in Krakow and the procedure to be followed in the event of the occurrence of such a phenomenon.
2. The basis of the Policy is Article 94(3) § 1 of the Labor Code (Journal of Laws of 2020, item 1320, as amended), the CUT Code of Ethics, and § 95(4) of the CUT Work Rules and Regulations.
3. The Policy is designed to define the rules for responding to harassment, and for the sake of employees' well-being, to respond in the early stages of its emergence in the workplace and take preventive measures to prevent it.
4. Each employee is required to familiarize themselves with the contents of the Policy.
5. A statement of familiarization with the contents of the Policy (Appendix 1), signed by the employee, shall be attached to their personnel file.
6. Newly hired employees are required to participate in the awareness training referred to in § 6 (1).

§ 2

TERMINOLOGY

Terms used in the Policy should be understood as:

- 1) **Internal Anti-Harassment Policy (Policy)** - rules to prevent the phenomenon of harassment or phenomena having the appearance of harassment at CUT, along with the procedure to be followed in case of their occurrence,
- 2) **employer** - Cracow University of Technology, represented by the Rector of CUT,
- 3) **employee** - a person in an employment relationship with the employer regardless of the form of employment, type of work, or position held,
- 4) **harassment** - a systematized form of violence, mainly psychological, whose perpetrator is a co-worker (supervisor, subordinate or co-workers); Acts or behaviors concerning an employee or directed against an employee, consisting of persistent and prolonged harassment or intimidation of an employee, causing the employee to have a low opinion of their professional suitability, causing or intended to humiliate or ridicule the employee, isolate them or eliminate them from the team of co-workers (Art. 94(3) § 2 OF THE CIVIL CODE),
- 5) **mediation** - a conversation between two conflicting parties in the presence of a neutral CUT mediator, leading the parties to reach a settlement,
- 6) The CUT **Center for Academic Community Support (CeWSA PK)** - a unit appointed by the Rector of CUT to comprehensively handle cases of mistreatment reported to CeWSA PK, as well as to undertake activities related to the prevention of manifestations of such treatment and to support members of the CUT academic

community harmed by undesirable behavior of third parties; The Director of the Center represents the employer under the power of attorney of the Rector of CUT,

- 7) **Academic Psychological and Pedagogical Consultation Point CpiP PK (APKPP CpiP PK)** - a unit whose task is to provide access to psychological support, including for victims of cases reported to CeWSA CUT, resulting from the occurrence of bullying,
- 8) **The Anti-Harassment Committee (KA)** - an opinion-forming and advisory collegial body appointed by the Rector of CUT for a 4-year term of office, beginning on January 1 of the year following the year in which the Rector's term of office begins, with at least seven members; its task is to determine the legitimacy of harassment complaints submitted to the CUT's Center for Academic Community Support, as well as to issue a recommendation to the employer; the Rector of CUT appoints the chairman of the Committee,
- 9) **The opinion-making composition of the Anti-Harassment Committee (SO KA)** - an independent group of individuals designated by the chairman of the KA and selected from among its members; the composition is determined according to the existence of potential conflicts of interest and the current availability of committee members; the chairman of the SO KA is designated by the chairman of the KA,
- 10) **Committee of Appeals (KO)** - an independent group of persons appointed by the KA chairman and selected from among the KA members, whose task is to evaluate the opinion taken by the KA SO on a given case by reconsidering it.

§ 3

OBLIGATIONS OF THE EMPLOYER AND EMPLOYEES

1. Each employee of Cracow University of Technology is obligated to refrain from any action or behavior that bears the hallmarks of harassment.
2. Any action or behavior bearing the hallmarks of harassment, as defined in Article 94(3) § 2 of the Labor Code, shall not be tolerated by the employer in any way.
3. The characteristics of the harassment phenomenon, along with a list of examples of actions and behaviors that exhibit the hallmarks of harassment, are provided in Appendix 2.
4. The employer is obligated to create safe and healthy working conditions, take all necessary measures to prevent harassment, comply with the provisions of the Policy, and monitor employee compliance.
5. The employer and all functionaries at the CUT undertake to comply with the Policy and to treat all employees with dignity and respect, refraining from any actions or behavior that may be perceived as harassment.
6. (repealed)
7. Employees are required to comply with the Policy, treat all co-workers with dignity and respect, and refrain from any actions or behavior that may bear the hallmarks of bullying.

