# Anti-mobbing Policy at the University of Silesia

## Chapter 1

###  General Provisions

#### Section 1

1. To support actions conducive to building positive relations between employees of the University of Silesia in Katowice based on mutual respect and equality under the law, the “Anti-mobbing Policy at the University of Silesia in Katowice” has been introduced to counteract cases of mobbing at the workplace and to set out the anti-mobbing procedure.
2. The provisions of this Policy apply solely to the employees having an employment relationship with the University of Silesia in Katowice.
3. The Polish Teachers’ Union at the University of Silesia appointed the Anti-mobbing Association (K@M) where all employees can seek legal advice and general information on mobbing.

#### Section 2

#### Definitions and explanations

Whenever the Regulation refers to:

1. the University, it shall mean the University of Silesia in Katowice;
2. the Policy, it shall mean the “Anti-mobbing Policy at the University of Silesia in Katowice”;
3. mobbing, it shall mean actions or behaviours concerning an employee or directed at an employee consisting in persistent and long-lasting harassment against or bullying of an employee, evoking low esteem of professional usefulness, causing or aiming at the humiliation of an employee, isolating them, or eliminating them from the co-worker team;
4. the Committee, it shall mean the Anti-mobbing Committee appointed by the Rector to handle mobbing complaints;
5. the Association, it shall mean the Anti-mobbing Association at the Polish Teachers’ Union at the University of Silesia (K@M).

## Chapter 2

### Implementation of the Anti-mobbing Policy

#### Section 3

1. The University shall tolerate neither behaviours nor actions bearing the marks of mobbing and violating the order of work and principles of social coexistence, and the employees that commit undesired and reprehensible acts shall be subject to severe professional consequences.
2. The Anti-mobbing Policy shall be implemented through:
3. raising awareness of the employees by participating in training in the field of counteracting mobbing in the workplace;
4. monitoring any undesired occurrences and behaviours between employees such as: conflicts, misunderstandings, rumours, slander, as well as those directed at a certain employee, such as: intimidation, harassment, humiliation, isolation, ignorance, and other actions and behaviours that violate the principles of social coexistence in order to detect them before they bear the marks of mobbing;
5. reacting quickly, resolving conflicts properly, and incurring consequences against people committing reprehensible acts in the workplace in order to eliminate occurrences that might transform into mobbing;
6. providing support to employees who report problems in the workplace or request help in resolving a conflict through, among others, providing psychological help;
7. conducting an information campaign among employees;
8. applying an early warning system against mobbing in the form of a box for anonymous information placed in public space;
9. providing employees with a possibility to lodge a complaint to the specially appointed Committee, which carries out the explanatory proceedings in the event of circumstances justifying its lodging;
10. cooperating with labour unions operating at the University of Silesia, especially with the Association.

## Chapter 3

### Principles of operation and the procedure for lodging complaints

#### Section 4

1. An employee against whom another employee, a supervisor, or a subordinate has committed undesired and reprehensible acts bearing the marks of mobbing in the workplace shall immediately inform the Rector – via the Rector’s Office or directly to the Anti-mobbing Committee – via the Department of Personal and Social Affairs.
2. An employee who has witnessed the events described in Section 4(1) shall inform the Rector or the Committee as described in Section 4(1).
3. An employee shall lodge a written complaint. The complaint shall bear a handwritten signature and the date.
4. Anonymous complaints shall not be considered.
5. The complaint shall include in particular:
6. full name of the employee charged with committing inappropriate actions or behaviours;
7. detailed description of the event, its time and place;
8. proof that confirm the accusations in the complaint; as well as
9. full names of possible witnesses;
10. the date and handwritten signature of the employee lodging the complaint.

## Chapter 4

### Principles of operation of the Committee

#### Section 5

1. The Committee shall be appointed in order to carry out the investigation to establish the legitimacy for lodging the complaint and investigate the case for mobbing-related actions.
2. The standing Committee shall be appointed by the Rector.
3. During the first session, the members of the Committee shall appoint from amongst themselves the Chair and two Vice-Chairs, as well as adopt the Rules of Procedure of the Committee.
4. A member of the Committee shall neither be an employee lodging the complaint nor an employee indicated in the complaint as a mobbing perpetrator in a legal and factual relationship, as it may arise justified doubts regarding their objectivity and impartiality.
5. In the event of the circumstances described in Section 5(4), the Rector shall appoint another person instead.
6. A member of the Committee shall submit a statement of their impartiality towards both parties of the proceedings and confidentiality on the investigation using the template that constitutes Annex No. 1 to this Policy. In the event of any impartiality issues, a member of the Committee shall be exempted by the Rector.
7. The Committee includes:

1) two representatives of academics;

2) two representatives of non-academic employees;
3) one representative of each labour union operating at the University;
4) one representative of the Rector.

1. A member of the Committee shall be granted leave from work with the right to remuneration for the time spent on performing tasks resulting from his work in the Committee.
2. The Committee shall handle the complaint including the element described in Section 4(4) and present the Rector with its findings described in Section 6(6) within 30 days of the date of its submission.
3. The Committee may request completing the complaint and shall determine its deadline.

### Explanatory proceedings

#### Section 6

1. The explanatory proceedings are confidential also after its completion.
2. The Committee shall hear the parties, i.e. a complainant, complainee, and witnesses. After hearing the parties and witnesses, a memorandum shall be drawn up, which shall be signed by the members of the Committee. In justified cases, the Committee has the right to confront the testimonies of the parties to the explanatory proceedings.
3. The members of the Committee are in a special position to ask questions to the parties and witnesses as well as examine documents.
4. A witness can be called upon request of the parties or members of the Committee.
5. The Committee shall draw up minutes of the explanatory proceedings, which shall be signed by all members present during the session.
6. The Committee shall present their findings in a written form to the Rector and propose a solution to the problem leading to the elimination of the irregularities discovered.
7. The Committee’s findings shall be delivered to the parties of the explanatory proceedings.
8. The administrative service of the Committee shall be conducted by an employee of the Department of Personal and Social Affairs, who shall take the minutes of the Committee’s meetings as well as gather and store the documentation.
9. The documentation gathered during the proceedings shall be stored for up to three years, from the date of its settlement, and destroyed after this date.

#### Section 7

1. In the case the Committee deems the complaint valid, the Rector shall take actions leading to eliminating the established irregularities, preventing its repetition, and providing help and support to the injured employee.
2. The Rector may transfer the injured employee, upon request or with the consent of that employee, to another position or prevent from direct contact between the injured party and the mobbing perpetrator.
3. In the case described in the Section 7(1), the Rector may apply sanctions against the perpetrator provided for in the provisions of the Labour Code and Labour Law.

## Chapter 5

### Final provisions

#### Section 8

1. All employees shall be obliged to be familiar with the content of the Policy.
2. Heads of organisational units and the Chancellor shall submit to the Department of Personal and Social Affairs a confirmation that their subordinate employees are familiar with the content of the Policy, constituting the Annex No 2 to this Policy.
3. Newly hired employees shall learn about the Policy on their first day of work, which shall be confirmed with their handwritten signature on the statement described in Section 8(2), which shall be included in their personal file.
4. The provisions of the Policy shall not exclude the possibility for the employee to pursue their rights and claims in court.