

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

Art. 1

GENERAL PROVISIONS

1. The Internal Anti-Discrimination Policy, hereinafter referred to as the “Policy,” sets out the principles for preventing phenomena that bear the characteristics of discrimination and harassment (including sexual harassment) within the academic community at Cracow University of Technology, as well as the procedure to be followed in the event such phenomena occur.
2. The Policy is based on the provisions of the Constitution of the Republic of Poland of 2 April 1997, the Act of 20 July 2018 – Law on Higher Education and Science, the Labour Code, the Statute of CUT, and the Art. 95(4) of the CUT Work Regulations.
3. Every employee is obliged to familiarize themselves with the contents of the Policy.
4. A statement confirming that the employee has read the contents of the Policy (Attachment no. 1), signed by the employee, shall be attached to their personnel file.
5. Newly employed staff members are required to participate in an awareness training session organized by the CUT Academic Community Support Centre.

Art. 2

TERMINOLOGY

1. The terms used in this Policy shall be understood as follows:
 - 1) **Internal Anti-Discrimination Policy (Policy)** – the principles for preventing manifestations of discrimination and harassment (including sexual harassment) at CUT, along with the procedure to be followed in the event such manifestations occur;
 - 2) **Academic Community of CUT (CUT AC)** – the community consisting of students, doctoral students, participants of post-diploma and other educational programmes, as well as all employees of CUT, regardless of the form of employment, type of work, or position held;
 - 3) **discrimination** – the unlawful deprivation or limitation of rights arising from an employment relationship, or unequal treatment of employees on the grounds of gender, age, disability, nationality, race, beliefs—especially political or religious—and trade union membership, sexual orientation, performing or refusing to perform remote work, as well as granting certain employees lesser rights than those enjoyed by others in the same factual and legal situation because of the reasons listed above (Art. 11³ and Art. 67²⁹ of the Labour Code);
 - 4) **harassment** – a form of discrimination, any unwanted behaviour whose purpose or effect is violation of an employee’s dignity and creation of an intimidating, hostile,

degrading, humiliating, or offensive environment (Art. 18^{3a} of the Labour Code); harassment may also take the form of persistent torment (**stalking**);

- 5) **stalking** – persistent tormenting of another person or their loved one, causing them to feel a – justified by the circumstances – sense of threat, humiliation, or distress, thereby significantly violating their privacy (Art. 190a(1) of the Penal Code);
- 6) **sexual harassment** – any unwanted behaviour of a sexual nature or relating to an employee’s gender, whose purpose or effect is violation of the employee’s dignity, particularly by creating an intimidating, hostile, degrading, humiliating, or offensive atmosphere; such behaviour may consist of physical, verbal, or non-verbal elements (Art. 18^{3a} of the Labour Code);
- 7) **Academic Community Support Centre of CUT (CUT ACSC)** – a unit established by the Rector of CUT to comprehensively review cases reported to the CUT ACSC concerning inappropriate treatment, as well as to undertake actions aimed at preventing such treatment and supporting members of the CUT AC who have suffered harm because of unacceptable conduct of third parties;
- 8) **Ombudsperson for the Prevention of Harassment and Discrimination** – a person appointed by the Rector of CUT whose task is to review cases concerning harassment and discrimination referred to them by the CUT ACSC and to issue opinions on them;
- 9) **mediation** – a conversation between two conflicted parties in the presence of a neutral mediator, aimed at reaching a settlement between the parties;
- 10) **Academic Point for Psychological and Pedagogical Consultation of the CUT Centre for Pedagogy and Psychology (CUT Cfp&P APf&PC)** – a unit responsible for providing access to psychological support, including support for persons who have suffered harm in cases related to discrimination and harassment reported to CUT ACSC;
- 11) **University Disciplinary Board (DB)** – either the Disciplinary Board for Academic Teachers or the Disciplinary Board for Students and Doctoral Students, appointed by the Senate of CUT;
- 12) **LoHE&S** – the Act of 20 July 2018, *Law on Higher Education and Science* (Journal of Laws of 2022, item 574, as amended).

Art. 3

OBJECTIVES of the Policy

The objective of the Policy is to undertake all actions permitted by law, including in particular:

- 1) promoting desirable attitudes and behaviours among members of the CUT AC that are consistent with the principles of social coexistence;
- 2) organizing training on the prevention of discrimination and harassment, with a preventive and educational focus;
- 3) monitoring occurrences of discrimination within the CUT academic community;
- 4) responding promptly to any manifestations of discrimination, addressing them, and taking appropriate measures against individuals engaging in unacceptable behaviour;
- 5) ensuring universal access to information for persons who have suffered harm because of discrimination and harassment;

- 6) providing support to individuals who report that they are experiencing discrimination or harassment, in particular by ensuring appropriate psychological assistance and effective protection;
- 7) offering support to individuals who have engaged in unacceptable behaviour towards other members of the CUT AC, particularly through psychological consultations or psychoeducation.

