universität wien

CHECKLIST FOR EXECUTIVES

Dealing with sexual harassment

BE ATTENTIVE. SPEAK OUT. TAKE IT SERIOUSLY.

Find out more at **urespect.univie.ac.at**

Executives have a responsibility to oppose sexual harassment, take steps to prevent it and offer assistance as part of their duties.

Executives have specific responsibilities when dealing with (sexual) harassment. You are responsible for actively fostering a non-discriminating work and study environment as part of your duty of care (Fürsorgepflicht). Being informed, attentive and understanding is part of your role as an executive.

- Don’t look away
- Take comments and reports seriously
- Make your position clear

Duty of care (Fürsorgepflicht) and duty to respond (Abhilfeverpflichtung)

It is especially important for heads of subunits such as heads of department, heads of service units and project leaders to address incidents of (sexual) harassment quickly and take appropriate action to respond to the situation as part of their duty of care (Fürsorgepflicht). This means swiftly stopping the specific act of harassment and hindering any additional boundary violations.

GOOD TO KNOW: Your **duty of care** (Fürsorgepflicht) and **duty to respond** (Abhilfeverpflichtung) do not only apply when someone who has experienced harassment speaks to you directly. It takes effect as soon as someone informs you about an incident. As soon as you are aware of harassing behaviour, you are obligated to respond quickly.

What do I have to do?

- **Take preventive action:** Create a working environment in which all employees are treated respectfully and where (sexual) harassment is not tolerated.
- **Stop harassment:** Take action quickly and thoughtfully when you become aware of a concrete incident. Stop inappropriate behaviour immediately.
- **Get support:** If you have questions or are unsure how to respond, get in touch with one of the **support services**.

GOOD TO KNOW: Harassing behaviour often evolves gradually. People who (sexually) harass others usually test their environment slowly to determine whether their behaviour will be tolerated by colleagues and superiors. It is therefore particularly important to firmly oppose any signs of harassment in front of your team and colleagues before this behaviour worsens or spreads.

What can I do to prevent harassment?

- **Be a role model** by treating all employees (irrespective of their position) with respect and honouring individual boundaries.
- **Make your position clear**, e.g. by pointing out the **Code of Conduct** when onboarding or in team meetings.
- **Inform yourself about** the **support services** available at the University of Vienna.
- Find out how to **recognize** signs of sexual **harassment** and take advantage of additional **training opportunities** (**u:respect – sexual harassment**

e-learning course, **seminars and coaching** offered by the Talent Acquisition and Development unit).

- Promote **awareness among employees** by actively highlighting the wide range of information available at the University of Vienna (**campaign materials**, **support services**, and **e-learning course**).
- Foster a respectful environment by actively **discussing desired behaviour** and your work environment with your team (e.g. during staff appraisals)

What can I do in acute cases?

- Be attentive and take the situation seriously
- Stop the harassment
- Contact support services

TIPPS:

- Every situation is unique. Get advice from the University of Vienna's support services or personnel management.
- If you are talking to the person affected yourself, make sure you clarify as soon as possible that you are obligated to fulfil your duty of care (Fürsorgepflicht). This means that you are required to take remedial action even if they might not want you to.
  - This is why it's important to inform those affected of the resources and support services available within the University of Vienna. They guarantee confidentiality and will only take action with the consent of the person affected.
- The implemented measures must never lead to negative consequences for the person affected nor for witnesses of sexual harassment (e.g. moving them to a different location against their will in order to resolve the situation).
- Only personnel management and university management can decide to take disciplinary action, e.g. issue a caution, under the service code (Dienstrecht).

GOOD TO KNOW: Personnel management will investigate any reported incidents swiftly and carefully. For privacy reasons, any consequences or outcomes of disciplinary procedures under service/study law (Dienst-/Studienrecht) can only be shared with the person accused (and potentially with any superiors involved).

Follow-up

An incident of sexual harassment weighs not only on the person affected. It usually impacts the entire team. It may have caused conflict-laden dynamics to develop between different groups. Incidents should therefore be processed with the help of external support (e.g. through group supervision or coaching). Please get in touch with the **Talent Acquisition and Development unit** or the **Culture & Equality unit** in order to initiate appropriate follow-up measures.

Ask for advice

ADDITIONAL RESOURCES:

Overview of **support services**

FAQ

Someone on my team told me about an incident and doesn't want me to do anything about it. Is that OK?

Point out that, as an executive/superior, you have a duty of care (Fürsorgepflicht). Let them know about the option of first seeking confidential non-obligatory and even anonymous help from a support service. This should in no way be seen as a dismissal of the person's concern. Instead, it is a way for them to get the information they need to plan their next actions.

At what point do I have to take action?

You are required to take immediate action as soon as you become aware of sexual harassment or any other form of discrimination. It is therefore essential to be able to recognize sexual harassment and discrimination and be familiar with the structures and courses of action for dealing with an incident **(e-learning course**, **guidelines on sexual harassment at work**, **guidelines on sexual harassment in higher education**).

Do I have to put an end to or resolve every incident myself?

As the executive/superior, you will not be able to prevent or resolve every incident on your own, even with the best prevention or intervention. But your duty of care (Fürsorgepflicht) means that you are responsible for taking immediate measures to find a solution by seeking support in good time and not delaying the process by waiting too long.

At what point do I have to contact/inform personnel management?

Disciplinary measures can only be taken by personnel management and university management. You should inform personnel management when your initial conversation to address the matter cannot put an immediate end to the person's harassing or discriminating behaviour.