§ 4

PROCEDURE AND FORM OF REPORTING

1. Any employee who believes that they have experienced harassment behavior may submit a written report (Appendix No. 3) to CeWSA PK, individually, i.e., bypassing the official route or through the Rector, Vice-Rectors, Deans of Faculties, Director of the Doctoral School, heads of non-faculty units, Student Ombudsman, or Doctoral Student Ombudsman.
2. The report should include the characteristics of the specific actions or behaviors that constitute harassment and identify the perpetrator or perpetrators.
3. The facts should be described in detail, giving the time and place of the event or events, the surrounding circumstances (e.g., the meeting), the witnesses present, and specific

evidence (e.g., memos) in support of the circumstances cited, proving that harassment occurred.

4. The content of the report should indicate the frequency of the events, as well as describe any mental and/or physical effects of the events.
5. The affected person should sign the report in their own hand and date it on the day.
6. It is possible to report in person to CeWSA PK, in which case its employee will draw up a report form, which is signed by the person reporting in the employee's presence.
7. Any person who witnesses behavior that bears the hallmarks of bullying should report this to the University's Center for Academic Community Support (CeWSA). Anonymous reports will also be accepted. If there are additional anonymous reports related to the same event/situation, CeWSA will forward the case to KA for consideration.
8. Reports should be treated with due seriousness, with particular care and respect for both those bringing them and those accused of harassment, so that no one's reputation is unjustly harmed and no one's personal rights are violated.
9. In the absence of specific evidence to support the reported harassment or if the event has been inaccurately described in the report, KA may ask the person reporting to supplement their complaint with selected elements.
10. Immediately, from the date of acceptance of the application, CeWSA PK, on behalf of the Employer, shall:
 - 1) refer the case to mediation if the parties to the case agree to it,
 - 2) forward it to the chairman of the KA, who shall immediately appoint the SO KA and its chairman, in accordance with the provisions of paragraph 12.
11. The KA is required to handle the case in a prompt manner that allows for a fair investigation of the complaint. It is recommended that the processing time should not exceed 12 weeks.
12. To consider the application, the KA chairman appoints a 5-member SO KA composed of: the SO KA chairman, two KA members, and two representatives of trade union organizations operating at the CUT, proposed, one each by the presidents of these organizations at the request of the KA chairman. At the request of the KA chairman, the Committee's meetings may be attended by additional persons in an advisory capacity, such as the Head of the Department of Personnel and Social Affairs, a psychologist, or a legal advisor. The chairman of the SO KA organizes the first meeting of the SO KA (either onsite or, in justified cases, remotely) to familiarize all its members with the case, develop a meeting agenda, and set the date for the next SO KA meeting. A sub-minute is prepared for each SO KA meeting (Appendix 5).
13. A member of the SO KA may not be the subject of the report, the person's superior, spouse, relative, or affinity - up to and including the second degree, or a person who is in such a legal or factual relationship with the person or related to them by an official relationship that may raise doubts about their impartiality.
14. If a member of the SO KA is a person excluded from the composition under paragraph 13, the chairman of KA shall appoint another person from the KA composition or request the chairman of the relevant trade union organization to change its representative.
15. Designated members of SO KA and persons attending SO KA meetings in an advisory capacity shall submit a statement, which is attached as Appendix No. 4 to this Policy.
16. Proceedings before the SO KA are closed to the public. Participation in the proceedings is only by persons summoned by the SO KA. In justified cases, the SO KA may allow the participation of a party's attorney upon the written request of a party. A party may refuse to testify. The SO KA may allow a witness to refuse to testify if they have a relationship

with a party as referred to in paragraph 12, and the refusal of that witness to testify will not affect the course and purpose of the proceedings.

