

GUIDELINES

*Decided by the Vice-Chancellor 12/02/2018
Ref. no. 2018/175 A 21*

GUIDELINES FOR UNIVERSITY WEST'S WORK TO PREVENT AND TAKE MEASURES AGAINST DISCRIMINATION AND VICTIMISATION

Introduction

The equal value of every individual is an obvious and fundamental prerequisite for the activities at University West. Our fundamental values state that "each and every activity at and service provided by University West is based on the principle that all people are created equal, and that democracy and diversity contribute to social welfare, justice and sustainable social development" (University West Strategic Platform ref. no. 2017/1391). The university is and shall be a transparent and open higher education institution that takes consideration to differences in order to promote the individual's opportunities for work and studies, and to develop the activities at University West. We work actively to counteract and prevent discrimination, harassment, victimisation and cultures of silence. Both employees and students shall be treated and met with respect and dignity. The university's fundamental values form, together with the governmental fundamental values, a foundation for the entire operation.

The University West strategic platform also highlights the university's work regarding inclusion, working environment, diversity and gender equality as some of the most important and central parts of the university's work towards the sustainable university: "We are a driving force within society, working together with the surrounding community to create knowledge and to make this knowledge accessible to a wider audience", this demands of us to be available, open and inclusive. The preventative work described in the following guidelines takes its starting point in the discrimination and working environment legislation and is labelled "equal opportunities". In order to achieve the preventative work described in the law, the work for equal opportunities at University West has a clear succinct connection to the university's quality and working environment processes.

Laws

The work of University West to conduct active measures and preventing and rectify discrimination and victimisation builds on the legally established responsibility that is determined in the following laws and wordings of acts:

The Discrimination Act (SFS 2008:567)

Both employees and students as well as applicants (for job positions and programmes/courses) are covered by the Discrimination Act (SFS 2008:567). It also applies to people who do not have a direct term of employment at the university, i.e. agency staff, scholarship holders, interns and those on parental leave. The university has a responsibility to investigate and take measures when an employee, student or applicant to the university considers themselves to have been subjected to harassment or sexual harassment, as well as a responsibility to ensure that the unsatisfactory conditions end. The responsibility to investigate and take measures also applies when employers/education providers become aware of the problems in various way and by people other than the person subjected, e.g. through rumours or observations. The university shall also prevent an employee or student being subjected to reprisals. It primarily regards punishment measures towards the person who has reported or complained that the employer/education provider is violating the discrimination act.

At University West reports on suspected harassment and sexual harassment as well as other forms of suspected discrimination are investigated.

According to the law the university is also, in its role as employer and education provider, as of 1 January 2017, responsible for systematically working towards an activity free from discrimination, harassment, sexual harassment or reprisals that are connected to any of the grounds for discrimination: gender, transgender identity or expression, ethnicity, religion or other belief system, disability, sexual orientation or age. The work shall be conducted systematically and continuously, by active measures based on a number of areas (see page 2). This entails:

- Investigating whether there are risks of discrimination or reprisals or other obstacles for equal rights and opportunities of individuals in the activities
- Analysing reasons for discovered obstacles and risks
- Taking the preventative and promotional measures than can reasonably be demanded
- Following up and evaluating the work

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The work shall be conducted continuously and be documented. There shall be a timetable and the measures shall be taken as soon as possible and be conducted in collaboration with employees and students. Furthermore, the university shall, in its role as employer, promote an equal gender distribution and conduct annual salary surveys.

The Work Environment Act (SFS 1977:1160) and its provisions

According to the Work Environment Act (WEA) and the provision AFS 2001:1, the university has a responsibility and commission to conduct systematic working environment efforts that are to be included as a natural part of the activities. Both employees and students are encompassed by the law. This means that University West shall plan, organise and follow up the working environment in a targeted manner in accordance with the applicable requirements for systematic working environment efforts, which shall lead to improvements and developments of the working and study environment at the university. Furthermore, University West shall plan and organise its work so that victimisation is prevented as far as possible and when there are any signs of it occurring measures shall be taken immediately in the working and study environment. Victimisation is defined in AFS 2015:4 as “actions directed against one or more employees in an abusive manner, which could lead to ill health or their being placed outside the community of the workplace” and it is a broader term than discrimination as it is not connected to one of the grounds for discrimination. There shall be routines available to counteract and prevent victimisation. For students, preventative work shall be conducted within the framework of the systematic working environment efforts in accordance with the Work Environment Act and provision 2001:1.

