



ALMA MATER STUDIORUM  
UNIVERSITÀ DI BOLOGNA

## **Code of Conduct for the Prevention of Sexual and Moral Harassment**

*(Issued by Rector's Decree 611/2020 of 22/05/2020)*

### **Art. 1**

#### **Fundamental Principles**

Alma Mater acknowledges the guiding principles outlined in the Code of Ethics and Conduct of the University. Alma Mater protects its workers and students' right to a safe and serene work environment that is conducive to interpersonal relationships based on equality, mutual integrity and respect.

Alma Mater aims to prevent and combat sexual and moral harassment and any other form of violation of human dignity.

### **Art. 2**

#### **Recipients**

This Code applies to the entire University community, as identified in Article 2 of the Code of Ethics and Conduct.

### **Art. 3**

#### **Duties of Facility Managers**

The Heads and Managers of facilities and services:

- a) have the duty to prevent harassment in the work and study environments they manage, establishing rules that encourage respect, dialogue and communication;
- b) are required to monitor the dissemination of and compliance with this Code;
- c) should support and help victims of harassment by listening to them and giving advice on what measures to take.

### **Art. 4**

#### **Cooperation Duties**

The entire University community contributes to a work and study environment that promotes human dignity and encourages respect, dialogue and communication, also by drawing attention to the values of this Code. If harassment is reported, any member of the University community who has useful information has the duty to cooperate with the Administration in the procedures to ascertain the facts.

### **Art. 5**

#### **Definition of Moral Harassment**

Moral harassment is any aggressive, hostile and derogatory behaviour against a person, and any other conduct that humiliates and causes harm to the psychological and physical integrity of a person. Moral harassment also includes gender-based discrimination and discrimination based on ethnicity, religion and political orientation. Below are some examples of moral harassment:

- a) conduct that harms a person's image – such as insults, intimidations, threats, calumnies, insinuations about a person's health and professional ability, disclosure of confidential information, and any other behaviour that aims to bring discredit on a person;
- b) conduct that harms a person's career – such as baseless and persecutory transfer or removal from a position, unjustified threats of termination, forced resignation, baseless and continuous criticism and lack of esteem, exclusion from institutional communications, assignment of tasks well above or well below a person's professional skills or physical abilities, and any other behaviour that aims to demotivate and cause low self-esteem;
- c) attempts to marginalise and isolate a person – such as restrictions on expression, excessive control, frequent and unjustified changes of tasks with persecutory aims.

Harassment also includes all forms of retaliation against anyone reporting or witnessing harassing behaviours.



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## **Art. 6**

### **Definition of Sexual Harassment**

Sexual harassment is any unwanted behaviour, including physical, verbal and non-verbal behaviours, of a sexual nature, and any discrimination based on sex, gender identity and sexual orientation, which offends the dignity of a person in their work and study environments.

An aggravating circumstance of sexual harassment is a situation of disadvantage, asymmetry or hierarchical subordination between the victim and the alleged harasser.

Below are some examples of sexual harassment:

- a) offensive or unwanted requests for sexual favours, both implicit and explicit;
- b) unwanted and annoying physical contact;
- c) posting or circulating pornography in the University's work and study environments and online;
- d) offensive and inappropriate sexualised comments about a person's body or sexual orientation;
- e) sexist behaviour in all types of personal relationships;
- f) implicit or explicit promise of advantages and privileges or career advancements to workers or students in exchange for sexual favours;
- g) threats or retaliation after refusal of sexual favours.

## **Art. 6-bis**

### **Definition of Discrimination**

Discrimination is any unequal behaviour or recognition of rights based on a person's sex, sexual orientation, gender identity, nationality, origin or ethnicity, political orientation, religion, economic and social status, and any other relevant condition.

## **Art. 7**

### **Confidential Counsellor**

The role of the Confidential Counsellor has been established to ensure effective enforcement of this Code.

The Confidential Counsellor, also for the purposes of legal protection, offers advice and support to members of the University community who experience discrimination or harassment and takes steps to help resolve the problem in each case.

