

Code of Conduct (sexual) intimidation, aggression, violence and discrimination (pursuant to Article 1.12 of the Collective Labour Agreement of the Dutch Universities)

Preamble

This Code of Conduct is a result of the CAO parties' aim to create a good and stimulating work climate within the Dutch universities. Such a climate is characterised by fellowship, respect and consideration, while unwanted conduct will be dealt with promptly. This requires all those working at Utrecht University to actively contribute, not only by behaving properly themselves, but also by having a watchful eye for any form of unwanted conduct in their own work place. Unwanted conduct shall be addressed at all times: either by directly talking to those involved or by mediation. The purpose of this Code of Conduct is to explicitly bring these principles to the attention of the university community as a whole.

Adoption

This Code of Conduct was adopted on 8 July 2003 by the Executive Board, in accordance with the University Labour Representative Board and with the agreement of the University Council. It will replace the previous Code of Conduct of 9 November 2000.

Scope

This Code of Conduct applies to:

- Employees and students of Utrecht University;
- Other persons employed by Utrecht University, such as guest teachers, trainees and temporary employment agency workers;
- Persons employed by third parties carrying out work on the university premises

and regards their conduct towards each other.

Definitions

Unwanted conduct shall at least include:

Sexual intimidation: unwanted sexual advances in the form of requests for sexual favours, or any other verbal, non-verbal or physical conduct (including the unsolicited sending or intentionally and openly consulting of pornographic images and texts, e.g. on the Internet).

Aggression and violence: the bullying, mentally or physically harassing, threatening or attacking of others.

Discrimination: the judging of, acting against or deciding about others in a way that is insulting to them on account of their race, religion, sex, beliefs and/or sexual orientation, or the act of discriminating based on these factors (race, religion, etc.).

Sexual intimidation, aggression, violence, and discrimination can be exploited in several ways:

- Subjection to unwanted conduct is explicitly or implicitly used as a condition of employment for the subjected person;
- Subjection to or rejection of unwanted conduct is used as the basis for decisions concerning the work or studies of the subjected person;
- The unwanted conduct is aimed at or results in adversely affecting the work and study performance of the subjected person and/or creating an intimidating, hostile, or unpleasant work or study climate.

Preventive policy

This Code of Conduct is intended to be a form of preventive policy. A preventive policy regarding (sexual) intimidation, aggression, violence and discrimination is part of the total comprehensive university personnel policy, which will be realised by:

- Giving sufficient information about this Code of Conduct;
- Giving adequate information about the policy and risks regarding (sexual) intimidation, aggression, violence and discrimination within Utrecht University;
- Systematically mapping out the risks of unwanted conduct within the framework of the Risk Assessment and Evaluation ensuing from the Working Conditions Act 1998;
- Removing or reducing risks regarding unwanted conduct;
- Supervising compliance with this Code of Conduct.

Unwanted conduct counsellor

Utrecht University has appointed an unwanted conduct counsellor. The counsellor has an independent position and enjoys the employer's protection. The counsellor's duties include:

- Giving information about unwanted conduct;
- Providing adequate support to persons complaining about unwanted conduct;
- Treating information in strict confidence;
- Looking for informal solutions;
- Supporting complainants in filing a formal complaint and during the formal disposal thereof, if applicable.