

Annex

Regulations on the Internal Anti-Mobbing and Anti-Discrimination Policy Regarding Relations Between Employees and Students of Prince Mieszko I Poznań Medical University of Applied Sciences

Poznań, 2024

Subject of the Internal Anti-Mobbing and Anti-Discrimination Policy

§ 1

The Regulations of the Internal Anti-Mobbing and Anti-Discrimination Policy (hereinafter referred to as the "Document") specify the rules for preventing the phenomena of mobbing and discrimination (including sexual harassment) at Prince Mieszko I Poznań Medical University of Applied Sciences (hereinafter referred to as the "University").

Glossary

§ 2

Whenever the Document refers to:

1. Internal Anti-Mobbing and Anti-Discrimination Policy or Document – shall be understood as all principles adopted by the University defining the procedure for preventing mobbing, manifestations of discrimination, and handling cases where such events occur.
2. Mobbing – shall be understood as actions or behaviors concerning or directed against a student, consisting of persistent and long-term harassment or intimidation of the student, causing a reduced assessment of their educational suitability, resulting in or aimed at humiliating or ridiculing the student, isolating them, or eliminating them from the student group, and further from the University community.
3. Discrimination – shall be understood as unequal treatment regarding the conclusion and termination of an education agreement, conditions of studying, promotion, and access to educational and training facilities in order to improve the quality of learning outcomes, in particular on the grounds of sex, age, disability, race, religion or belief, nationality, political beliefs, trade union membership, ethnic origin, creed, sexual

orientation, as well as due to the form of studies, both in the form of direct and indirect discrimination, including:

- a) unwanted conduct with the purpose or effect of violating the dignity of a student and creating an intimidating, hostile, degrading, humiliating, or offensive atmosphere (harassment);
 - b) unwanted conduct of a sexual nature or relating to the sex of a student, with the purpose or effect of violating the dignity of a student, in particular creating an intimidating, hostile, degrading, humiliating, or offensive atmosphere, which may consist of physical, verbal, or non-verbal elements (sexual harassment);
 - c) conduct consisting of encouraging another person to violate the principle of equal treatment during studies or commanding them to violate this principle.
4. Committee for Student Mobbing and Discrimination Cases or Committee – shall be understood as a collegial body appointed by the Rector to consider complaints regarding mobbing and discrimination, as well as to counter and prevent mobbing and discrimination at the University under the rules specified in these regulations.
 5. University – shall be understood as Prince Mieszko I Poznań Medical University of Applied Sciences.
 6. Employee – shall be understood as an administrative employee of the university as well as academic teachers conducting educational classes.
 7. Student – shall be understood as a person studying (male or female student) based on an Education Agreement, regardless of the form, field, and year of study.

Purpose of the Document

§ 3

The purpose of introducing this Document is to support actions conducive to building positive relationships between University Employees and students, and to protect students against the occurrence of mobbing and discrimination at the University's premises or in connection with the location where the Study Program is conducted, as well as in cases where such phenomena occur.

Rights and Obligations of the University and the Student

§ 4

1. The Rector takes all measures provided for by applicable law to ensure that the academic community environment is free from mobbing, discrimination, and other forms of psychological violence against students, both by superiors and other Employees of the University.
2. The Rector is particularly obliged to:
 - a) take all measures provided for by law to prevent mobbing and discrimination and to eliminate the social consequences of mobbing and discrimination within the University community, including, in particular, appropriate intervention measures;
 - b) provide necessary assistance to victims of discrimination, mobbing, and sexual harassment.
3. Employees in managerial positions at the University are obliged to make special efforts to ensure a study environment free from mobbing and discrimination.
4. All members of the University community are obliged to refrain from actions bearing the characteristics of mobbing and discrimination and to counter their use by individuals within the student community.
5. Every student who feels victimized by mobbing or discrimination has the right to demand that the Rector take measures aimed at eliminating these phenomena, reducing their effects, and applying the sanctions provided for by law against persons committing the given violation.
6. Unfounded allegations of mobbing or discrimination are prohibited.

