ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN

Chapter I
General provisions

§1

1. The University of Szczecin, hereinafter referred to as "the University", has an internal anti-mobbing policy.

2. The Anti-Mobbing Regulations, hereinafter referred to as the "Regulations", set out the principles for counteracting the phenomenon of mobbing at the University.

3. The terms used in these Regulations mean the following:
   1) Harassment - acts or behaviour concerning or directed against a employee, consisting of persistent and prolonged mobbing or intimidation of that employee, resulting in an underestimation of his professional suitability, causing or aimed at humiliating or ridiculing the worker, isolating him or eliminating him from the team of colleagues;
   2) Anti-Mobbing Committee - a collective body established to deal with reports of mobbing, hereinafter referred to as the Committee;
   3) Arbitration Panel - a team of investigators acting on behalf of the Committee;
   4) employer – the University;
   5) employee - a person employed at the University on the basis of an employment relationship;
   6) mobber - an employee who is the perpetrator of mobbing.

Chapter II
General principles of internal anti-mobbing policy

§2

1. The priority objective of the internal anti-mobbing policy is to support activities that foster positive relations between employees.

2. The University opposes mobbing and does not accept mobbing or any other form of psychological or physical violence.

3. The University makes efforts to ensure that the work environment is free of mobbing and other forms of violence both from superiors and colleagues.

4. The use of mobbing constitutes a breach of the basic obligations of employees and may give rise to the application of sanctions provided for in labour law provisions, in particular the application of penalties of order, change of working and pay conditions or termination of employment contracts.
Chapter III
Responsibilities of the University and the employee in terms of shaping employee relations

§3

1. The basic duties of the University concerning mobbing counteracting include the following:
   1) compliance with the rules of labour law;
   2) respecting personal dignity of an employee;
   3) respecting employee's world-view and political beliefs;
   4) using of objective assessments of employees' performance, skills, competences and professional experience;
   5) respecting the right of employees to form and belong to organisations entitled to represent their interests;
   6) preventing the use of offensive language;
   7) combating psychological, physical and sexual harassment of workers;
   8) appointment of a Committee referred to in these Regulations;
      providing training on mobbing and internal anti-mobbing policy for members of the Committee referred to in these Regulations.;
   9) providing training for members of the University authorities on anti-mobbing policy.

2. The employee's primary duties in the field of internal anti-mobbing policy are as follows:
   1) making every effort to ensure that the phenomenon of mobbing does not occur at the University;
   2) resolving conflicts with other employees without prejudice to the personal dignity of the parties to the conflict, the organisational culture of the University, as well as without prejudice to the workflow;
   3) not using their powers and information obtained in the course of their work for purposes other than those for which they were made available;
   4) responding to perceived mobbing and reporting these events in accordance with the procedure in force;
   5) using the means at their disposal to care for their dignity and safety.

3. Every University staff member must read these Regulations by making a declaration to the Human Resources Department. A model of the declaration is attached as Annex 1 to these Regulations.

4. Declaration of acquaintance referred to in paragraph 3 shall be included in the employee's personal file.

5. The parties undertake to settle any disputes, in the first instance on an amicable basis.

Chapter IV
Mobbing Behaviour

§4

1. Behaviour which may constitute a manifestation of mobbing includes in particular:
   1) Behaviour which disrupts an employee's ability to communicate (e.g. limiting his or her ability to express himself or herself, isolating him or her from colleagues, deliberately misleading or misinforming an employee);

   2) Behaviour which disrupts social relations in which an employee participates (e.g. "cutting an employee dead", ostentatiously not giving an employee's hand when greeting a group of co-workers, conflicting co-workers);

   3) Behaviour aimed at distorting social perception of an employee (e.g. spreading rumours about an
employee, ridiculing him/her, making fun of him/her, forcing him/her to perform work that violates his/her personal dignity, preparing lying documents about an employee, public criticism of his/her activity, continuous and unjustified multiplication of resentment against an employee);

4) **Behaviour affecting the quality of an employee's life and professional situation** (e.g. lack of entrusting an employee with tasks to be performed at work, unjustified withdrawal of previously assigned tasks or work tools, entrusting work above or below employee's skills or abilities, deliberate creating of employee's working conditions in such a way as to make his or her life miserable or difficult in the workplace or in his or her private life, permanent blocking of promotions, unjustified intimidating and threatening of dismissal, excessive control and surveillance of an employee);

5) **Behaviour which has a harmful effect on an employee's health** (e.g. forcing an employee to carry out work which adversely affects his or her health, using physical or mental violence against an employee).

2. We can talk about mobbing behaviour when:
   1) Such a behaviour is repetitive, continuous and consistent;
   2) The behaviour lasts for a long time, despite the reporting of mobbing incidents;
   3) The behaviour is deliberate and leads to an underestimation of professional suitability;
   4) Behaviour causes an employee to be isolated or eliminated from a team of co-employees.

