

UNIVERSITY OF PADUA
CODE OF CONDUCT
FOR THE PREVENTION OF SEXUAL AND MORAL HARASSMENT

Art. 1

Statement by the University

The University of Padua observes the Recommendation made by the Commission of the European Communities signed on November 27, 1991, 92/131/EEC on the protection of the dignity of women and men at work.

The University of Padua guarantees all persons who work and study at the University the right to a safe and serene work environment in which interpersonal relationships are based on fairness, equality, and mutual respect. The University guarantees protection for all persons who work and study at the University from any act or behaviour that produces harmful effects of discrimination.

Art. 2

Definition of sexual harassment

1. Sexual harassment is defined as an unwanted act or behaviour, including those of a verbal, non-verbal, or physical sexual nature that offends the dignity of any persons in the study or work environment
2. Sexual harassment is a form of discrimination of a sex nature that violates the principle of equal treatment between men and women.
3. In particular, categories of sexual harassment include the following behaviours:
 - a) explicit or implicit requests for sexual favours or unwelcome attention of sexual nature deemed inappropriate and offensive by those who are involved
 - b) posting or display of pornographic material in the university environment, also in electronic forms
 - c) adoption of sexist criteria in any type of interpersonal relationship
 - d) implicit or explicit promises, benefits, privileges or career advancement in exchange for sexual services
 - e) threats or retaliation for refusing sexual services
 - f) unwanted or inappropriate physical contact
 - g) verbal remarks regarding one's physical appearance or comments on sexuality or sexual orientation

Art. 3

Definition of moral harassment

1. Moral harassment is defined as any hostile behaviour directed against an individual including physical or psychological fear, characterized by prolonged or systematic repetition that is likely to create a disrespectful environment of humiliation or harm to a person's psychophysical integrity.
2. Moral harassment can also be based on gender, ethnicity, religion or political affiliation.
3. In particular, categories of moral harassment include the following behaviours:
 - a) damage to self-image including offences, intimidation, slander, insults, dissemination of confidential information, insinuations of a psychological or physical illness of an individual aimed at discrediting the person, as well as behaviours adopted in the manner indicated in the first paragraph
 - b) professional damage of an individual including threats of dismissal, forced resignation, unjustified transfers, wage discrimination, prejudice to career progression or prospects, unjustified removal from current positions, assignment of improper tasks, actions that create demotivation or distrust of an individual, or discouraging the continuation of its business
 - c) attempts at marginalization and isolation, including unwanted change of responsibilities or work colleagues with the intent to punish or limit the faculty of expression or excesses of control

Art. 4

Scope

This code applies to all those who study and work at the University of Padua in any capacity (students, structured teaching and technical-administrative staff, holders of Italian and foreign scholarships, authorized visitors or guests, interns, grant holders or contract holders, outsourced personnel, coordinated and continuous collaborators, consultants, doctoral students and post-doctoral students, postgraduates, trainees and graduates, attendants, etc.).

Art. 5

Responsibility of collaboration

1. The full list of persons included in Art. 4 must contribute to ensuring a study and work environment in which the dignity of others is respected. Those who bear witness to any behaviour or acts of harassment but who fail to intervene in defence of the victim may be considered co-responsible.
2. The managers of the structures and offices have the duty to promote the prevention of sexual and moral harassment in the areas of study and work they oversee. The central and peripheral bodies of the University and the managers are directly responsible for disseminating and respecting the Code of Conduct and must support individuals who requests to file a report of sexual or moral harassment by providing indications and clarifications about following correct protocols and procedures.

Art. 6

Trusted Advisor(s)

1. Trusted Advisor(s), apart from their role in legal protection, provide advice and assistance to those reporting sexual or moral harassment. Trusted Advisor(s) are appointed by the Rector as external persons of the University and are chosen for their competence and professional experience needed for carrying out the intended task.
2. For this purpose, the Academic Senate appoints a Commission composed of the University Ombudsman, the Rector's Delegate for gender issues and equal opportunities, two persons designated by the Equal Opportunities Committee and an expert of the particular issue. The Commission examines all applications following a notice published by the University, according to the model set out in Annex A, and to which the widest dissemination is given, and then proposes a motivated ranking to the Rector. The Trusted Advisor(s) in the performance of their function, shall act in full autonomy and remain in office for three years and may only be confirmed once for a second three-year term.
3. The University provides the Trusted Advisor(s) with adequate means and human resources to fulfil their functions. Trusted Advisor(s) in the context of the procedures referred to in Art. 7, are guaranteed the right to access the deeds and documents of the Administration and can make use of internal or external consultants (lawyers, psychologists, social workers, etc.).
4. Trusted Advisor(s) must submit a report on their activities to the Rector, the Academic Senate and the Equal Opportunities Committee yearly. Trusted Advisor(s) shall propose information and training actions as well as initiatives aimed at promoting environments that ensure the equal dignity and freedom of people within the University.
5. Upon request, Trusted Advisor(s) may participate in meetings of the Equal Opportunities Committee as an expert, without the right to vote.
6. Trusted Advisor(s) will receive a flat-rate fee as well as an attendance fee that is appropriate to their professional role and activities performed.

