

**Internal Policy for Counteracting Mobbing, Discrimination,
Harassment, and Sexual Harassment
at the Nicolaus Copernicus Astronomical Centre PAS**

**Chapter I
General Provisions**

§ 1

The aim of the internal policy for counteracting mobbing, discrimination, harassment, and sexual harassment at the Nicolaus Copernicus Astronomical Centre, PAS, hereinafter referred to as the "Anti-Mobbing Policy," is to:

- 1) Counteract mobbing, discrimination, harassment, and sexual harassment;
- 2) Define procedures in case of mobbing, discrimination, harassment, or sexual harassment;
- 3) Support actions that promote the building of positive relationships among employees at the Nicolaus Copernicus Astronomical Centre, PAS.

§ 2

Whenever the Anti-Mobbing Policy refers to:

- 1) **Employer** – this refers to the Nicolaus Copernicus Astronomical Centre, PAS;
- 2) **Employee** – this refers to an individual in an employment relationship with the Nicolaus Copernicus Astronomical Centre, PAS;
- 3) **Supervisor** – this refers to an individual who, due to their position in the organizational structure of the employer or based on granted powers, supervises the work of other employees;
- 4) **Mobbing** - this refers to actions or behaviors concerning an employee or directed against an employee, involving persistent and long-term harassment or intimidation of the employee, leading to a diminished assessment of their professional usefulness, aimed at humiliating or ridiculing the employee, isolating them, or eliminating them from the team;
- 5) **Discrimination** - this refers to direct or indirect unequal, inferior, or unfair treatment of an employee or group of employees based on their actual or presumed identity characteristics, particularly: gender, gender identity, skin color (race), national or ethnic origin, religion, belief or lack of belief, worldview, health status and degree of disability, age, sexual orientation, political beliefs, union membership, social and economic status, full-time or part-time employment, fixed-term or indefinite employment;

- 6) **Harassment** - this refers to any unwanted behavior whose purpose or effect is to violate the dignity of an employee and create a threatening, hostile, humiliating, or degrading atmosphere towards them;
- 7) **Sexual harassment** - this refers to any unwanted sexual behavior or behavior related to the employee's gender, whose purpose or effect is to violate the dignity of the employee and create a threatening, hostile, humiliating, or degrading atmosphere towards them, which may include physical, verbal, or non-verbal elements;
- 8) **Anti-Mobbing Policy**, this refers to the principles of counteracting mobbing, discrimination, harassment, and sexual harassment at the Nicolaus Copernicus Astronomical Centre, PAS;
- 9) **Complaint** - this refers to an employee's report indicating the application of actions or behaviors towards them or other employees that exhibit characteristics of mobbing, discrimination, harassment, or sexual harassment;
- 10) **Anti-Mobbing Committee**, hereinafter referred to as the "**Committee**" – this refers to a collegial body appointed by the Director of the Nicolaus Copernicus Astronomical Centre, PAS, to review complaints;
- 11) **Employee Rights Advocate** - this refers to a person designated by the employer to whom one can appeal in cases of violations of the Anti-Mobbing Policy.

Chapter II Counteracting Mobbing and Discrimination

§ 3

1. The employer does not accept mobbing or any other forms of violence, discrimination, harassment, and sexual harassment.
2. The employer strictly prohibits all actions and behaviors that bear the characteristics of mobbing, discrimination, harassment, or sexual harassment.
3. The employer undertakes efforts to ensure that the working environment at the Nicolaus Copernicus Astronomical Centre, PAS, is free from mobbing and other forms of violence, discrimination, harassment, and sexual harassment, particularly by:
 - 1) Promoting desirable behaviors consistent with social coexistence principles in relationships among employees;
 - 2) Disseminating knowledge about mobbing, discrimination, harassment, and sexual harassment phenomena, methods of preventing their occurrence, and the consequences of their occurrence;
 - 3) Monitoring issues related to mobbing, discrimination, harassment, and sexual harassment and the implementation of anti-mobbing and anti-discrimination procedures in practice.
4. Employees are required to:
 - 1) Comply with the Anti-Mobbing Policy and counteract violence by others;

- 2) Strive to adhere to principles of social coexistence in relations with other employees, including respect for their dignity and personal rights;
 - 3) Avoid undesirable behaviors in the workplace towards employees or others, particularly those leading to mobbing, discrimination, harassment, or sexual harassment;
 - 4) React to undesirable behaviors of third parties, particularly those leading to mobbing, discrimination, harassment, or sexual harassment, including refusing to participate in or support actions that involve such undesirable behaviors.
5. Additionally, supervisors are required to:
- 1) Resolve conflicts with employees or among subordinate employees without unnecessary delay;
 - 2) Set an example of appropriate behavior through their own actions;
 - 3) Show openness to feedback from employees;
 - 4) Report to the employer any instances of relationship issues that require employer intervention.
6. The application of mobbing, discrimination, harassment, or sexual harassment or creating situations that encourage such behaviors may be considered a serious violation of fundamental employee duties.
7. Anyone who becomes aware of the occurrence of mobbing, discrimination, harassment, or sexual harassment at the employer is obligated to notify their supervisor or the employer.

