Appendix No. 1 to the Ordinance No. 78 by the Rector of PK from October 14, 2022.

**INTERNAL ANTI-DISCRIMINATION POLICY**

**AT THE TADEUSZ KOSCIUSZKO UNIVERSITY OF TECHNOLOGY IN CRACOW**

**§1**

**GENERAL PROVISIONS**

1. The Internal Anti-Discrimination Policy, referred to hereafter as the "Policy", sets out the rules for preventing any occurrences having the appearance of discrimination and harassment (including sexual harassment) among the academic community at Tadeusz Kosciuszko Krakow University of Technology, as well as the procedure to be followed in the event of the occurrence of such events.
2. The Policy is based on provisions arising from the Constitution of the Republic of Poland of April 2, 1997, the Law of July 20, 2018. Law on Higher Education and Science of the Labour Code (K.P.), the PK Statute and $ 95 paragraph 4 of the PK Labour Bylaws.
3. Each employee is required to familiarize with the contents of the Policy.
4. A statement of familiarization with the contents of the Policy (Appendix No. 1), signed by the employee, shall be attached to his/her personal record.

**§2**

**TERMINOLOGY**

1. Terms used in the Policy are to be understood as:
2. **Internal Anti-Discrimination Policy (Policy) —** principles of counteracting acts of discrimination and harassment (including sexual harassment) at PK, along with the procedure to be followed in case of their occurrence,
3. **Academic Community of PK (SA PK) —** the community, which is formed by students, doctoral students, participants in postgraduate studies and other forms of education, as well as all employees of PK regardless of the form of employment, type of work or position held,
4. **discrimination —** illegal deprivation or restriction of rights arising from the employment relationship or unequal treatment of employees on the basis of sex, age, disability, nationality, race, convictions, especially political or religious, and union membership, sexual orientation, as well as the granting to some employees of fewer rights on these grounds than those enjoyed by employees in the same factual and legal situation (article113 K.P.),
5. **molestation —** discrimination manifestation, undesirable behaviour that has the purpose or effect of violating an employee's dignity and creating an intimidating, hostile, degrading, humiliating or derogatory atmosphere towards another individual (article 18(3a) K.P.); a manifestation of molestation can be persistent harassment (stalking),
6. **stalking —** persistent harassment of another person or a close associate of that individual, arousing a sense of threat, humiliation or anguish justified by the circumstances, significantly invading their privacy (article 190a. § 1 of the criminal code),
7. **sexual harassment —** any intolerable conduct of a sexual nature or relating to the sex of the employee, the purpose or effect of which is to violate the dignity of the employee, in particular to create an intimidating, hostile, degrading, humiliating or derogatory atmosphere towards him or her; this conduct may consist of physical, verbal or non-verbal elements (article 183a K.P.),
8. **PK Academic Community Support Centre (CeWSA PK) —** unit appointed by the Rector of PK to comprehensively handle, reported to CeWSA PK, cases of mistreatment, as well as to take actions related to the prevention of manifestations of such treatment and to support SA PK members affected by unwanted behaviour of third parties,
9. **Anti-Harassment and Anti-Discrimination Spokesperson —** person appointed by the Rector of the PK, whose task is to consider cases of harassment and discrimination, as well as to conduct explanatory proceedings and issue opinions on cases of discrimination and harassment reported to CeWSA PK,
10. **mediation —** conversation between two conflicting parties in the presence of a neutral mediator, leading the parties to conclude a settlement,
11. **Academic Psychological and Pedagogical Consulting Point of the Centre of Pedagogy and Psychology of PK. (APKPP CPiP PK) —** unit whose function is to provide access to psychological support, including for those affected by cases of discrimination and harassment reported to CeWSA PK,
12. **University Disciplinary Committee (KD)** **—** the Disciplinary Committee for Academic Teachers or the Disciplinary Committee for Students and Doctoral Students, respectively, appointed by the Senate of PK.,
13. **PoSWiN** — The act of July 20, 2018. Law on Higher Education and Science (Journal of Laws 2022, item 574, as amended).

**§3**

**PURPOSE OF POLICY**

The purpose of the Policy is to take all actions permitted by law, consisting in particular of:

1. promoting welcome, consensual attitudes and behaviour of SA PK members,
2. organizing trainings on the prevention of discrimination and harassment, having a preventive and educational character,
3. monitoring the phenomena of discrimination occurring in the PK academic environment,
4. reacting quickly to emerging manifestations of discrimination and solving them and drawing consequences against persons committing reprehensible behaviour,
5. guaranteeing universal access to information for victims of discrimination and harassment,
6. providing support to victims who report signs of discrimination or harassment noticed against each other, in particular by providing appropriate psychological assistance and effective protection,
7. providing support to persons who have committed reprehensible behaviour towards other members of the SA PK – in particular through psychological consultations or psychoeducation.

