

Rudolfovo – Science and Technology Center Novo mesto	REGULATION ON PROHIBITION OF SEXUAL AND OTHER HARASSMENT AND WORKPLACE BULLYING	Number: SA-RUD-1004-01
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NOTICE:

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On the 15th session held on 27 October 2023 on the basis of Articles 7, 10 and 47 of the Employment Relations Act (Official Gazette of the Republic of Slovenia, No. 21/13 and following; hereinafter referred to as ZDR-1) and Article 24 of the Occupational Health and Safety Act (Official Gazette of the Republic of Slovenia, No. 43/11), Article 10 of the Decision on the Establishment of the Public Research Institute Rudolfovo – Scientific and Technological Centre Novo Mesto (Official Gazette of the Republic of Slovenia, No. 42/22, 71/22 and 128/22 and Article 13 of the Statute of Rudolfovo – Scientific and Technological Centre Novo Mesto, Governing Board adopted the following rules

REGULATION ON PROHIBITION OF SEXUAL AND OTHER HARASSMENT AND WORKPLACE BULLYING

I. GENERAL PROVISIONS

Article 1

This regulation introduces the method of identifying, preventing and eliminating the consequences of sexual and other harassment and bullying in the workplace if occurs at Rudolfovo.

This regulation defines measures by which the employer ensures a working environment in which the dignity of employees is respected. This is a working environment free from discrimination, sexual or other harassment or bullying.

This regulation applies to all employees, regardless of their job or position and the specifics of their employment contracts, and it also applies to people who work on other legal grounds (students, contract workers, etc.).

The terms written in the masculine grammatical form, are used as neutral for both men and women.

The employer undertakes not to tolerate sexual and other harassment and bullying in the workplace, but to encourage and develop partnership with all employees, and to promote conflict resolution through dialogue. The employer also undertakes to establish a positive working climate, which is an important prerequisite for work satisfaction and the quality of the working life of employees.

Article 2

The basic purpose and objective of the regulation is:

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- increase awareness and understanding of the seriousness of sexual and other harassment and workplace bullying,
- recognize typical signs and phenomena that may indicate the existence of sexual and other harassment and bullying in the working environment,
- provide employers and employees with a document for identifying, preventing and managing problems of sexual and other harassment and bullying.

Sexual and other forms of harassment and bullying constitute violations of the human dignity and personal rights of employees and work as a disruption of the work process. They are incompatible with the employer's business policy, so any form constitutes a violation of work obligations.

The employer undertakes to provide all appropriate assistance to victims of sexual and other harassment and bullying, and to sanction offenders accordingly.

II. DEFINITION AND RECOGNITION OF SEXUAL AND OTHER HARASSMENT AND WORKPLACE BULLYING

Article 3

Sexual harassment is any form of unwanted verbal, non-verbal or physical conduct or conduct of a sexual nature with the effect or purpose of violating the dignity of a person, especially when it involves creating an intimidating, hostile, degrading, humiliating or offensive environment.

Verbal sexual harassment is :

- unwanted conquest,
- sexual suggestions or coercion to engage in sexual activity,
- recurring suggestions for socializing, for dates,
- sexually suggestive comments and remarks,
- sexual hints,
- obscene comments referring to a person's clothing, body, or appearance,
- addressing a person with inappropriate nicknames and using obscene expressions and gestures,
- turning business topics into sexual ones,
- stories and jokes with sexual content,
- boasting about sexual exploits,
- asking personal questions about a person's social or sexual life,
- spreading lies or rumors about a person's sexual behavior,
- other similar verbal behaviors or actions.

Nonverbal sexual harassment is:

- sending emails, letters or other material with sexual content,

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- displaying pornographic or sexually suggestive images or texts,
- lustful glances or offensive flirting,
- sexually suggestive gestures or staring at a person's body parts,
- physically approaching a person during a conversation (e.g. leaning over the back of a seated person)
- other similar nonverbal behaviors or actions.

Physical sexual harassment is:

- unnecessary touching and patting,
- pinching,
- rubbing against a person's body,
- touching an individual's clothes, hair, body,
- neck and shoulder massage,
- hugging, kissing,
- sexual assault or forced sexual intercourse,
- other similar physical behaviors and actions.

Article 4

Harassment is any unwanted conduct related to any personal circumstance, with the effect or purpose of violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Personal circumstances include nationality, race or ethnic origin, national or social origin, gender, skin colour, health status, disability, religion or belief, age, sexual orientation, family status, trade union membership, property status or others.