17. SO KA investigates the complaint with impartiality and is obliged to keep confidential any information obtained in the course of the proceedings, excluding the Rector of CUT and the legal service.
- 17a. KA shall set dates for hearings and require witnesses' superiors to facilitate/enable their attendance at hearings.
- 17b. KA shall give its opinion on cases only after going through the whole investigation procedure described in this paragraph.
- 17c. KA shall oblige witnesses to maintain the confidentiality of issues raised in the course of ongoing proceedings.
18. After hearing the explanations of the complainant and the person accused of harassment, and after the investigation, on the basis of the partial protocols, the SO KA draws up a final protocol (Appendix 6), which includes an assessment of the validity of the complaint, as well as recommendations to the employer regarding the reported problem and/ or any other significant problem that was noticed during the consideration of the case. The decision on the legitimacy of the allegations contained in the application is made by a simple majority vote, by secret ballot, by all members of the SO KA.
19. Meetings of the SO KA are recorded using sound recording equipment for the purpose of preparing sub-minutes and final minutes, which are signed by all members of the SO KA who participated in a given meeting. Recordings of SO KA meetings are stored at CeWSA PK and are attached to the final minutes.
20. The final minutes of the SO KA meetings, together with their recommendations, will be presented to the Rector of CUT, who is responsible for deciding on the method of resolving problematic issues and/or introducing remedial actions.
- 20a. The final conclusions of the KA meetings will be forwarded to the parties in the form of a pre-rendered opinion by the Chairman of the SO KA.
21. If the complaint is found to be justified, the Rector of CUT may modify the employment relationship of the perpetrator(s) of the harassment, as provided in the Labor Code.
22. The perpetrator(s) of bullying may additionally be deprived of their rights under labor laws, which are contingent on not violating their labor obligations.
23. In cases of blatant harassment, the Rector of CUT may terminate the employment contract with the perpetrator(s) without notice, as per the terms of the Labor Code.
24. The Rector of CUT may transfer the aggrieved employee, at the employee's request, to another workstation or otherwise prevent direct contact between the aggrieved employee and the perpetrator(s) of the harassment.
25. In matters not regulated by this Policy, the provisions of the Code of Civil Procedure shall apply respectively to the proceedings before the KA.
26. Administrative support for KA and SO KA meetings is provided by an administrative employee of CeWSA PK. The case documentation collected by them is stored in separate folders and archived by CeWSA PK.
27. Information about possible consequences for perpetrators of harassment will be kept in the personnel file at the CUT Department of Personnel and Social Affairs.
28. The University's legal counsel provides legal services for the committee.

§ 5

APPEAL PROCEDURE

1. Both parties have the right to appeal against the KA's opinion within 14 days of its delivery. To do this, they shall fill out Appendix 7 and submit it to CeWSA PK, giving detailed reasons for the appeal.
2. CeWSA PK, on behalf of the employer, shall, within seven working days from the date of acceptance of the appeal, forward it to the chairman of the KA, who shall, within another seven working days, forward the case to the KO to verify whether the party's appeal has merit.
3. If the KO decides that the appeal has merit, it will ask the KA to reconsider the case in the particular contested area.

§ 6

FINAL PROVISIONS

1. CeWSA PK, on behalf of the employer, is required to conduct annual training of employees on anti-harassment and the application of the Policy, and is also required to train members of the newly appointed Anti-Harassment Committee.
2. Once a year, CeWSA PK, on behalf of the employer, together with representatives of the company's trade unions, considers and evaluates whether the provisions of the Policy are adequately implemented.

Krakow,

.....
First name and last name

.....
Name of the organizational unit

.....
Position

STATEMENT

I declare that I have familiarized myself with the contents of the Internal Anti-Harassment Policy. Thus, I undertake to abide by its provisions, not to apply actions that may bear the hallmarks of harassment, and to immediately inform the employer about the situation of experiencing harassment. At the same time, I understand that the employer will not tolerate any actions of mine that exhibit characteristics of harassment, and I am aware of the possible consequences of engaging in such behavior.

.....
employee's signature

List of examples of actions and behaviors that may have the hallmarks of harassment according to Heinz Leymann

A list of behaviors classified by the Swedish physician and psychologist Heinz Leymann as a group of harassment behaviors. Based on his research, he identified 45 behaviors, which he categorized into five categories, relating them to both personal and professional functioning. These behaviors can be exhibited by both one person and a larger group. According to Leymann, just experiencing one behavior from the list presented is enough to speak of harassment.

I. Actions that negatively affect communication processes in the workplace:

- restricting or obstructing the ability of a supervisor or co-worker to speak out,
- constant interruptions of speech,
- responding to statements and comments with a raised voice, shouting, name-calling, insults, and threats,
- constant criticism of the work performed, professional and personal life,
- phone harassment,
- written and verbal threats and menaces,
- presenting demeaning, insulting gestures, looks with an unambiguously negative emotional charge,
- operating with language laden with allusions of various kinds, avoiding clear, direct statements.

II. Activities that negatively affect social relations in the workplace:

- superior's avoidance of contact with the person, avoiding conversations with them,
- physically and socially isolating the person (e.g., placing them in a separate room with a ban on communicating with others),
- banning employees from contact with a person,
- ignoring, deliberately overlooking a person in the work environment, passing by indifferently, treating them like air.