**§4**

**POLICY PRINCIPLES**

1. Every individual who is a member of SA PK has an obligation to oppose discrimination and a responsibility to support activities aimed at implementing the principles of equality and respect for the dignity of others. In particular, it is obligated to:
	1. respect the dignity and personal possessions of others, forming mutual relations in a way that aims to preserve self-esteem and mental health,
	2. inform superiors of any situations noticed that may indicate discrimination or harassment,
	3. participate in discrimination and harassment prevention training courses organized by CeWSA PK, which have a preventive and educational character.
2. Those who perform managerial functions in a given organizational unit are obliged to:
	1. take measures to investigate possible cases of discrimination, reported directly or indirectly (e.g., in student surveys, through their representatives, etc.) by SA PK members,
	2. Introduce systemic solutions to eliminate situations conducive to discrimination and harassment,
	3. provide whatever assistance is needed to those affected by unequal treatment.

**§5**

**PROCEDURE AND FORM OF APPLICATION**

1. Any SA PK member who was victimized by harassment or discrimination is entitled to demand that the Rector of SA PK take action to stop the harassment and discrimination and to clarify and eliminate the causes and consequences of the occurrence of such phenomenon.
2. A person belonging to SA PK who feels that they have experienced discrimination or harassment in any form, or has witnessed such an incident, may report this in the form of a written report to CeWSA PK (Appendix 2) individually, i.e., avoiding the service route or through the Rector, Vice Rectors, Deans of Faculties, Director of the Doctoral School, heads of non-faculty units, Student Spokesperson, Doctoral Student Spokesperson.
3. Submissions from students, doctoral students, participants in postgraduate studies and other forms of education should include: name, surname, department, field of study, year of study, a statement of the facts, the date or period to which the case relates, evidence to support the circumstances cited, identification of the potential perpetrator and the victim of discrimination, harassment or sexual harassment, the date and signature of the reporting person.
4. Submissions from employees should include: name, surname, position, name of organizational unit, a statement of the facts, the date or period to which the case relates, evidence to support the circumstances cited, identification of the potential perpetrator and the victim of discrimination, harassment or sexual harassment, the date and signature of the reporting person.
5. In the content of the report, it is advisable to write about the possible mental and/or physical effects of the events that occurred.
6. Anonymous submissions will not be examined.
7. Immediately after obtaining a submission, CeWSA PK is obliged to:
	1. refer the case to mediation, if there is a dispute between the reported person and the affected party,
	2. refer the case to the Anti-Harassment and Discrimination Spokesperson or the relevant disciplinary ombudsman for consideration.
8. In the course of the investigation, the Anti-Harassment and Discrimination Spokesperson may:
	1. determine that discrimination or harassment did not occur and immediately inform the person who reported the case and the Rector of PK in writing,
	2. determine that a student/doctoral student/academic staff member has committed an act having the hallmarks of a disciplinary offense on the grounds of discrimination/harassment and immediately report the case along with the collected evidence to the appropriate disciplinary ombudsman,
	3. conclude that a non-academic staff member has committed acts tantamount to harassment/discrimination and inform the Rector of PK, who will apply the consequences under the Labour Code, appropriate to the gravity of the offense.
9. Disciplinary officers shall take actions in accordance with the provisions of the PoSWiN Act and relevant regulations of the Minister.
10. The meetings of the DC shall be held in accordance with the provisions on the investigation procedure of the DC regulated by the PoSWiN Law and the relevant ministerial regulations.
11. The meetings of the KD are recorded by means of sound recording equipment (except for the first meeting). Sub-minutes are drawn up of the KD meetings (Appendix 3), on the basis of which the final minutes (Appendix 4) are drawn up. The final minutes are signed by all members of the KD who participated in the meeting. Recordings of the KD meetings are stored in CeWSA PK and are attached to the final protocol.
12. The protocols of the meetings shall be made available to the parties to the proceedings for inspection upon request.
13. In matters not covered by this Policy, the provisions of the Civil Procedure Code shall apply to proceedings before the KD accordingly.
14. administrative support for KD meetings is provided by an administrative employee of CeWSA PK, and the documentation of cases collected by him/her is kept in separate folders and archived by CeWSA PK.
15. Information on possible consequences for perpetrators who are academic teachers is attached to the personal files in the Personnel and Social Affairs Department of KP and the personal files of students/doctoral candidates in the dean's offices of each faculty, and in the case of doctoral students of the Doctoral School - in the Secretariat of the Doctoral School.
16. Legal services of the committee are provided by the legal counsel of PK.

**§6**

**REDRESSAL PROCEDURE**

The parties may appeal against the decision of the Committee to the Appeal Disciplinary Committee or the Disciplinary Committee at the minister competent for higher education within 14 days of its delivery. The detailed procedure is specified in the provisions of the PoSWiN Act and relevant regulations.

**§7**

**FINAL REGULATIONS**

1. The principles set out in the Policy do not exclude or diminish the rights of SA PK members to pursue their claims of discrimination or harassment through the courts.
2. All individuals permitted to intervene in cases of discrimination or harassment are required to maintain absolute confidentiality regarding all information learned during and in connection with their activities. The data contained in the documents may constitute sensitive personal information, which is subject to protection in accordance with applicable regulations.