Behaviors and actions that constitute harassment are all those actions that are based on different social and/or organizational power in relation to the harassed person and manifest as:

- mockery,
- humiliation,
- intimidation,
- physical aggression,
- humiliating slander and defamation,
- resentment due to a person's personal circumstances,
- other similar behaviors and actions.

Article 5

Workplace **bullying** ("mobbing") is any repeated or systematic, reprehensible or clearly negative and offensive conduct or behavior directed against individual workers at work or in connection with work, with the intention of causing social exclusion and which

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results in endangering the psychological, physical or social health of the victimized person. Workplace bullying is particularly recognized as oppression, humiliation, threats, insults and other interference with the dignity of a worker.

Stimulation can be performed in various ways.

1. Attacks against expression and communication.

- Limiting communication opportunities by a superior or subordinate,
- repeatedly interrupting speech,
- limiting communication opportunities by colleagues,
- screaming,
- insulting,
- constant criticism of work,
- constant criticism of personal life, appearance, or behavior,
- telephone or electronic media harassment,
- verbal threats and pressure,
- written threats,
- avoiding direct contact or making dismissive gestures,
- making vague comments.

2. Attacks on social contacts.

- Ignoring if the bullied person speaks up,
- relocation away from colleagues,
- prohibiting workers from talking to the bullied person,
- general ignorance towards the bullied person,
- other forms of creating complete isolation from the work environment.

3. Attacks on reputation.

- Defamation,
- spreading rumors,
- attempts to make fun of the bullied person,
- expressing the assumption that the bullied person is mentally ill,
- attempts to force a psychiatric examination,
- making fun of physical flaws,
- imitating typical patterns of behavior with the aim of making fun of bullied person,
- mockery of political or religious beliefs,
- ridicule regarding nationality,
- forcing to perform tasks that negatively affect self-confidence,
- work efforts are evaluated incorrectly or insultingly,

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- unfounded doubt about the bullied person's working decisions,
- frequent use of swear words and obscene expressions towards the bullied person.

4. Attacks on workplace quality.

- The bullied person is no longer getting new work assignments,
- removal of all work tasks with the aim of degradation,
- assigning meaningless work tasks,
- unjustified threats of dismissal,
- intentionally causing harm or expenses,
- assigning tasks that offend dignity,
- other forms of attacks on the quality of the workplace.

5. Attacks on health.

- Assigning tasks that are harmful to health,
- threats of physical violence,
- use of minor physical violence,
- physical abuse,
- Intentionally causing psychological harm at home or at work,
- other forms of attacks on health.

6. E- mobbing

- Intentionally sending infected files with the intention of harming the recipient,
- hacking into a system without a valid reason,
- changing login passwords without explanation or disabling access to files,
- inappropriate communication in groups of email recipients,
- Delegating urgent tasks via email just before the end of the working day with the aim of preventing the worker from completing the tasks on time.
- and other similar behaviors and actions.

III. PREVENTIVE ACTION

Article 6

In order to prevent and promptly detect sexual and other harassment and bullying, the employer takes certain measures aimed at improving general interpersonal relations and satisfactory human resource development.

The employer implements a zero-tolerance policy towards sexual and other forms of harassment and bullying.

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All employees must strive to improve the working environment, to create a working environment free from threats, violence, harassment, intimidation and bullying, to develop and maintain interpersonal relationships at an appropriate level, and to develop a value system that will prevent the emergence and development of sexual and other harassment, bullying or other forms of psychosocial risk.

IV. ASSESSMENT OF CONDUCT

Article 7

Bullying, sexual and other harassment is any repeated or systematic, reprehensible or clearly negative conduct or behavior directed towards individual employees or in relation to work.

The individual determines whether an act is offensive and whether it constitutes sexual or other harassment or bullying. The most important point of view is one of bullied person who does not want a certain behavior and see the behavior as unacceptable.

Article 8

Employer's duties

The employer will make particular efforts to:

- **improving work organization** – eliminating unclear descriptions, positions and tasks, reducing the share of monotonous work where possible, improving the predictability of work procedures, allowing employees to make decisions, providing trainings, using open communication, developing a team organizational culture, eliminating unclear or conflicting instructions, ensuring comprehensive information about goals, resolving personnel problems, improving the working climate, etc.;
- **improving the management style** –eliminating the authoritarian management style, constantly communicating with employees, increasing the responsibility and competence of the employer's management in resolving conflicts, clearly defining norms and values at all levels, clearly defining the consequences of violating norms and values, organizing annual overview meetings analyzing employee's work achievements, etc.;
- **introducing special measures to prevent** sexual and other harassment and bullying by taking appropriate and rapid action, raising awareness on the topic, and informing about the employer's norms and values.