Art. 7

Procedures to protect the harassed person

Those subjected to sexual or moral harassment should contact a Trusted Advisor within 60 days of the incident. The Trusted Advisor will collect all the information, under complete consent of the applicant, and shall follow the procedures provide for with the information and direct the applicant of said procedures.

A. Informal procedure:

1. Trusted Advisor(s) assumes responsibility of the case at the request of the person involved and agrees to address the situation as follows:

- a) agrees with the alleged harassed person of the most suitable procedure to stop the harassing behaviour
- b) may invite the person indicated by the alleged harassed person to an interview as the alleged perpetrator of the harassment
- c) collect information needed performance their duties, including testimony from informed persons and access to relevant administrative documents
- d) may organize meetings between the alleged harassed person and the alleged perpetrator aimed at reconciling the situation
- e) propose suitable measures to the administration to safeguard the psychophysical well-being of the persons concerned

2. A Trusted Advisor is forbidden to take any form of initiative without the express consent of the alleged victim of harassment. The alleged harassed person may withdraw the report at any time during the informal procedure.

3. The deadline for the informal procedure is 120 days from the signing of the consent.

B. Internal formal procedure:

1. If the alleged harassed person deems the informal procedure unsuitable or unsatisfactory, the formal procedure for reporting the event to the university administration shall take place through direct written notification to the Rector.

2. The Rector appoints an investigation commission composed of five members: the Rector or his delegate, one member chosen by the Rector, the Trusted Advisor and two members chosen by the Equal Opportunities Committee from internal members, or external. The Investigation Commission may avail itself of the advice of a lawyer, including those outside the University.

3. The Investigation Commission, if it deems the complaint unfounded, shall invest in the competent subjects for the proceedings and disciplinary actions, according to the regulations in force for each of the categories mentioned in Art. 4.

4. The Investigation Commission, pending the internal formal procedure, shall take actions that ensure the complainant adequate protection from any forms of retaliation or persecutory acts.

5. If the complaint manifests itself to be unfounded, the Investigation Commission, at the request of the accused person, may take initiatives for the rehabilitation of the accusing person.

6. The Investigation Commission, at every stage of its activity, is required to operate with the utmost level of confidentiality.

C. External formal procedures:

Regardless of the initiation of an informal or formal internal procedure, the alleged harassed person may report the alleged harassing event to the competent authorities to initiate judicial proceedings

Art. 8

Confidentiality assurance and protection from retaliation

1. The person who has allegedly suffered sexual or moral harassment has the right to request the omission of their name in any document subject, for whatever reason.

2. Harassment includes any form of retaliation against anyone who denounces harassing behaviour or bears witness to it.

Art. 9
Training and information

The University is committed to:

- a) offer a broad level of publicity to this Code to all those referred to in Article 4 including during recruitment procedures, and by dispersing a copy to all employees who must sign the Code, as well as for students who will receive the Code upon enrolment.
- b) ensure maximum dissemination of this Code, including posting it in all Faculty Departments and Areas as well as posting the Code in the following address <http://www.unipd.it>
- c) inform interested parties of the name, location, availability, as well as the contact details, telephone number and e-mail address, of the Trusted Advisor(s)
- d) implement prevention and training projects relating to the issues of this Code, with particular attention to Area Managing Heads, Faculty and Department Directors, and Heads of Service, who must promote and disseminate a culture of respect for all individuals, aiming at preventing sexual and moral harassment
- e) define an annual budget suitable to support the above-mentioned projects.

The Code will become effective 15 days from the date of posting it in the Official Register of the University.

Art. 10
Final rules

The Rector undertakes to initiate the procedure for the appointment of Trusted Advisor(s) within 30 days of the decree which approves this Code and, subsequently, by the date on which the office becomes vacant.

The Commission referred to in Article 6, paragraph 2, shall conclude its work within 40 days from the deadline of its submission.