III. Actions that affect a person's negative image in the work environment:

- groping, spreading rumors, inventing nicknames,
- making attempts to ridicule and discredit a person, various spheres of their life,
- jokes about a person's personal life,
- parodying the way a person walks, speaks, gestures and their facial expressions,
- attacking political views, religious beliefs, worldview in general,
- mocking and attacking a person because of their nationality, skin color, sexual orientation,
- mocking disabilities, handicaps or some traits peculiar to a person,
- suggesting mental illness, referring for diagnostic tests,
- addressing a person with vulgar nicknames or other humiliating, degrading expressions,
- making proposals of a sexual nature.

IV. Actions striking a professional position:

- issuing work orders forcing the performance of offensive work that violates personal dignity,
- falsely assessing work commitment,
- questioning the decisions made,

- not assigning a person any tasks to be performed to demonstrate their redundancy,
- commissioning specific tasks, then manifestly taking them away,
- issuing absurd, contradictory or nonsensical orders,
- assigning tasks above or below a person's abilities and skills,
- assigning new tasks again and again with an unrealistic deadline for their completion in order to discredit the victim.

V. Activities that have a detrimental effect on a person's health:

- ordering work that is harmful to health and exceeds a person's physical capabilities,
- threatening physical violence,
- physical abuse,
- contributing to material losses caused by the employee in question,
- sexually motivated actions, sexual harassment,
- inflicting psychological damage at the victim's place of work or residence.

This division is intended to make it easier for employees to identify the behaviors they experience in the workplace, as well as to help the employer properly recognize those behaviors that they themselves observe or hear about occurring in their workplace.

The list presented here only shows examples of behavior that can potentially lead to harassment. In the era of 21st century achievements, it is necessary to reckon with the fact that, with the help of technical possibilities, the number of human behaviors of psychological terror may significantly increase.

List of examples of actions and behaviors that occur in university harassment:

- disparaging a person or unjustified, unmeritorious criticism of their work,
- spreading unsubstantiated, malicious rumors, anonymously, often on personal topics, such as lack of balance, inappropriate character traits, mental illness, failure to perform duties not assigned, or blocked performance despite assignment,
- public humiliation, e.g., of students, other employees, at scientific meetings, etc.,
- ignoring the employee in the formation of research and teaching teams, in rewards, etc.,
- assigning to an employee duties below or above their qualifications, or those that they cannot perform at all, or are based on motives other than the welfare of the employees of the organizational unit,
- taunting an employee, using threats, such as intimidation of dismissal, or unfounded negative evaluation,
- issuing contradictory orders or orders that do not comply with the law, ordering nonsensical work, taking away work previously assigned/agreed to be done,
- failure to provide information, for example, about teaching assignments, and then accusing that classes were not held,
- unsubstantiated allegations of lack of ethics, of negative impact on colleagues, students, without demonstrating the validity of the allegations,
- unsubstantiated allegations of ineligibility, without demonstrating the validity of the charges,
- forcing the addition of other employees to the work performed single-handedly, to, for example, diminish the role, achievements,
- threatening physical violence,

The list of harassment actions occurring at universities is much longer. They depend primarily on the capabilities and "ingenuity" of the bullies.

To speak of harassment, the behavior in question must still meet the following criteria:

- the behavior is repeated - it is not a one-time and random act,
- the behaviors are continuous and consistent,
- the behavior lasts for an extended period of time - the length of this period is individual; it can be several weeks, months, or even years,
- the action is intentional - the person who uses bullying is aware of what they are doing, aware of the effects that bullying behavior can have on the targeted person - and it is precisely to achieve these effects that the bully aims,
- the behavior usually takes the form of psychological terror; it is far less likely to take the form of physical aggression,
- actions cause the employee to underestimate their professional suitability,
- cause the employee to be humiliated or ridiculed, isolated, or eliminated from the team of co-workers.

In addition, it is still worth remembering that:

- the bullying employee uses their advantage over the victim - authority, age, business dependence, interpersonal popularity, etc.,
- in the overwhelming number of cases, harassment is not the action of just one person, but a group of people working together to persecute the victim,
- usually, harassment actions are hidden from those around them, happen behind closed doors, with white gloves, only in the presence of those who participate in tormenting the person; as soon as a non-participant is around, the negative behavior stops, and may even take the form of nice, helpful, and kind behavior, seemingly, of course,
- usually, such a person and those around them try to make them believe that the person has a mental disorder,
- a large role in the mechanism of harassment actions is to damage the opinion of the person.