Article 9

Employee's duties

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Employees are obliged to:

- inform the employer or the competent person at the employer about the existence of sexual and other harassment, bullying,
- promote partnership behavior at all organizational levels,
- refrain from all actions that would result in sexual and other harassment and bullying of colleagues, subordinates and superiors.

V. PROCEDURE FOR DETERMINING SEXUAL AND OTHER HARASSMENT OR BULLYING

Pre-procedure

Article 10

An employee who believes that is being sexually or otherwise harassed or bullied at work should try to resolve the problem in the pre- procedure by requesting that offender immediately cease such conduct.

If an employee who is sexually or otherwise harassed or bullied believes that this behavior continues despite warning, or that the pre-procedure is not appropriate, the employee reports to the employer or the person authorized to receive reports, if the employer has appointed authorized person.

Authorized person for receiving reports and carrying out the procedure

Article 11

The employer shall appoint an authorized person who is responsible for receiving and handling cases of sexual and other harassment and workplace bullying. The director shall appoint a person who enjoys the employer's high trust and is qualified to professionally carry out the procedure specified in this regulation.

The employer may also appoint an external representative to receive and handle cases of sexual and other harassment and bullying.

The authorized person investigates the problem, establishes the factual situation and documents it, advises victims, offers them support, educates the offender about the legal consequences and tries to achieve the cessation of controversial actions without special sanctions.

Procedure for resolving reports of sexual and other harassment or bullying

Article 12

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Any employee who believes that is being sexually or otherwise harassed or bullied and cannot resolve the problem through a pre-procedure or believes that a pre-procedure is not an option is obliged to report the alleged offender in writing to employer or the person authorized to receive reports.

The written report must include the date and time of the act, the offender, a description of the event, and any witnesses. Any written or other evidence must be attached to the written report.

The employer or the person authorized to accept reports is obliged to write a report on the basis of the written report received and immediately invite the employee for an interview, help the authorized person to assess whether it is indeed sexual or other harassment or bullying or whether it is a conflict, advise employee, and also be alert to possible signs of false reports.

The person authorized to receive applications must immediately notify the employer of the application.

The employer or the person authorized to receive reports is obliged to invite the alleged offender for an interview and obtain other necessary information within five working days of the report and make a written record of the interview with the alleged offender. Based on the interview conducted with the alleged offender and the employee, the authorized person collects findings and conclusions and, no later than 3 working days after the completion of the investigation, reports findings to the employer and proposes an action.

The employer is responsible for implementing legal measures and sanctions.

Action

Article 13

If, based on the findings and after consultation with the authorized person, the employer believes that there is a reasonable suspicion that sexual and other harassment or bullying has occurred or that such conduct or behavior continues even after the alleged offender has been informed of the inappropriateness of such conduct or behavior in relation to employees, the employer shall take the following measures:

- acts in accordance with the provisions on disciplinary liability under the provisions of the ZDR-1,
- issues a written warning before terminating the employment contract,
- imposes a measure of regular termination of the employment contract for misconduct,
- imposes a measure of extraordinary termination of the employment contract.

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The employer shall determine the type of measure to be taken against the offender within 30 days. The employer shall decide on the type of measure independently, taking into account the gravity and nature of the violation. In cases where there is a suspicion that the prohibition of sexual and other harassment or bullying, which are defined as criminal offences in the Criminal Code, has been violated, the police and the competent prosecutor's office shall be immediately notified, regardless of the provisions of this regulation.

After the procedure is completed, the employer must act in a way that prevents the stigmatization of the victim of sexual or other harassment or bullying and must strive for victim's reintegration into the work process and environment as soon as possible.

Notification

Article 14

The employer is obliged to inform the offender and victim in writing about the type of measure.

Prohibition of retaliation

Article 15

Victims and people who help them stopping a violent situation must not be exposed to negative consequences resulting from actions aimed at prohibiting sexual and other harassment or abuse.

False reports

Article 16

If it is established in the procedure that the report of sexual and other harassment or bullying at the workplace is obviously false, the employer may take action against the employee because of a violation of work obligations, unless it is established that the employee was justified in making a mistake regarding the definition of the acts that considered to be sexual and other harassment or bullying, or was misled.

VI. FINAL PROVISIONS

Article 17

The Regulation shall enter into force on the day following their adoption by the Governing Board.

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The current version of the Regulation is available in the Rudolfovo document system.

Novo mesto, 27. 10. 2023

Rudolfovo - Science and Technology Center Novo mesto
President of Governing Board
dr. Tomaž Savšek