3. Behaviour and situations such as these specified below are not considered mobbing:
   1) a one-off incident of ridicule or disrespect for an employee;
   2) justified criticism - indication of errors in the work;
   3) conflict - situations in which parties are obstructing each other's tasks;
   4) dissatisfaction with duties assigned, unwillingness to carry out tasks assigned and lack of satisfaction;
   5) stress related to allocated responsibilities;
   6) holding an employee liable for failure to comply with his obligations or for infringement of his /her rights;
   7) setting high demands on the quality of work.

Chapter V
Liability

§5

The Rector shall take appropriate actions referred to in § 2 Section 4 of these Regulations against an employee who has been proven to be subject to mobbing.

Chapter

Procedure

§6

1. An employee in case of:
   1) encounters behaviour that he/she considers to be mobbing behaviour,
   2) learns about the occurrence of mobbing behaviour,
   3) considers that he/she has experienced mobbing behaviour,

has the right to lodge a complaint in person, in writing, as evidenced by his/her signature or by e-mail to the Committee via its Chairperson or the Rector.
2. Anonymous complaints will not be considered.
3. A complaint form constitutes the Annex 2 to these Regulations.

§7

1. The Rector of the University of Szczecin shall appoint members of the Committee, including the Chairperson, for a period corresponding to the term of the University of Szczecin [US] authorities.
2. The Committee shall consist of:
   1) 3 representatives of the employer;
   2) 3 representatives of the employer's trade unions;
   3) 3 employees with legal education.
3. The Committee shall meet when convened by its Chairperson.
4. The Chairperson of the Committee is responsible for:
   1) the appointment of the arbitration panel and the designation of a Chair the Arbitration Panel if a complaint referred to in § 6 is submitted;
   2) conveying to the US Rector the Committee's position in the case under consideration.
5. Immediately, but no later than seven days after mobbing behaviour has been reported, a 3-member panel shall be appointed from among the members of the Committee to carry out an examination.
6. An Arbitration Panel shall be composed of representatives of each group referred to in points 1 to 3 of paragraph 2.
7. Members of the Committee shall act in accordance with the principles of:
   1) urgency;
   2) confidentiality;
   3) impartiality;
   4) focusing on a comprehensive explanation of facts and a solution to the problem.
8. Members of the Arbitration Panel are entitled to review documents necessary to clarify a case.
9. A member of the Arbitration Panel shall be excluded from participation in the examination of the case:
   1) in which he/she is party to the proceedings or has a legal or factual relationship with one of the parties in such a way that the outcome of the case may affect his/her rights or obligations, in particular:
      a) is the person who complains or the person indicated in the complaint as a mobber;
      b) is the head of the organisational unit where a complainant has been lodged by an employee;
      c) is a witness in a case that has been initiated;
      d) one or both of the parties are employed in the same Department/equivalent organisational unit in which a member of the Arbitration Panel is employed;
   2) concerning his/her spouse and second-degree relatives and affinities;
   3) concerning a person associated with him/her by way of adoption, custody or guardianship.
10. Reasons for excluding a member of the panel from participation in the examination shall continue after the termination of the marriage, adoption, custody or guardianship.
11. If a member of the Arbitration Panel is excluded, the Chairperson of the Committee shall appoint another member from among the other members of the Committee.
12. The Committee shall always be under an obligation to exclude a member from the panel in cases where circumstances are likely to cast doubt on his or her impartiality.
13. At the first meeting, the Chairperson and the members of the Arbitration Panel shall make a declaration in accordance with the sample constituting Annex 3 to these Regulations.
§ 8

1. An examination should start as soon as possible, but no later than seven days after the appointment of the Arbitration Panel.

2. The Rector grants a dismissal from work with the right to remuneration in respect of:
   1) members of the Committee, for the duration of the work of that Committee, and with regard to academic teacher, he/she may request, in specific cases, that work in the Committee be counted as part of the dean's pool;
   2) witnesses and parties to the proceedings for the duration of the examination before the Committee.

§ 9

1. The Committee shall examine the complaint as soon as possible, but no later than two weeks after the opening of the examination.

2. In particularly justified cases, the examination may be extended, but should be concluded within 3 months of its initiation.

3. The result of the Committees’ work is a report drawn up by the Arbitration Panel, signed by all members and the parties involved in the proceedings, excluding witnesses.

4. The examination report shall include in particular:
   1) a description of facts established in the course of the proceedings;
   2) witness statements;
   3) decision whether the complaint is justified or unfounded;
   4) proposed actions and legal measures against a mobber.

5. A sample of the report is attached as Annex 4 to these Regulations.

6. The Chairperson of the Committee shall convey the position of the Committee to the Rector, together with the report of the meeting of the Arbitration Panel, without delay and no later than 3 days after the end of the examination.

7. In case a complaint is considered justified, the Rector decides on further actions in the case, pursuant to § 5.

8. The Committee may consider a complaint to be unfounded, but at the same time it may find that the incident referred to in the complaint, although not exhausting the signs of mobbing, is a reprehensible incident.