Other laws to be taken into consideration in the work

These guidelines have primarily been designed based on the applicable discrimination legislation and the Work Environment Act but also other laws, regulations and political objectives and action plans are important to consider in the work regarding equal opportunities and victimisation such as:

- The Ordinance concerning Central Government Authorities’ Responsibility for the Implementation of Disability Policy (SFS 2001:526).
- The Parental Leave Act (SFS 1995:584)
- The Higher Education Ordinance (SFS 1993:100)
- The Higher Education Act (SFS 1992:1434)
- The Government’s disability policy targets. See the national action plan, *Från patient till medborgare – en nationell handlingsplan för handikappolitiken (From patient to citizen – a national action plan for disability policy)* (Govt. Bill 1999/2000:79).
<http://www.regeringen.se/regeringens-politik/funktionshinder/mal-for-funktionshinderspolitiken/>
- The Government’s equality policy targets. See the Government website <http://www.regeringen.se/regeringens-politik/jamstalldhet/mal-for-jamstalldhet/>
- The United Nation Global Sustainable Development Goals <http://www.globalamalen.se/om-globala-malen/>

Division of responsibilities managers and staff

The vice-chancellor has the overall responsibility for the university’s systematic working environment efforts where equal opportunities are included. The vice-chancellor is responsible for establishing university-wide guidelines and policy documents on equal opportunities and routines regarding discrimination, harassment and sexual harassment as well as victimisation and revise them annually. The equal opportunities coordination group is available as a support for the vice-chancellor in this work and there are specialists in the areas of equal opportunities and working environment.

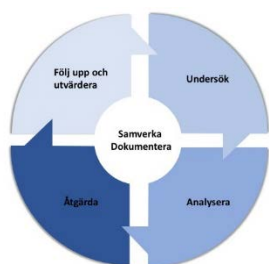
Heads of department, the university director, the head of library and division managers within departments, administration and library have the direct responsibility for the systematic working environment and equal opportunities work within their departments/divisions (delegated by the vice-chancellor) and responsibility to prevent, investigate and manage cases connected to discrimination, harassment, sexual harassment and victimisation. Managers in charge shall, when aware of the prevalence or potential prevalence of harassment, sexual harassment or victimisation, take measures, inform their superior and HR specialists (for support in their work) and document efforts and measures continuously. The work units shall also highlight their preventative work to counteract sexual harassment in accordance with “Commission to counteract sexual harassment at the university” (Appropriation directions for the budget year 2018 regarding university colleges and universities) and work with gender mainstreaming based on the Government commission “Gender

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mainstreaming at universities and university colleges” (Appropriation directions for the budget year 2018 regarding university colleges and universities) and the University West plan for gender mainstreaming (ref. no. 2016:36 A 15).

Heads of work units (i.e. heads of department, university director and head of library) makes decisions in matters regarding discrimination, harassment, sexual harassment and victimisation with the exception for cases encompassed by regulations for disciplinary measures in the Higher Education Ordinance, which are managed and decided on in accordance with the regulations in the Higher Education Ordinance.

The responsible head of work unit and division managers shall in collaboration with employees and students systematically work with equal opportunities in accordance with the model for active measures by investigating, analysing, rectifying, following up and evaluating a number of areas with the purpose of preventing and creating an environment free from discrimination.



The work shall take place based on the areas stated in the law. For employees the following areas shall be taken into consideration:

- Working conditions
- Regulations and practice regarding salaries and other terms of employment
- Recruitment and promotion
- Education and other professional development
- Opportunities to combine gainful employment with parenthood

Furthermore, University West, in its role as employer, shall promote an equal gender distribution and produce guidelines and routines to prevent harassment, sexual harassment and reprisals as well as carry out salary surveys.

For students, the equivalent areas apply:

- Admission and recruitment
- Teaching forms and organisation
- Examinations and assessments
- Study environment at the university

University West shall also, in its role as education provider establish guidelines and routines to counteract harassment and sexual harassment and collaborate with students in its work.

Furthermore, the university shall carry out reasonable measures so that the activities are accessible for individuals with disabilities.

After having examined and analysed the situation in their activities, each respective work unit and head of work unit shall annually establish an equal opportunities action plan with time limited efforts and measures to be implemented. The established plan, which also shall contain an account of how the survey and analysis of the results have been made and how the collaboration with employee organizations and students has been conducted, shall be reported to the equal opportunities coordination group which will report to the vice-chancellor and reconnect the work to the Working Environment Committee HAMK. Each respective head of work unit is also responsible for, at the end of the year in connection with other annual reporting, follow up and evaluate the equal opportunities work and report it to the equal opportunities coordination group.

The equal opportunities coordination group is responsible for supporting the work units in their work with active measures, by developing support structures and support documentation in their work for example. The coordination group is also responsible for, at the vice-chancellor’s request, developing university-wide guidelines and an action plan, guidelines and routines (to be revised annually) and initiate university-wide measures and activities within equal opportunities.

Furthermore, each employee and student at University West has an individual responsibility to prevent discrimination and victimisation in their everyday interactions with colleagues, students, student colleagues, staff and applicants to the university. This is done by respectfully meeting each other and act for an environment free from discrimination,

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harassment, sexual harassment and victimisation. By pointing out any grievances that you become aware of, you take responsibility for this.

For more information on the university's work on equal opportunities and routines to prevent harassment, sexual harassment and reprisals as well as victimisation, visit: www.hv.se/likavillkor

These guidelines come into force on 12 February 2018. The previous established guidelines ref. no. 2010/771 A 21 thereby cease to apply