



RECTOR OF MYKOLAS ROMERIS UNIVERSITY

ORDER REGARDING THE APPROVAL OF THE RULES FOR THE PREVENTION OF HARASSMENT, SEXUAL HARASSMENT OR STALKING AT MYKOLAS ROMERIS UNIVERSITY

In accordance with clauses 44.1 and 44.2 of the statute of Mykolas Romeris University, I

1. **C o n f i r m** the Rules for the Prevention of Harassment, Sexual Harassment or Persecution at Mykolas Romeris University (attached).
2. **D i r e c t** the control of the implementation of the legal act approved in point 1 of this order to Vicerector Assoc. prof. dr. Saulius Spurga.
3. **D e c l a r e** as invalid Rector's order of 2018 November 26 order no. 1I-82 "On approval of rules for the prevention of harassment, sexual harassment or stalking at Mykolas Romeris University".

Rector

prof. dr. Inga Žalėnienė

Distribution:

1 - Original

1 – Center for Academic Affairs

1 - For the Personnel Office

1 - Legal and Public Procurement Office

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RULES FOR THE PREVENTION OF HARASSMENT, SEXUAL HARASSMENT OR STALKING AT MYKOLAS ROMERIS UNIVERSITY

I. GENERAL PROVISIONS

1. The rules for the prevention of harassment, sexual harassment or stalking at Mykolas Romeris University (hereinafter - the Rules) determine the prevention measures applicable at Mykolas Romeris University (hereinafter - the University), which aim to protect the University's students and employees from possible cases of harassment, sexual harassment or stalking, as well as the rules governing such cases.
2. The rules have been prepared with regard to the Law of the Republic of Lithuania on Equal Opportunities, the Code of Academic Ethics of the University and other internal legal acts of the University, as well as the recommendations of the Office of the Equal Opportunities Controller.
3. The members of the University community in their activities are guided by the principles of equality, justice, equal opportunities, avoid and do not tolerate any form of discrimination, personal harassment, abuse of power, nepotism, respect the dignity of another person, communicate politely and respectfully with other persons, ensure a safe environment with their behaviour a work and study environment where the other person would not experience hostile, unethical, humiliating, aggressive, insulting, offensive actions.
4. The rules are published in the usual ways at the University and are posted on the University's website.
5. Harassment, sexual harassment or stalking of any person is prohibited on University campus.

I. TERMS USED IN THE RULES

6. Terms used in the rules:
 - 6.1. **Victim** - a person who has been harassed, sexually harassed or stalked by a University employee or student.
 - 6.2. **Harassment** - treating a person less favourably than others, including but not limited to when it occurs because the person:
 - 6.2.1 filed, intended to file a harassment or sexual harassment report or complaint;
 - 6.2.2 testified, gave explanations about a case of harassment or sexual harassment;
 - 6.2.3 helped file a harassment or sexual harassment report or complaint;
 - 6.2.4 participated in the process of submitting or examining a report or complaint about harassment or sexual harassment.
 - 6.3. **Report** - verbal or written submission of information about harassment, sexual harassment or stalking;
 - 6.4. **Harassment** - unwanted behaviour when, on the basis of gender, race, nationality, citizenship, language, origin, social status, faith, beliefs or opinions, age, sexual orientation, disability, ethnicity, religion or other reasons, the dignity of a person is intended to be insulted or insulted and aims to create or creates an intimidating, hostile, degrading or offensive environment
 - 6.5. **Sexual harassment** - unwanted offensive, verbal, written or physical behaviour of a sexual nature towards a person, when such behaviour is determined by the purpose or its effect of harming the dignity of the person, especially by creating an intimidating, hostile, humiliating or offensive environment.
 - 6.6. **A complaint** - a written appeal by a victim about harassment, sexual harassment or stalking.

6.7. **Complainant** - a person whose behaviour is the subject of a harassment, sexual harassment or stalking complaint.

II. FORMS OF HARASSMENT, SEXUAL HARASSMENT OR STALKING

7. Harassment, sexual harassment or stalking may take the following forms:

7.1. unwanted physical contact;

7.2. verbal or written humiliation (laughs and jokes that offend a person or a group of persons, constant remarks, hate speech, gossip, spreading rumours, slander, etc.);

7.3. displaying offensive pictures, notes or other material, offensive gestures;

7.4. deliberate isolation or lack of communication, separation from social activities;

7.5. obsessive pursuit of communication, following a person or gathering information about him, when it is not related to the work functions performed;

7.6. threats or other intimidating behaviour aimed at restricting a person's freedom of self-determination;

7.7. influencing a person in order to obtain certain conduct, services or sexual services not related to studies or the performance of work functions;

7.8. unjustified deterioration of study, work or other conditions compared to other persons.

8. The list of forms listed in clause 7 of the Rules is not exhaustive - harassment, sexual harassment or stalking can also occur in other ways that are not obvious, but create an intimidating, hostile, humiliating or offensive environment.