9. The Rector may transfer the affected employee, at his/her written request or with his/her consent, to another workplace or otherwise prevent direct contact between an affected employee and the mobber.

10. The right to inspect the examination file at any stage of the examination shall be vested exclusively in the parties to the examination, at their written request, and in the members of the Committee and the US Rector.

11. Witnesses attending meetings of the Committee shall be required to keep secret all facts and circumstances which have come to their knowledge in the course of the examination.

12. The administrative and organisational services of the Committee shall be provided by the Rector's Office.

13. The records of the examination together with the report shall be kept by the Rector of the University of Szczecin, on a confidential basis, for a period of 3 years from the date of the decision in the case referred to in paragraph 7.

14. Information contained in documents which constitute sensitive personal data is subject to protection pursuant to the Act of 10 May 2018 on Personal Data Protection (i.e. Journal of Laws of 2019, item 1781 as amended).
Chapter VII
Final provisions

§10

1. Heads of all organisational units of the University of Szczecin are obliged to acquaint their subordinate employees with the Regulations and to submit to the Human Resources Department a declaration signed by an employee, which constitutes Annex No. 1 to the Regulations, within 30 days of its introduction.

2. The procedures set out in this Order shall not preclude an employee from pursuing his/her rights and claims in court.

Stamp of prof. Dr hab. Edward Włodarczyk, Prof. Ph.D. Rector of the University of Szczecin, signature illegible
Annex I to the ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN

(name of employee)

(organizational unit)

DECLARATION

I declare that I have read the ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN, introduced by Order No ... The Rector of the University of Szczecin of ......................... and I undertake to comply with them.

Szczecin, dated ......................

(signature of employee)
Annex 2 to the ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN

Szczecin, dated: ..............................

His Magnificence Rector of University of Szczecin
Anti-Mobbing Committee at the University of Szczecin

Written complaint of mobbing

1. Data of the person lodging a complaint:
   1) First and last name..............................................................
   2) Position..............................................................................
   3) Organizational unit..............................................................

2. Details of person(s) who are subjects of mobbing:
3. First and last name, position of person(s) committing the act(s) or behaviour that has the characteristics of mobbing:
4. Official relationship between persons listed in paragraphs 2 and 3 (supervisor-superior, equivalent positions, no official relationship):
5. Description of circumstances and behaviours which indicate the use of mobbing (e.g. circumstances and behaviours indicated in § 4 section 1 of the Anti-Mobbing Regulations of the University of Szczecin):
6. Duration and place of the above mentioned behaviour:
7. Description of actions taken by a complainant to date to eliminate unwanted behaviour:
8. Effects of undesirable behaviour (e.g. frequent use of rest leave or sick leave to avoid the behaviour described in paragraphs 5 and 6, suicidal thoughts, nervous disease, psychological therapy):
9. Evidence to support the facts (e.g. documents, witnesses):
10. Additional information and comments:

(signature of a complainant)
Annex 3 to the ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN

(first and last name of member of the Arbitration Panel)

DECLARATION

Following my appointment as a member of the Anti-Mobbing Committee to deal with the complaint lodged by me::

I declare that:
1) I am not the spouse, relative or relative by affinity - up to and including the second degree - of any of the persons concerned, nor have a legal or factual relationship with them that may raise doubts about my impartiality;
2) I shall keep confidential all information obtained in connection with the examination of the complaint.

Szczecin, dated ........................................

(Signature of a member of the Arbitration Committee)
Annex 4 to the ANTI-MOBBING REGULATIONS OF THE UNIVERSITY OF SZCZECIN

Szczecin, dated: ....................................

Report on the examination of the complaint of mobbing

lodged by an employee (name and surname)
employed in (an organisational unit of the University)

The Anti-Mobbing Committee, which is hearing the complaint composed of:

1) Mr./Mrs. .......................................................... Chairman of the Committee,
2) Mr./Mrs.......................................................... member of the committee,
   Mr./Mrs.......................................................... member of the committee,

in the course of the proceedings, the Committee took the following steps:

1.
2.
3.

as a result of which the Committee established the following facts:

Recommendation for further employer action:

1) Attempting to resolve a complaint amicably
2) Enforcing the elimination of the undesirable behaviour and events identified
3) Initiation of a disciplinary examination
4) Punishing an employee with an disciplinary action
5) Termination of employment
6) Others:

Signatures of Members of the Committee:
Register No. 2693 / 2020
I, Jaroslaw Kusior, sworn translator of English
hereby certify that this is a true copy of the original document submitted in POLISH

Fee charged according to effective Regulation of the Minister of Justice on the Sworn Translator’s Remuneration for Translation Services of January 24, 2005
Dziennik Ustaw (Polish Journal of Laws) of 2005 No. 15 item 131

Warsaw, dated: 23rd December, 2020