

# Guidelines for the Treatment of Discrimination, Mobbing and Sexual Harassment at the Barenboim-Said Akademie

## I. Policy Statement

All students and staff of the Barenboim-Said Akademie are entitled to respectful and equal treatment and appreciation of their personality. The Barenboim-Said Akademie condemns discrimination, mobbing and sexual harassment of any kind. Cases which involve dependent relationships in which negative personal or professional consequences are threatened shall be considered particularly grave. The Barenboim-Said Akademie emphatically commits to protecting all students and staff from discrimination, mobbing and sexual harassment, and to sanction any breach of the present guidelines. By their behavior, students and staff must contribute to a climate of learning and work which does justice to the special transcultural makeup of the student body and staff of the Barenboim-Said Akademie and which ensures the personal integrity of all and a culture of mutual trust. All persons employed by the Barenboim-Said Akademie are responsible for the immediate investigation of any indications of discrimination, mobbing or sexual harassment in their areas of work, and for ensuring that persons affected receive appropriate help. Students of the Barenboim-Said Akademie are requested to support any fellow students affected by discrimination, mobbing or sexual harassment. The present guidelines also apply within any student housing provided by the Barenboim-Said Akademie in equal measure.

## II. Definition: Discrimination, Bullying and Sexual Harassment

### a) Discrimination

Discrimination is any disadvantaging or disparagement based on personal traits which cannot be justified by an objective context of studies or work. The nondiscrimination rule protects the following personal traits:

- Race or ethnic background
- Gender
- Religion or beliefs
- Disabilities
- Age
- Sexual identity and orientation

Disadvantaging takes place when persons or situations that are the same are treated differently and/or when people with different qualifications or backgrounds are treated the same. When judging whether discrimination is present, the decision shall be based not on motive (intention, thoughtlessness, general administrative practice etc.), but only on the result.



## b) Bullying

Bullying is any systematic, sustained behavior aimed at bullying, pressure and/or ostracism. Bullying impairs the freedom of action and decision of the person affected and prevents that person from contributing their abilities and fully executing their responsibilities. Bullying has severe consequences for the personality development of the person affected by it.

The following shall be considered examples of bullying:

- Verbal and nonverbal comments which repeatedly limit opportunities to communicate, Debasing remarks damaging personal reputation: e.g. ridiculing, spreading rumors and/or defamation,
- Verbal and nonverbal actions resulting in social ostracism: e.g. belittling, ignoring,
- Any behavior impairing the quality of the work environment and/or the execution of work: e.g. unfair distribution of tasks, withholding of essential information,
- The threat or use of physical and psychological violence

## c) Sexual Harassment

Sexual harassment is any unwanted, sexually determined behavior which violates a person's dignity. Sexual harassment may take the form of actions, statements or gestures of a sexual character or related to the recipient's gender, which violate that person's dignity.

The following shall be considered examples of sexual harassment:

- The use of sexually debasing language,
- Remarks of a sexual nature which are unwanted by the recipient,
- Debasing remarks about persons, their outer appearance, their physicality, their behavior, their intimate private life,
- Gestures and nonverbal comments related to sexuality,
- Verbal, graphic or electronic presentation of pornographic or sexist content,
- Unwanted physical contact and physical advances,
- Unwanted invitations and requests for sexual actions,
- Persecution and assault with a sexual connotation

## III. Grievance Procedure in Cases of Discrimination, Bullying and Sexual Harassment

### a) Request, Investigation

Persons affected by discrimination, mobbing and sexual harassment have the right to request an investigation of the incident(s) from the directorate of the Barenboim-Said Akademie. This



application requires no specific form and may also be made via the psychological counselling services and/or the equal opportunity commissioner of the Barenboim-Said Akademie.

The directorate may ask the equal opportunity commissioner of the Barenboim-Said Akademie or an external mediator to investigate the case. The person charged with investigating the case shall inform the person accused and the head of department, respectively the manager of the person(s) involved in the incident that an investigation has been launched, and shall undertake to question the person making the request and the person accused (and any third parties involved). Minutes of these conversations shall be made and appended to the final report on the investigation to be submitted to the directorate of the Barenboim-Said Akademie.

Any persons interviewed in a professional capacity are obliged to keep the grievance procedure confidential and to ensure that the applicant does not suffer any adverse consequences for having reported an incident.

#### b) Possible Consequences of the Grievance Procedure

Based on the results of the investigation report, the directorate is obliged to take measures appropriate to the facts of the case; either in the form of a directive or, if a case of discrimination, mobbing or sexual harassment is confirmed, in the form of sanctions.

Persons committing discrimination, mobbing or sexual harassment may expect the following possible sanctions:

- Oral or written instruction,
- Written warning,
- Relocation,
- Termination,
- Exclusion from classes and courses,
- Exclusion from the use of Barenboim-Said Akademie facilities,
- Disciplinary proceedings,
- Expulsion from the premises,
- Expulsion of a student,
- Penal charges filed by the Barenboim-Said

#### IV. Commencement and Termination of Validity

These guidelines are passed by the Barenboim-Said Akademie. They shall come into effect on October 11, 2017.