Appendix No. 1 to the Internal Antidiscrimination Policy at Krakow University of Technology

Cracow, on ................................

………………………………………………………………

Name and surname

………………………………………………………………

Name of the organizational units

………………………………………………………………

Position

**STATEMENT**

I declare that I have read the Internal Anti-Discrimination Policy. Thus, I undertake to comply with its provisions, not to engage in any actions that may carry the appearance of discrimination or harassment, and immediately inform the employer if I experience or witness any such behaviour. At the same time, I understand that any of my actions that have the characteristics of discrimination or harassment will not be tolerated by the employer and I am aware of the possible consequences of my undertaking such behaviour.

…………………………………………

employee's signature

Appendix No. 2 to the Internal Anti-Discrimination Policy at Krakow University of Technology

Issue mark …………… Cracow, on. ………………

(*assigns CeWSA PK*)

………………………………………………………………………

Name and surname

………………………………………………………………………

Faculty, field of study, year of study (*in the case of a student/doctoral student/postgraduate student of PK*)

………………………………………………………………………

Position, name of organizational unit (*in the case of a PK employee*)

**Academic Community Support Centre of**

**Krakow University of Technology**

**(CeWSA PK)**

**SUBMISSION REGARDING**

**DISCRIMINATION/****MOLESTATION /STALKING /SEXUAL**

**HARASSMENT \***

**Statement of the facts:**

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\*delete as appropriate, select under § 2 of this Policy.

**Date or time period to which the application concerns:**

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**Indication of evidence and/or witnesses to the occurrence(s) in support of the cited circumstances:**

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**Identification of the potential perpetrator:**

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**Possible psychological and/or physical results of the initiated event(s):**

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**I consent to the referral of the case to mediation: YES / NO \*\***

……………………. ………………………………….

 date signature of the reporting person

\*\* delete as appropriate

Appendix No. 3 to the Internal Antidiscrimination Policy at Krakow University of Technology

Issue mark …………… Cracow, on ………………

(*assigns CeWSA PK*)

**PARTIAL PROTOCOL OF THE DISCIPLINARY COMMITTEE**

**for ……………………………………………………………….….**

The issue was called at:.......

The issue was closed at:.......

Order of the hearing:

1. The start of the hearing.
2. Checking the attendance list.
3. ………………………………………………
4. ………………………………………………
5. ………………………………………………
6. ………………………………………………
7. ………………………………………………

As a result of the investigation of the case.........................................

(assigns CeWSA PK) submitted to CeWSA PK by Mr./Ms. ................................................................. on ....................................... on discrimination /molestation /stalking /sexual harassment\*, of which the perpetrator(s) was/are identified as Mr./Ms. ………………………………………………………… The Disciplinary Committee, composed of:

1. ………………………………………………. — Commission Chairman
2. ………………………………………………
3. ………………………………………………
4. ………………………………………………

along with

……………………………………………… —protocol officer (without voting rights)

at the hearing on ……………………………………………… determines:

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Signatures of the Commission members:

1. ………………………………………………. — Commission Chairman
2. ……………………………………………….
3. ……………………………………………….
4. …….…………………………………………
5. ……….………………………………………

……………………. ………………………………….

date protocol officer’s signature

\*\* delete as appropriate

Appendix No. 4 to the Internal Anti-Discrimination Policy at Krakow University of Technology

Issue mark …………… Cracow, on ………………

(*assigns CeWSA PK*)

**PARTIAL PROTOCOL OF THE DISCIPLINARY COMMITTEE**

**for ……………………………………………………………….….**

The issue was called at:.......

The issue was closed at:.......

Order of the hearing:

1. The start of the hearing.
2. Checking the attendance list.
3. Reading of the accusation by the Disciplinary Spokesman.
4. Hearing of the accused.
5. Closed part of the hearing.
6. Voting of the Disciplinary Committee's adjudicating panel.
7. Announcement of the voting results.

After reviewing the case .............. *(assigns CeWSA PK)* submitted to CeWSA PK by Mr./Ms........................................ on .................................on discrimination /molestation /stalking /sexual harassment\*, of which the perpetrator(s) was/are identified as Mr./Ms. ...........................................................................................

The Disciplinary Committee, composed of:

1. ………………………………………………. — Commission Chairman…………………….
2. ……………………………………………….
3. ……………………………………………….
4. ……………………………………………….

along with

……………………………………………… —protocol officer (without voting rights)

on the facts presented and the evidence submitted, rule on the following:

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**Justification of the KD’s decision:**

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**Signatures of the Commission members:**

1. ………………………………………………. — Commission Chairman
2. ……………………………………………….
3. ……………………………………………….
4. …….…………………………………………
5. ……….………………………………………

……………………. ………………………………….

date protocol officer’s signature

\* delete as appropriate