Liability for Mobbing, Discrimination, and Sexual Harassment

§ 5

1. Persons committing mobbing or discrimination are subject to liability provided for by applicable legal provisions, in particular the provisions of the Labor Code, the Penal Code, and the Civil Code.
2. The use of mobbing or discrimination and the creation of situations encouraging such actions, as well as accepting its manifestations, may under specific circumstances be considered a breach of basic employee duties and result in sanctions provided for by law, including termination of employment without notice.
3. The rules of liability regarding persons committing mobbing or discrimination described in paragraphs 1 and 2 above apply accordingly to persons making unfounded allegations of mobbing or discrimination against others.

Counteracting Mobbing, Discrimination, and Sexual Harassment

§ 6

1. Any actions or behaviors constituting mobbing or discrimination will not be tolerated or concealed by the Rector in any way.
2. The Rector maintains an active policy against mobbing and discrimination at the university and in connection with conducting education, consisting in particular of taking:
 - a) Preventive measures, aimed at counteracting mobbing and discrimination, in particular by conducting an information policy and ongoing monitoring of social relations among members of the University community;
 - b) Regular cooperation with the Student Council Board through ongoing contact with the Chairman of the Executive Board of the Student Council and organizing monthly meetings with members of the aforementioned council;
 - c) Intervention measures, aimed at the immediate elimination of mobbing or discrimination, reducing their effects, preventing the occurrence of such phenomena in the future, and applying appropriate sanctions against the persons responsible for such actions.

Committee for Mobbing and Discrimination Cases

§ 7

1. The Rector, in each instance within five working days from the date of filing a complaint regarding actions bearing characteristics of mobbing or discrimination, shall appoint an anti-mobbing committee, hereinafter referred to as the committee, to clarify the circumstances of the case and evaluate the validity of the complaint.
2. The Committee consists of three members.
3. The Committee includes:
 - a) a representative of the Student Council Board,
 - b) a representative of the HR department,
 - c) a representative of the university authorities.
4. The Committee member referred to in paragraph 3 point a above may be a person:
 - a) employed at the university based on an employment contract or another basis for an indefinite period, or a person whose employment period based on an employment contract or another basis ends at least 3 years from the date of appointment to the Committee;
 - b) against whom no proceedings regarding mobbing or discrimination are or have been conducted;
 - c) a representative of the Student Council Board from the faculty from which the student submitting the complaint regarding actions bearing characteristics of mobbing or discrimination originates.
5. The Rector is obliged to exclude a member of the Committee from participating in a given proceeding if that member is a party to the proceeding or if circumstances raising doubts about their impartiality in a specific case are substantiated. In place of the excluded member, the Rector temporarily appoints a new member of the Committee.
6. The tasks of the Committee include, in particular:
 - a) conducting mediation in eligible cases of complaints concerning mobbing and discrimination;

- b) receiving and considering complaints regarding mobbing and discrimination.
7. Working conditions while retaining the right to remuneration and working time within the Committee are included in the Committee member's working time. The right to remuneration does not apply to members of the Student Council Board.
 8. The Employer is obliged to provide the Committee with appropriate premises and the necessary support for its functioning, including, in particular, office and legal services.
 9. The Chairperson of the Committee is appointed by the Rector through an appropriate order after a complaint regarding actions bearing characteristics of mobbing or discrimination has been filed.
 10. Committee meetings are led by its Chairperson appointed by the Rector.
 11. Minutes are drawn up from each meeting of the Committee, signed by all members of the Committee.

Procedure in Case of Mobbing or Discrimination

§ 8

Students who consider that they have been subjected to mobbing or discrimination, or who are or were witnesses to such behavior, should report this fact in writing in the form of a complaint to the Rector.

