



IUSS

Scuola Universitaria Superiore Pavia

Handbook for reporting discriminatory behavior and cases of sexual harassment

Comitato Unico di Garanzia CUG - Scuola Universitaria Superiore IUSS

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Introduction

The Equal Opportunities committee (CUG) of IUSS is responsible for proposing appropriate measures to prevent or eliminate discrimination or sexual or moral, or psychological harassment within the School (Art. 3 of the CUG Regulations).

The IUSS's Gender Equality Plan 2022-2024 includes the publication of a Handbook for reporting discriminatory behaviour and cases of sexual harassment. This handbook will be made available to the Community to help identify inappropriate conduct and outline the procedures to be followed in response to any injustice experienced.

European Legislation

Directive 2002/73/CE: defines harassment and sexual harassment

ILO Convention No.190 of 21/06/2019 – On the elimination of violence and harassment in the workplace.

Recomandation 92/131/CEE of 27/11/1991: any sexual oriented behavior that offends the dignity of women and mex in the workplace is unacceptable

Italian Legislation

Article 2087 of the Italian Civil Code: introduced in the 1942 Code, this article establishes a general obligation to ensure workplace safety, requiring the employer to adopt all necessary measures to protect not only the physical integrity but also the psychological well-being of workers.

Legislative Decree No. 165 of March 2001 – General Provisions on the employment of public administration staff: Article 30, paragraph bis, provides protection measures for employees who are victims of gender-based violence or harassment.

Legislative Decree No. 198 of 11 April 2006 (Known as the Equal Opportunities code): Article 26 establishes that sexual harassment is to be considered a form of gender discrimination.

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Statute:

Article 3

In accordance with its role as a public state institution, IUSS is secular and pluralistic, and ensures the full implementation of the principle of equal opportunities and equal rights in work and study, promoting respect for human dignity and rejecting all forms of discrimination

Code of ethics

Article 3. Refusal of all discrimination

All members of the Community have the right to be treated with equal respect and consideration and to not be directly or indirectly discriminated against by factors such as religion, gender, sexual orientation, personal beliefs, physical appearance and colour of the skin, language, ethnic origins, nationality, personal and health conditions, pregnancy, age and the position held in the school.

Article 4. Sexual abuse, harassment and annoyance

The School does not tolerate sexual abuse, harassment or annoyance, intended as a discriminatory conduct detrimental to the personal sense of human dignity, and ensures a prompt protection of the victims and the report of the perpetrator.

What is Sexual Harassment?

Sexual harassment is unwanted conduct of a sexual nature, expressed physically, verbally, or non-verbally, with the purpose or effect of violating a person's dignity and creating an intimidating, hostile, degrading, humiliating, or offensive environment.

Less favorable treatment of a person because they refused to submit to, or because they have been subjected to, such conduct is also considered a form of discrimination.

What constitutes sexual harassment?

Sexual harassment includes:

- Explicit or implicit requests for sexual favors or sexual attention that are unwelcome and considered inappropriate or offensive by the recipient;
- Implicit or explicit promises of benefits, privileges, or career advancement in exchange for sexual favors, as well as retaliation, discrimination, or threats for having refused such favors;
- Unwanted and inappropriate physical contact;
- Verbal remarks about someone's body or sexuality that are considered offensive;
- Display of pornographic material in the workplace; verbal or written expressions that are derogatory or offensive toward a person because of their sex or sexual orientation.
- All unwanted conduct should be considered harassment; if it has a sexual nature, it constitutes sexual harassment.

When does discrimination occur?

According to current legislation, discrimination can be:

DIRECT: when any act, agreement, or conduct results in a detrimental effect by discriminating against workers on the basis of their sex, including any less favorable treatment compared to another worker in a similar situation.

INDIRECT: When a provision, criterion, practice, act, agreement, or conduct that appears to be neutral places, or may place, workers of a particular sex at a particular disadvantage compared to workers of the other sex – unless it concerns requirements essential to the performance of the work activity, provided that the objective is legitimate and the means used to achieve it are appropriate and necessary.

Discrimination may concern various aspects, such as ethnicity, gender, religion, native language, political opinions, and personal or social conditions.

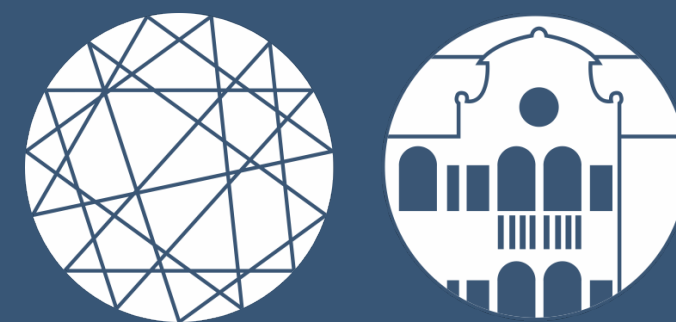
If a person studying or working at IUSS believes they have experienced sexual harassment or discrimination, how can they seek help?

They may contact the Confidential Advisor and/or a Confidant, who ensure the complete confidentiality of the report and, in any case, do not replace judicial protection in the strict sense.

The Confidential Advisor and/or a Confidant, in accordance with the IUSS Code of Ethics, may act, always and only upon the explicit request of the person concerned, to put an end to the conduct and to suggest initiatives to protect the victim.

The Confidential Advisor and/or a Confidant cannot take any action without the prior explicit consent of the person concerned, and the report may be withdrawn at any time.

Complete confidentiality and the sharing with the victim of every protective action are therefore always guaranteed.



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