Chapter III

Anti-Mobbing and Anti-Discrimination Procedures

§ 4

1. Every employee who believes they have been subjected to actions or behaviors constituting mobbing, discrimination, harassment, or sexual harassment has the right to file a complaint with the Director of the Nicolaus Copernicus Astronomical Centre, PAS, or the Employee Rights Advocate.
2. The complaint should include a description of the factual situation, evidence supporting the stated circumstances, and the identification of the perpetrator or perpetrators of the undesirable action. The aggrieved party should personally sign the complaint and date it. Anonymous complaints will not be processed.
3. An employee cannot be subjected to reprisals or discrimination due to filing a complaint.
4. If the employee identified in the complaint mentioned in paragraph 3, who has experienced actions exhibiting characteristics of mobbing, discrimination, harassment, or sexual harassment, does not consent to the initiation of anti-mobbing or anti-discrimination proceedings, such proceedings will not be initiated. In such cases, the Director or a designated individual assesses the situation and takes preventive measures.

§ 5

1. The Committee will conduct proceedings regarding the complaint, which is appointed by the Director of the Nicolaus Copernicus Astronomical Centre, PAS.
2. The Committee consists of:
 - 1) The Director of the Nicolaus Copernicus Astronomical Centre, PAS, or an authorized representative of the employer, as the chair;
 - 2) A representative of the employees as the deputy chair;
 - 3) A representative indicated by the complainant as a member of the committee.
3. A member of the Committee cannot be:
 - 1) An individual to whom the complaint pertains;
 - 2) The head of the organizational unit in which the complainant is employed;
 - 3) A direct subordinate of the individual to whom the complaint pertains;
 - 4) An individual against whom there was or has ever been a proceeding for actions exhibiting characteristics of mobbing, discrimination, harassment, or sexual harassment.
4. The Committee begins proceedings within 14 working days from the date the complaint is filed.
5. Other individuals indicated or approved by the Director may participate in the Committee's work if there is a justified need, particularly those with training in occupational psychology and conflict resolution.
6. The proceedings before the Committee are confidential.
7. Each member of the Committee is obliged to maintain objectivity and impartiality.
8. The employer, at the request of a party to the proceedings or at the request of the Committee chair, may exclude a member of the Committee from participation in the proceedings if circumstances arise that could raise doubts about their impartiality. In the event of the exclusion of a committee member, a new member is appointed by the Director.
9. If it becomes necessary to hear witnesses during the proceedings, the Committee summons them to a meeting. A record of the witness hearing is prepared, which must be read and signed by the witness. Witnesses may be employees indicated by the parties to the proceedings and other employees if the Committee deems their testimony necessary in the case. Each witness is heard in the presence of the Committee but in the absence of other witnesses and parties to the proceedings. The parties may review the statements of the witnesses included in the protocol signed by the witness.
10. After hearing the statements of the aggrieved employee and the alleged perpetrator(s) and conducting evidentiary proceedings, the Committee resolves, by a simple majority of votes, on the validity of the complaint under consideration.
11. If, as a result of the proceedings, the parties determine that the reason for the complaint is a typical conflict or misunderstanding due to errors in interpersonal communication that can be resolved through a voluntary mutually acceptable agreement, the proceedings will conclude with the drafting of a protocol containing the agreement. In

the event that the parties do not reach an agreement, the proceedings will conclude with a protocol stating the lack of agreement and its reasons, specifying the positions of the parties regarding the possibility of resolving the conflict.

12. The protocol from the Commission meeting is to be provided to the complainant and the person to whom the complaint pertains within 7 days for their review, which must be confirmed by their own signature.
13. Members of the Commission are granted leave from work by the employer during the work of the Commission, while retaining their right to remuneration.
14. Administrative support for the meetings of the Commission is provided by an employee of the Scientific Secretariat designated by the Director, who in particular:
 - 1) records the minutes of the Commission meetings,
 - 2) collects documentation related to the ongoing proceedings for a period of 3 years after the end of the calendar year in which the proceedings were concluded.
15. The documentation referred to in paragraph 14 point 2 is to be stored:
 - 1) in a metal cabinet that is subject to sealing or in a safe—in the case of paper documentation;
 - 2) on the official accounts of the Commission members and the person providing administrative support for the Commission meetings—in the case of documents in electronic file form. These documents are stored in a manner that ensures their confidentiality and prevents third parties from accessing them.

§ 6

As far as possible, the employer should transfer the complaining employee, at their request or with their consent, to a job position in another organizational unit.

§ 7

In cases where the complaint pertains to the Director of CAMK PAN, all responsibilities of the Director indicated in this procedure are assumed by the Deputy Director for Scientific Affairs during the duration of the proceedings.

Chapter IV

Causes Preventing the Conduct of Proceedings

§ 8

1. Proceedings are not conducted if:
 - 1) the complainant does not supplement the complaint within the specified time;
 - 2) the employment relationship of either party to the proceedings has ceased or actions aimed at terminating the employment relationship have been undertaken;
 - 3) the same act or the same factual basis has been or is currently being pursued in proceedings before a court.

§ 9

1. In the case of justified absence from work of the parties to the proceedings, explanatory actions will not be conducted until the employee returns to work.
2. In the event of a long-term justified absence from work of a Commission member:
 - 1) będącego przedstawicielem skarżącego – na wniosek strony,
 - 2) będącego przedstawicielem Dyrektora – na wniosek Dyrektora:
 - a) postępowanie nie jest kontynuowane,
 - b) w skład Komisji zostaje powołana inna osoba, wskazana odpowiednio: przez stronę postępowania lub Dyrektora.

Chapter V

Proceedings in the Event of Determining Mobbing or Discrimination

§ 10

1. In the event that the complaint is found to be justified, the employer shall take actions aimed at eliminating the identified irregularities and preventing their recurrence, as well as penalizing the perpetrator(s).
2. In egregious cases of bullying, discrimination, harassment, or sexual harassment, the employer may terminate the employment relationship with the perpetrator(s) of the bullying.