Art. 4

PRINCIPLES of the Policy

1. Every member of the CUT AC is obliged to oppose discrimination and to support actions aimed at implementing the principles of equality and respect for the dignity of others. In particular, they are required to:
 - 1) respect the dignity and personal rights of others, and foster mutual relationships in a manner that preserves the sense of self-worth and mental health;
 - 2) inform their superiors of any observed situations that may indicate discrimination or harassment;
 - 3) participate in training organized by the Academic Community Support Centre (ACSC) on matters related to prevention of discrimination and harassment, with a preventive and educational focus.
2. Individuals holding managerial positions within a given organizational unit are obliged to:
 - 1) take actions aimed at investigating alleged manifestations of discrimination reported directly or indirectly (e.g., through student surveys, via their representatives, etc.) by members of the CUT AC;
 - 2) implement systemic solutions aimed at eliminating situations that foster discrimination and harassment;
 - 3) provide all necessary assistance to individuals affected by unequal treatment.

Art. 5

PROCEDURE AND MODE OF REPORTING

1. Any member of the CUT AC who has suffered harm because of harassment or discrimination has the right to request that the Rector of CUT take actions aimed at stopping the harassment and discrimination, as well as investigating and eliminating the causes and results of such occurrence.
2. A person who is a member of the CUT AC and feels that they have experienced discrimination or harassment in any form, or has witnessed such an incident, may report it in the form of a written submission to the CUT ACSC (Attachment no. 2), either individually, i.e. bypassing the official chain of command, or via the Rector, Vice-Rectors, Deans, Director of the Doctoral School, heads of non-faculty units, Student Ombudsperson, or Doctoral Student Ombudsperson.
3. Reports from students, doctoral students, participants of post-diploma studies, and other educational programmes should include: full name, faculty, study programme, year of

- study, description of the facts, date or period to which the matter relates, evidence supporting the circumstances described, identification of the alleged perpetrator and the person suffering harm because of discrimination, harassment, or sexual harassment, date, and signature of the reporting person.
4. Reports from employees should include: full name, position, name of the organizational unit, description of the facts, date or period to which the matter relates, evidence supporting the circumstances described, identification of the alleged perpetrator and the person suffering harm because of discrimination, harassment, or sexual harassment, date, and signature of the reporting person.
 5. It is worth including in the report a description of any psychological and/or physical effects of the incident(s) .
 6. Anonymous reports will not be considered.
 7. Immediately upon receiving a report, the CUT ACSC is required to:
 - 1) refer the matter to mediation if it is related to a dispute between the person who has been reported and the person who has suffered harm;
 - 2) refer the matter for review by the Ombudsperson for the Prevention of Harassment and Discrimination, or request that the Rector of CUT refer the case to the appropriate disciplinary ombudsperson.
 8. During the investigation, the Ombudsperson for the Prevention of Harassment and Discrimination may:
 - 1) find that no discrimination or harassment has occurred and promptly inform of this fact the reporting person and the Rector of CUT in writing;
 - 2) find that a student, doctoral student, or academic teacher has engaged in acts constituting a disciplinary offence due to discrimination or harassment, and promptly send the case along with the collected evidence to the Rector of CUT, with a request that the case be referred to the appropriate disciplinary ombudsperson;
 - 3) find that a non-academic employee has engaged in acts constituting harassment or discrimination and inform the Rector of CUT of this fact, who will take disciplinary action against this employee, appropriate to the severity of the offence, in compliance with the provisions of the Labour Code.
 9. Disciplinary ombudspersons undertake actions in accordance with the provisions of the LoHE&S and relevant ministerial regulations.
 10. Disciplinary Board (DB) meetings are held in accordance with the provisions on disciplinary procedure laid down in the Act LoHE&S and relevant ministerial regulations.
 11. DB hearings (with the participation of the parties) are recorded using audio devices, while closed DB sessions (without party participation) are not recorded. Partial minutes (Attachment no. 3) are taken during DB meetings and hearings, on the basis of which a final record is drawn up (Attachment no. 4). The final record is signed by all DB members attending the meeting. Recordings of DB hearings are kept at CUT ACSC and constitute an attachment to the final record.
 12. Minutes of meetings should be made available to the parties for inspection upon their request.