III. RECOMMENDED BEHAVIOUR TO AVOID HARASSMENT, SEXUAL HARASSMENT OR STALKING

9. University employees and students are recommended to adhere to the following principles:

9.1. Analyze your behavior and assess whether it complies with the provisions of the Rules.

9.2. Being aware, knowing or anticipating what potential behavior could be considered harassment, sexual harassment or stalking.

9.3. Be attentive and sensitive to individuals, respect their private life, views, beliefs, their physical and mental inviolability, try to understand whether the behavior expressed in words, writing or physical action may cause unpleasant, unwanted, infringing consequences, may disturb another person's work or studies environment such as:

9.3.1. a familiar way of greeting in the work environment;

9.3.2. compliments that are not related to the person's professional qualities and performed functions;

9.3.3. comments about physical appearance or clothing, signs of a person's identity;

9.3.4. unethical comments about a person's views, weaknesses or strengths, his private life;

9.3.5. unethical addresses (for example, name abbreviations, nicknames, diminutive addresses);

9.3.6. jokes or jokes of a sexual nature, offensive or disrespectful;

9.3.7. physical touching of a person, causing physical or psychological discomfort without maintaining a respectful physical distance;

9.3.8. obsessive showing of attention, inspection of physical appearance;

9.3.9. tone of speech, expressed sounds and movements that can offend, humiliate a person or raise associations of a sexual nature;

9.3.10. use of visual means degrading honor and dignity (e.g. posters, photos, posters, objects, etc.);

9.3.11. sending messages of an offensive nature, humiliating honor and dignity, messages not related to work functions;

9.3.12. provocative, indecent clothing.

9.4. In order to avoid unpleasant, unacceptable behavior for the person and the negative consequences of this behavior, if there are doubts that a certain behavior may be unwanted or may make the person feel

uncomfortable, humiliate his dignity, it is recommended to ask in advance, discuss with the person or other persons, whether certain behavior, form of communication are acceptable.

9.5. Not to be a passive observer of behavior that violates the provisions of the Rules, but to take active steps to stop such behavior. If such behavior occurs, do not tolerate it, do not consider it a joke or lame banter, do not encourage such behavior with an approving smile, laugh or other actions that support such behavior.

9.6. If you experience behavior that appears to be harassment, sexual harassment or stalking, it is advisable to calmly, politely tell or otherwise communicate to the person engaging in such behavior that their behavior is unacceptable and must be stopped. It is recommended to explain what gestures, words, comments, physical behavior or other actions are unpleasant, create a humiliating, offensive work or study environment.

9.7. It is advisable to record all the acts (behavior) of harassment, sexual harassment or stalking that have occurred, to write down the time, witnesses and other significant circumstances.

9.8. If harassment, sexual harassment or stalking has taken place against another person, it is recommended to encourage them to talk about it, to encourage them to approach the person who carried out these actions and to inform them immediately that such behavior is undesirable.

IV. SUPERVISION OF THE RULES ENFORCEMENT

10. The supervision of the implementation of the rules is carried out by the head of the Legal and Public Procurement Office (in his/ her absence or inability to perform his / her duties for other reasons, the deputy head of the Legal and Public Procurement Office), who, as needed:

10.1. advises employees and students on the prevention of harassment, sexual harassment or stalking;

10.2. periodically monitors compliance with the Rules;

10.3. monitors whether cases of harassment, sexual harassment or stalking are not mentioned in the University's student feedback forms;

10.4. provides recommendations to University employees and students on issues of protection against harassment, sexual harassment or stalking;

10.5. carries out a harassment, sexual harassment or stalking prevention procedure (hereinafter referred to as the prevention procedure);

10.6. organizes harassment, sexual harassment or stalking prevention training.

V. PROCEDURE FOR FILING A REPORT OR COMPLAINT.

INVESTIGATION IN PROGRESS

11. Reports or complaints of a person who reasonably believes that he or another person is being harassed, sexually harassed or persecuted may be submitted:

11.1. To the Rector or Vice-Rector of the University;

11.2. To the head of the university unit where the victim works or studies; in the absence of a department - to the victim's immediate supervisor;

11.3. To the head of the Academic Affairs Center or to the study manager supervising the victim's studies, if the complaint is filed or the victim is a University student;

11.4. To the head of the Legal and Public Procurement Office or the Deputy Head of the Legal and Public Procurement Office.

