

ADMINISTRATIVE PROCEDURES FOR THE WORK AGAINST DISCRIMINATION, HARASSMENT AND OTHER FORMS OF VICTIMIZATION

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Decision-maker: The Vice-Chancellor

Administrator: Niklas Bergman

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Summary: Administrative procedures for Mid Sweden University's work against discrimination, harassment and other forms of victimization

Starting points

Mid Sweden University aims to be a university and workplace free from discrimination, harassment and other forms of victimization.

The equality of all human beings is an obvious and basic value in all activities at Mid Sweden University. Both students and employees should be treated and met with respect and dignity and differences should be respected in order to make the most of the individual's opportunities in terms of studies and work, and to develop the activities at Mid Sweden University.

The Swedish Discrimination Act, SFS 2008:567, covers the following grounds of discrimination: sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. At Mid Sweden University, we call the work related to these matters Equal Opportunities.

Working towards equal opportunities means to work with knowledge, attitudes, values and behaviour. It is also about observing and making visible non-equal norms and power structures in order to make change possible. This work should be well-established in the University and integrated in its daily activities.

The Work Environment Act (1977:1160) and the Work Environment Ordinance (1977:1166) provide the framework for the management of the work environment. The Provision of the Swedish Work Environment Authority (AFS 1993:17) regulates the prevention and counteraction of all forms of victimization in more detail.

The structure and organization of the efforts

Strategy for the Prerequisites for our Activities is a framework document that is decided on by the Mid Sweden University Board. It forms the basis for the Equal Opportunities Action Plan.

The Equal Opportunities Action Plan is a plan of measures stretching over three years for employees and one year for students. It is decided on by the Vice-Chancellor. The action plan contains active measures for employees and students on a central level, in accordance with the legislation in force relating to equal opportunities. The plan forms the basis for the work that is done at a local level.

The Local Strategy Plan for Equal Opportunities concerns both the employees and the students and shall be established annually on a departmental level with regard to the activities that are being conducted at the faculties, the service functions and the library/LRC. These plans contain active measures based on local conditions and, among other things, Mid Sweden University's Equal Opportunities Action Plan.

Responsibilities and roles

The Chairperson of the Strategy Group for Equal Opportunities is responsible for leading the equal opportunities efforts, by order of the Vice-Chancellor.

The Head of Department, or person in a corresponding position, is responsible for the equal opportunities efforts in their area of responsibility. To support them in this work, there are three equal opportunities representatives, one to represent each faculty and one to represent the Administration, Library and Faculty Offices.

Each part of the organization will annually draw up, carry out and follow up a local strategy plan for the work towards equal opportunities. They will also set aside resources in the form of time and financial means for this work.

The Head of Department is responsible for ensuring that any case involving harassment and discrimination in connection with the grounds of discrimination is turned over to the equal opportunities coordinator for further handling. Any other incidents of victimization fall within the scope of the Head of Department's work environment responsibility.

The Strategy Group for Equal Opportunities is responsible for creating strategies relating to the equal opportunities efforts. A special budget is set aside for their activities. The strategy

group supports the Vice-Chancellor equal opportunities matters and is responsible for proposing strategies and a central action plan.

The equal opportunities coordinator is the secretary of the Strategy Group for Equal Opportunities and supports the university's managers, boards and committees, as well as the students, in equal opportunities matters. One part of his or her duties is to work with developing, coordinating and following up on activities relating to equal opportunities efforts at the University. He or she is also responsible for handling current cases involving equal opportunities matters.

The equal opportunities coordinator, with the support of a legal expert, is responsible for handling and preparing cases involving harassment and discrimination connected to the grounds of discrimination. During the investigation, the Head of Department concerned with the case will be kept informed of any developments.

The equal opportunities representatives are a part of the employer's management resources. Their primary role is to support the managers with regard to observing and promoting equal opportunity aspects in decision-making processes and the daily activities of the university. This concerns both the employees and the students.

If an equal opportunities representative learns of a case of victimization, harassment or discrimination, the representative is responsible for informing the equal opportunities coordinator thereof.

All students and employees also have a responsibility to counteract discrimination, harassment and other forms of victimization by reacting and acting to prevent such attitudes and behaviour.

Following up the equal opportunities efforts

The local strategy plans drawn up by the different parts of the organization are debriefed during the regular activities dialogue. The annual follow-up of the local strategy plans form the basis for planning the continued efforts.

The equal opportunities coordinator is responsible for creating a University-wide compilation and analysis of the results of follow-up of the activities, with a special focus on the measures that are listed in Mid Sweden University's Equal Opportunities Action Plan.

The Strategy Group for Equal Opportunities will continuously monitor the development both within and outside the university and take the initiative for measures to secure the attainment of both short-term and long-term goals.

If victimization, harassment or discrimination should occur

The university is required by law to work actively towards becoming an institution that is free of offensive treatment*.