The Confidential Counsellor is fully independent. The Confidential Counsellor is appointed by the Academic Senate at the proposal of the Rector. The person selected has sensitivity and experience in the field of gender-based violence, power abuse and disparity, as well as suitable professional skills to perform his or her tasks. The Confidential Counsellor is in office for three years.

The Administration provides the Confidential Counsellor with the resources that the Board of Governors assigns to him or her to carry out the relevant tasks and pays him or her a lump-sum remuneration based on his or her professional experience and the activity performed.

Every year, the Confidential Counsellor submits a report to the Director General and the Rector. Every year, the Confidential Counsellor also attends a meeting of the Student Council and a meeting of the Academic Senate to present a general report on the application of this Code.

The Confidential Counsellor can suggest information and training actions and initiatives to raise the staff and Managers' awareness about human dignity.

## **Art. 8**

### **Penalties**

Without prejudice to civil and criminal liability, any member of the University community who commits acts of moral or sexual harassment or violates duties and standards under this Code will be punished as provided for by the regulations applicable to the staff concerned, as well as by the implementing provisions of the Code of Ethics and Conduct.



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## **Art. 9**

### **Confidential Counsellor's Modes of Intervention**

Without prejudice to judicial protection in civil and criminal courts to the extent permitted by law, anyone who has been a victim of moral or sexual harassment can turn to the Confidential Counsellor.

The Confidential Counsellor will give the person concerned, at their request, advice and help to define/identify the most suitable way to solve the situation.

Notwithstanding the paragraph above, the Confidential Counsellor, in the framework of his or her activity, can:

- a) ask to meet the alleged harasser;
  - b) hear witnesses and access the administrative documents relevant to the case;
  - c) at the request of the victim, arrange for the victim and the alleged harasser to meet;
  - d) recommend suitable actions to protect the psychological and physical wellness of the persons concerned.
2. The Confidential Counsellor will not take any actions without the victim's express consent.
  3. The person making a report can withdraw it at any time during the informal procedure, after the Confidential Counsellor makes sure, in a dedicated meeting, that it is their actual intention to withdraw it.
  4. The informal procedure will be completed within 120 days of reporting.

## **Art. 10**

### **Formal Report**

1. If a victim decides not to turn to the Confidential Counsellor or if the latter is unable to successfully stop the harassing behaviour, the victim can formally report the harassment to the relevant Facility Manager, possibly with the Confidential Counsellor's support. The Manager will forward the report to the competent administration offices, to be identified based on the role of the persons to whom the report refers.
2. If the alleged harasser is the victim's Facility Manager, the formal report can be submitted to the Director General or the Rector.
3. A formal report can be submitted even while an informal procedure is pending.
4. Anyone who makes a groundless report with the only aim of denigrating someone or gaining personal advantage will be held liable pursuant to the law. If such a report causes harm to the person against whom it is issued, to the extent of its responsibilities, the University will take appropriate steps to inform that those allegations are groundless.

## **Art. 11**

### **Confidentiality**

All persons involved in the resolution of harassment cases are required to keep the facts and information they learn in the course of dealing with the case confidential, and are personally liable for any breaches of privacy.

## **Art. 12**

### **Information and Training**

The Administration undertakes to:

- a) give visibility to and circulate this Code as much as possible, including by posting it at University campuses and publishing it on the University Website in a dedicated illustrative page and in the Confidential Counsellor's section;
- b) publish the name, place, office hours and contact details of the Confidential Counsellor;
- c) implement specific prevention and awareness-raising training on the topics covered by this Code, addressed to the Heads and Managers of facilities and services, who are required to promote and spread a culture of respect;
- d) offer information sessions and establish cooperation networks with local entities that deal with similar issues;
- e) promote, through the Rector and the Director General, a monitoring action to assess the effectiveness of this Code and – based on the outcomes of the assessment, of which trade unions will be informed too – the opportunity to amend and supplement it as needed.