12. A notification or complaint received in accordance with the procedure established in clause 11 of the Rules shall be submitted to the Document Office no later than within one working day and registered in the Document and Process Management System (eDVS) in the Register of Documents Received by the University and forwarded to the head of the Legal and Public Procurement Office An anonymous report

or complaint is registered in the same manner as a non-anonymous report or complaint. A registered copy of the report or complaint is forwarded to the Vice-Rector of the University via eDVS. The Head of the Legal and Public Procurement Office (in his / her absence or inability to perform his/ her duties for other reasons, the chief legal officer) makes a reasoned decision on the initiation of an investigation or refusal to initiate an investigation no later than two working days from the date of receipt of a report or complaint through the eDVS system and informs about it. The Vice-Rector of the University, the victim, the person who submitted the report or complaint, if it was not submitted by the victim; if a decision is made to open an investigation - the complainant and other persons related to the investigation (witnesses named in the report or complaint, etc.)

13. During the investigation, the head of the Legal and Public Procurement Office (in his / her absence or inability to perform his / her duties for other reasons, the chief legal officer) has the right to consult with the Mykolas Romeris University Ethics Commission approved by the order of the University Rector on all issues related to the Rules and their application, whose task is to provide consultations , recommendations, conclusions regarding the evaluation of possible cases of harassment, sexual harassment and persecution at the University. The provided consultations, recommendations, and conclusions are of an advisory nature. The Ethics Commission of Mykolas Romeris University consists of the head of the Legal and Public Procurement Office (chaired by him /her) and one representative delegated by the University:

13.1. Senate;

13.2. Student representatives;

13.3. Faculty of Human and Society Studies, Institute of Psychology;

13.4. Center for Academic Affairs.

14. The investigation of a report or complaint is based on the following principles:

14.1. innocence - the complainant is considered innocent until a decision is made regarding the violation of the Rules;

14.2. operativeness – investigation is carried out in the shortest possible time;

14.3. immediacy - the victim, the complainant, the witness(es) are given all the opportunities to provide explanations, the version of evaluation and interpretation of their actions;

14.4. assistance to the victim - upon receipt of a complaint regarding a violation of the Rules, safe working or study conditions are established;

14.5. application of active prevention measures – after a violation is detected, appropriate preventive measures are applied, ensuring safe working or study conditions for individuals that do not violate their dignity;

14.6. objectivity and impartiality - the investigation is carried out objectively, without prejudices regarding the assessment of the circumstances.

15. The victim, the complainant, the persons conducting the investigation have the right to apply to the Office of the Equal Opportunities Controller during any stage of the investigation.

16. The Rector of the University may, by order, appoint another person responsible for conducting the investigation from among the members of the Mykolas Romeris University Ethics Commission.

17. The University examines and investigates only the reports and complaints when one of the parties (the victim or the complainant) is an employee of the University.

18. The person about whom a report or complaint has been received shall be informed of its content (by presenting the report or complaint with a signature or by sending him information about the content of the received report or complaint by e-mail provided by the University) and must provide an explanation in writing within 5 working days from the day of notification (sending information via the e-mail provided by the University is considered appropriate notification of the complainant). If the complainant does not provide a written explanation within 5 working days from the day of notification, it is considered that he / she refuses to explain.

19. After the Head of the Law and Public Procurement Office (in his / her absence or inability to perform his / her duties for other reasons, the deputy head of the Law and Public Procurement Office) has conducted an investigation, the Vice-Rector may submit a proposal to the Rector regarding the imposition of a possible penalty on the complainant no later than within 25 (twenty-five) calendar days from days of registration of a notification or complaint in eDVS. The proposal must be accompanied by a justification for imposing such disciplinary action.

20. Having identified signs of a possible crime, the Head of the Legal and Public Procurement Office (in his / her absence or inability to perform his / her duties for other reasons, the deputy head of the Legal and Public Procurement Office) immediately transfers the investigation material to the competent law enforcement authorities.

21. In all cases, the complainant is notified of the imposition of a penalty (in writing or by sending it via e-mail provided by the University) no later than the next working day after the imposition of the penalty. When sending a response by e-mail - a copy is attached to the Document Office, if the person is introduced by signature, - a copy of the document is submitted to the Document Office (for completion of execution control).

22. The documents of all investigations carried out in accordance with these Rules are kept at the Legal and Public Procurement Office.

VII. PREVENTION PROCEDURE

23. The prevention procedure is applied if the victim only wants to discipline the complainant and prevent such actions in the future, but does not want an investigation to be started or there is no sufficient reason to start an investigation.

24. The purpose of the prevention procedure is to ensure a safe and respectful work or study environment at the University, even in the absence of obvious signs of harassment, sexual harassment or persecution.

25. During the prevention procedure, the head of the Legal and Public Procurement Office (in his / her absence or inability to perform his / her duties for other reasons, the Deputy Head of the Legal and Public Procurement Office) repeatedly familiarizes the complainant with the Rules, drawing attention to those points, due to non-compliance, the prevention procedure was initiated.

26. The prevention procedure is carried out in the form of an interview, during which the head of the Legal and Public Procurement Office (in his / her absence or inability to perform his / her duties for other reasons, the Deputy Head of the Legal and Public Procurement Office) communicates with the affected person and the complainant, during which the aim is to resolve the disputes amicably.