The following are often confused with harassment:

- **a single act of humiliating**, ridiculing, disregarding an employee, no matter how inappropriate the treatment of employees/co-workers, it cannot be classified as bullying (but could already be classified as molestation),
- **justified criticism** - drawing the employee's attention, pointing out mistakes, suggesting improvement in situations of non-performance of duties or performance in an unreliable manner, and producing low-quality results, are behaviors that are perfectly legitimate and within the competence of managers,
- **conflict** - situations in which people do not like each other, and conflict with each other. Conflict differs from harassment in that, in a conflict situation, both parties theoretically seek to resolve it; in harassment, there is no question of this,
- **working conditions that do not meet the requirements of occupational health and safety** - poor working conditions could be considered harassment only if they are directed against one person who also experiences harassment in another form,
- **feeling uncomfortable at work**, dissatisfaction with assigned duties, unwillingness to complete assigned tasks, boredom with work, unfulfilled at work, lack of a sense of satisfaction,
- **stress of assigned duties**, demanding, challenging work,
- **holding an employee accountable** for violating labor rights, failing to fulfill their duties,
- **setting high expectations** for the quality of work.

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The date or period to which the report applies:

.....

Indication of evidence and/or witnesses to the incident in support of the circumstances cited:

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Identification of potential perpetrator(s):

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Possible mental and/or physical effects of the events that occurred:

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.....

I agree to refer the case to mediation: YES / NO *

.....
date

.....
signature of reporting person

* cross out as appropriate

Krakow,

.....
Name and surname of the member of the opinion of the Anti-Harassment Committee

.....
Name of the organizational unit

.....
Position

STATEMENT

In connection with my appointment to the review panel of the Anti-Harassment Committee at CUT, considering the report submitted by (*name of the person reporting*) on..... (*date of application*)

I hereby declare that:

- 1) I am not a spouse, relative, or relative by affinity - up to and including the second degree - of any of the persons subject to the proceedings, nor am I in such a legal or factual relationship with them that it may raise doubts about my impartiality,
- 2) I will keep confidential any information obtained in connection with the investigation.

.....
date

.....
signature of the member
of the Anti-Harassment Committee's review panel

Reference no.
(assigned by CeWSA PK)

Krakow, on

**PARTIAL MINUTES OF THE REVIEW PANEL
OF THE ANTI-HARASSMENT COMMITTEE**

The case was called at:.....

Case closed at:.....

The order of the hearing:

1. Commencement of the hearing,
2. Checking the attendance list.
3.
4.
5.
6.
7.

As a result of investigation concerning the case (completed by CeWSA PK)
reported to CeWSA PK by Mr./Ms.
on..... for harassment, the perpetrator of which was indicated as Mr./Ms.
..... The Anti-Harassment Committee composed of:

1. - Chairman of the Committee
2.
3.
4.
5.

and

..... - protocol officer (non-voting)

at its meeting on established:

Reference no.
(assigned by CeWSA PK)

Krakow, on

**FINAL MINUTES OF THE REVIEW PANEL
OF THE ANTI-HARASSMENT COMMITTEE**

The case was called at:.....

Case closed at:.....

The order of the hearing:

1. Commencement of the hearing,
2. Checking the attendance list.
3. Reading of the charge by the Chairman of the Anti-Harassment Committee.
4. Allowing the defendant to speak.
5. Classified part of the hearing.
6. Voting on the opinion of the review panel of the Anti-Harassment Committee.
7. Announcement of voting results.

As a result of investigation concerning the case (completed by CeWSA PK)
reported to CeWSA PK by Mr./Ms.
on..... for harassment, the perpetrator of which was indicated as Mr./Ms.
..... The Anti-Harassment Committee composed of:

1. - Chairman of the Committee
2.
3.
4.
5.

and

..... - protocol officer (non-voting)

on the basis of verification of the facts presented, establishes:

.....
.....

Signatures of the members of the committee:

1. - Chairman of the Committee
2.
3.
4.
5.

.....
date

.....
signature of protocol officer

Reference no.
(assigned by CeWSA PK)

Krakow, on

.....
Name and last name

.....
Name of the organizational unit

.....
Position

**CUT Center for Academic
Community Support (CeWSA PK)**

**APPEAL AGAINST THE OPINION
OF THE ANTI-HARASSMENT COMMITTEE**

I hereby lodge an appeal against the opinion of the Anti-Harassment Commission, taken in the investigation of case ref. no. reported to CeWSA PK by Mr./Ms. on..... for harassment, whose perpetrator(s) was/are identified as Mr./Ms.

Detailed explanation:

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date

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signature of the appealing person