One part of that requirement is to work methodically to counteract discrimination, but also to act when there are reasons to presume that some form of offence has occurred. The offences that are referred to below are based on one of the grounds of discrimination that are listed in the Swedish Discrimination Act. Other forms of offences fall within the scope of the Head of Department's work environment responsibility, which also includes the study environment of the students, and will be dealt with accordingly.

If an employee learns that another employee, student or applicant has been harassed or sexually harassed in connection with the activities of the university, the university is required to investigate the matter. Such investigations are carried out by the equal opportunities coordinator, with the support of a legal expert. There are no corresponding rules in the Discrimination Act for investigating other forms of offences. However, Mid Sweden University does not accept offensive treatment of any form and consequently, measures will be taken even in those cases when the offence was not in the form of harassment. It may, however, be difficult for the person who receives the information that someone has been offended to determine whether or not it is a case of harassment. The basic rule is therefore that cases involving discrimination and other forms of offensive treatment should initially be dealt with in the same manner as cases involving harassment.

Any superior who learns that an employee or a student feels harassed or sexually harassed must as quickly as possible turn the case over to the equal opportunities coordinator and afterwards assist him or her in his or her investigation. An employee who similarly has learned that someone feels harassed or sexually harassed should primarily turn to the Head of the Department where the offence took place, the equal opportunities coordinator or the equal opportunities representatives.

If you are an employee and you are being harassed or sexually harassed, or if you witness another employee or a student being harassed or sexually harassed, please contact your immediate superior, the equal opportunities coordinator or the equal opportunities representatives.

If you are a student and are being harassed or sexually harassed, or if you witness a fellow student being harassed or sexually harassed, please contact the responsible Head of Department of the department that offers the course or programme, the equal opportunities coordinator or the equal opportunities representatives.

Even though the university is required to investigate suspicions of harassment and sexual harassment, a student or an employee is, of course, able to discuss the matter without making a formal report. The integrity of the victim must always be respected.

(*In this context, the terms offence or offensive treatment are used to refer to direct and indirect discrimination, inadequate accessibility, harassment and sexual harassment as described in the Discrimination Act, victimization according to the Work Environment Legislation, and other forms of offensive treatment.)

The following roles can be contacted for advice, support and information

For employees:

- The equal opportunities coordinator
- Your immediate superior
- The equal opportunities representatives
- The work environment administrator/HR specialist
- The legal expert
- The Union representatives
- The Safety representative
- The Occupational Health Service
- The Equality ombudsman

For students:

- The equal opportunities coordinator
- The responsible Head of Department
- The Director of Studies or the programme coordinator
- The teacher
- The Student Health Office
- The equal opportunities representatives
- The study adviser
- The legal expert
- The Safety representative
- The Equality ombudsman

Formal report

A formal report must be in written or sent via e-mail to the Mid Sweden University's legal expert or to the Mid Sweden University equal opportunities coordinator. You can also turn directly to the government agency The Equality ombudsman (*Swedish: DO*).

Advice for the Heads of Department and others

Offensive treatment and harassment are among the most sensitive issues that may arise in a workplace or during an education, because they so strongly affect a person's personal integrity. It is important for all parties concerned – the victim, the offender and the university – that the harassment ends as soon as possible and that the matter is investigated with a great deal of integrity.

First, it must be determined if the offence/harassment is connected to any of the grounds of discrimination. If so, the case will be dealt with by the equal opportunities coordinator, in accordance with the contents of this document. If not, the case will be treated as a work environment issue, which means that the Head of Department will be responsible for its further handling.

Sometimes, it is difficult to determine whether a case concerns equal opportunities matters or the work environment. If uncertainties arise, the Head of Department is recommended to contact the equal opportunities coordinator or the legal expert for an assessment.

Taking measures and consequences

Which investigative measures to take is to be decided on a case-by-case basis and depends on the course of events of the individual case, as well as on the legal and actual possibilities of the university to get to the bottom of the matter. It is only in those cases where there can be no doubt about the fact that no harassment has occurred that the university may be considered to be released from the requirement to take investigative measures. The university should form its own opinion about the truthfulness of the alleged harassment. However, that does not mean that the university should assume a definitive position on which person is telling the truth; in some cases, the given statements may be entirely irreconcilable and the rest of the circumstances may also remain unclear. In such cases, it may occur that the university is unable to determine what really happened. The people involved may then be directed to turn to the means of investigation that are offered by society in the form of criminal investigations, provided that what has occurred is of that level of gravity.

More information

You can find more information about the work towards equal opportunities on the Mid Sweden University website

www.miun.se/likavillkor

There is also plenty of information to be found on the Discrimination ombudsman's website

www.do.se

You can find information about working environment management at Mid Sweden University at

<http://www.miun.se/medarbetare/stod/personalfragor/arbetsmiljo>