13. In matters not regulated by this Policy, the relevant provisions of the Civil Procedure Code shall apply to proceedings before the DB.
14. Administrative support for DB meetings is provided by a member of the CUT ACSC administrative staff member, and the documentation collected is stored in separate files and archived by the CUT ACSC.
15. Information on potential consequences for perpetrators who are academic teachers is included in the personnel files in the Human Resources and Social Affairs Department, and in the personnel files of students/doctoral students in the dean's offices of the respective faculties; in the case of doctoral students of the Doctoral School, the files are kept in the Office of the Doctoral School.
16. Legal support for the board is provided by the attorney-at-law of CUT.

Art. 6

APPEAL PROCEDURE

The parties have the right to appeal a decision of the DB to the appropriate Appellate Disciplinary Board or the Disciplinary Board at the ministry competent for higher education within 14 days of the date of its delivery. The detailed procedure is specified in the provisions of the Act LoHE&S and relevant regulations.

Art. 7

FINAL PROVISIONS

1. The principles set out in this Policy do not exclude or limit the rights of members of the CUT AC to pursue claims arising from discrimination or harassment through judicial proceedings.
2. All persons involved in intervention actions in cases of discrimination or harassment are obliged to maintain strict confidentiality regarding all facts learned during and in connection with the conducted actions. The data contained in the documents may constitute sensitive personal data and are subject to protection in accordance with applicable provisions of law.

Attachment no. 1 to the Internal Anti-Discrimination Policy at Cracow University of
Technology

Cracow, on

.....
First name and surname

.....
Organizational unit

.....
Position

DECLARATION

I hereby declare that I have read and understood the contents of the Internal Anti-Discrimination Policy. Accordingly, I undertake to comply with its provisions, to refrain from any actions that may bear the characteristics of discrimination or harassment, and to immediately inform my employer if I experience or witness such behaviour.

I also understand that any of my actions exhibiting features of discrimination or harassment will not be tolerated by the employer, and I am aware of the possible consequences of engaging in such behaviour.

.....
employee's signature

Cracow, on

Case ref. no.
(assigned by the CUT ACSC)

.....
First name and surname

.....
Faculty, study programme, year of study
(for students/doctoral students/participants in a post-diploma study programme at CUT)

.....
Position, organizational unit
(for employees of CUT)

**Cracow University of Technology
Academic Community Support Centre
(CUT ACSC)**

**REPORT CONCERNING
DISCRIMINATION/HARASSMENT/STALKING/SEXUAL HARASSMENT***

Description of the facts:

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* delete if not applicable, select based on Art. 2 of this Policy

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Date or period referred to in the report:

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Indication of evidence and/or witnesses to the incident(s) supporting the described circumstances:

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Indication of the alleged perpetrator:

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Potential psychological and/or physical effects of the incident(s):

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I agree to have the case referred to mediation: YES / NO**

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date

.....

reporting person's signature

** delete if not applicable

Cracow, on

Case ref. no.
(assigned by the CUT ACSC)

PARTIAL MINUTES OF THE DISCIPLINARY BOARD
concerning case

The case was called at:
The case was closed at:

Agenda of the hearing:

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

As a result of the proceedings regarding case (to be completed by the CUT ACSC), reported to the CUT ACSC by Mr./Ms. on concerning discrimination / harassment / stalking / sexual harassment*, in which the alleged perpetrator(s) is/are Mr./Ms., the Disciplinary Board composed of:

1. – Chair of the Board
2.
3.
4.
5.

and

..... – Recording Secretary (without voting rights),

at the meeting held on, finds the following:

* delete if not applicable

Cracow, on

Case ref. no.
(assigned by the CUT ACSC)

FINAL REPORT OF THE DISCIPLINARY BOARD
concerning case

The case was called at:
The case was closed at:

Agenda of the hearing:

1. Commencement of the hearing
2. Verification of the attendance list
3. Reading of the charges by the Disciplinary Ombudsperson.
4. Giving the floor to the accused.
5. Closed session of the hearing.
6. Voting by the adjudicating members of the Disciplinary Board.
7. Announcement of the voting results.

After reviewing the case (to be completed by the CUT ACSC) reported to the CUT ACSC
by Mr./Ms. on concerning discrimination / harassment
/ stalking / sexual harassment*, in which the alleged perpetrator(s) is/are Mr./Ms.
....., the Disciplinary Board composed of:

1. – Chair of the Board
2.
3.
4.
5.

and

..... – Recording Secretary (without voting rights),

based on the presented facts and submitted evidence, rules as follows:

* delete if not applicable

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Statement of reasons for the DB's decision:

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Signatures of the Board Members:

1. – Chair of the Board
2.
3.
4.
5.

.....
date

.....
Recording Secretary's signature