1. The complaint should contain a statement of the facts, evidence supporting the cited circumstances where possible, an indication of the victim of mobbing or discrimination, and its perpetrator or perpetrators.
2. The reporting person should sign the complaint by hand and date it.
3. The Rector will not initiate explanatory proceedings based on anonymous complaints; however, they may take other measures aimed at obtaining more detailed information regarding the violations reported in this way or take action to raise the knowledge and awareness of employees and students on the subject matter of the complaint.
4. The Committee should constitute itself and conduct explanatory proceedings regarding the submitted complaint within no more than 30 days from the date of its receipt.

5. The parties to the explanatory proceedings are the person who submitted the complaint, the person who, according to the complaint, is the victim of mobbing or discrimination, and the person suspected of committing mobbing or discrimination.
6. As part of the explanatory proceedings, the Committee evaluates the validity of the submitted complaint, in particular based on:
 - a) hearing the parties to the proceedings;
 - b) conducting evidentiary proceedings, including hearing potential witnesses and analyzing documents relevant to the case.
7. As part of the explanatory proceedings, the Committee may address relevant entities directly to obtain documents and information necessary to clarify the case.
8. Upon completion of the explanatory proceedings, the Committee decides on the validity of the complaint by a simple majority vote.
9. The minutes of the Committee meeting are signed by all its members and the parties to the proceedings.
10. A Committee member who disagrees with the decision made regarding the complaint may request that a dissenting opinion be included in the minutes.
11. The decision referred to in paragraph 10 and the dissenting opinion referred to in paragraph 12 require justification, which must be prepared no later than 14 days from the date the minutes are drawn up.
12. Immediately after preparing the justification for the decision and any dissenting opinion, the Committee submits to the Rector the minutes of the Committee meeting together with the prepared justifications mentioned above, along with possible recommendations regarding:
 - a) applying measures provided for by law against the perpetrator of mobbing or discrimination;
 - b) actions to prevent the occurrence of similar phenomena in the future.
13. If the complaint is deemed justified, the Founder, at the request of the Rector, shall apply appropriate measures provided for by applicable labor law provisions against the perpetrator of mobbing or discrimination, and the Rector shall take appropriate measures to eliminate the phenomena causing mobbing or discrimination and prevent their recurrence in the future.

14. At the request of the injured student, to the extent of existing possibilities, the Founder, at the request of the Rector, may transfer the Employee to another position or take other measures aimed at preventing direct contact between the victim and the perpetrator of mobbing.
15. In matters not regulated by the Document, the provisions of the Code of Civil Procedure shall apply accordingly to proceedings before the Committee.

Confidentiality

§ 9

1. Proceedings before the Committee are confidential, and Committee meetings are closed to the public.
2. The parties to the proceedings are obliged to maintain confidentiality regarding all information obtained in connection with participation in proceedings before the Committee.
3. Members of the Committee are obliged to maintain confidentiality regarding all information obtained in connection with their function.
4. The persons referred to in paragraphs 2 and 3 of this section are required to submit a statement committing to maintain confidentiality. The statement is filed in the personal files of those individuals.
5. Personal data obtained during the work of the Committee is protected in accordance with applicable legal provisions.

Final Provisions

§ 10

1. The Rector will make efforts to ensure regular training for employees in the field of counteracting mobbing and discrimination.

2. Every employee is obliged to familiarize themselves with the anti-mobbing and anti-discrimination policy.
3. An employee's statement on having read the anti-mobbing and anti-discrimination policy shall be attached to the employee's personal file.
4. A template of the employee's statement on having read the content of the anti-mobbing and anti-discrimination policy constitutes Appendix No. 1 to the anti-mobbing and anti-discrimination policy.
5. These internal procedures in no way exclude or deprive an employee of the right to pursue claims under separate legal provisions.
6. The Internal Anti-Mobbing and Anti-Discrimination Policy regarding students enters into force 14 days after it is made known to employees and students in the manner adopted by the Rector.

Poznań, date:

STATEMENT

I, the undersigned, hereby declare that I have read the Internal Anti-Mobbing and Anti-Discrimination Policy of the Prince Mieszko I Poznań Academy of Medical and Applied Sciences and during the period of employment/cooperation with the University, I undertake to comply with its provisions.

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(signature)