

**Anti-Discrimination Procedure
at the Institute of Physical Chemistry of the PAS**

General provisions

§ 1

This procedure serves to protect employees and doctoral students of the Institute of Physical Chemistry of the Polish Academy of Sciences (hereinafter: "the Institute") from discriminatory practices and to promote standards of equal treatment.

§ 2

1. Actions or behaviour that fulfil the characteristics of discrimination are prohibited at the Institute, in particular unjustified exploitation of a privileged professional position in the relationship between a superior and a member of staff is prohibited.
2. Everyone is obliged to react appropriately to any perceived manifestation of discrimination taking place at the Institute.
3. Creating situations that encourage discrimination may be considered a breach of fundamental employment duties.

§ 3

The terms used in this procedure are given the following meanings:

- a. Discrimination – Unequal treatment with regard to the establishment or termination of the employment relationship, terms and conditions of employment, promotion and access to training for the purpose of improving professional qualifications, in particular on the grounds of sex, age, disability, race, religion, nationality, political opinion, trade union membership, ethnic origin, belief, sexual orientation, or on the grounds of employment for definite or indefinite period of time, or full-time or part-time employment, both in the form of direct and indirect discrimination as well as all behaviours and omissions defined as discriminatory in the Labour Code, regulations and provisions implemented into the Polish legal order.
- b. The Anti-Discrimination Committee, hereinafter referred to as the “Committee” – A body appointed by the Institute Director to clarify cases of discrimination and to carry out activities aimed at ensuring equal treatment of all of the Institute’s employees and doctoral students.
- c. Notifying person – Anyone who has submitted a notification concerning the occurrence of an incident of discrimination at the Institute.
- d. Person concerned – Any person alleged to have engaged in discriminatory conduct in a complaint and any person identified as having been discriminated against.

- e. Notification – A formal notification of discrimination made by an employee or doctoral student of the Institute, including a victim or witness of discrimination, to the Director of the Institute, Committee or a member of the Committee.
- f. Inquiry – The set of all actions carried out by the Committee to clarify a particular case or problem associated with discrimination.

The Anti-Discrimination Committee and its tasks

§ 4

1. A Committee shall be appointed by the Institute Director from among the staff of the Institute and shall consist of at least three members, including a Chairperson and a Deputy Chairperson. The Committee should include at least one research staff member and at least one administrative staff member.
2. Only a person who has not been found to have been subjected to harassment or discrimination may be a member of the Committee.
3. Members of the Committee should be familiar with the issue of discrimination and be familiar with data protection legislation.
4. The Committee shall be guided in its work by its Chairperson, amongst others, by convening its meetings, determining the time and place of its meetings and assigning tasks to the members of the Committee.
5. The Committee's term of office shall be 4 years.
6. The mandate of a member of the Committee shall lapse as a result of resignation from, termination of, or expiry of employment at the Institute.
7. A member of the Committee may be dismissed by the Director where there is reasonable or probable knowledge that the conduct of the member of the Committee is in flagrant breach of procedure or where such a person has been prosecuted for harassment or discrimination.
8. A member of the Committee is obliged to exclude himself/herself from the work of the Committee if it is not possible for him/her to remain objective or impartial in evaluation in a particular case. This applies in particular if a member of the Committee is a witness in the case. If, in a specific case, this were to bring the number of members of the Committee below three, the Director will, for the purposes of these proceedings and for the duration thereof, appoint provisional members of the Committee in an appropriate number.

§ 5

1. The Committee's tasks are to:
 - a) Receive notifications of discrimination;

- b) Conduct inquires into cases of discrimination including: handling notifications of discrimination, establishing the facts during an inquiry and assessing whether discrimination has occurred;
- c) Prepare reports on the above-mentioned proceedings with recommendations for action, including institutional support or support by an appropriate professional (e.g. psychologist. lawyer);
- d) Inform the Director of incidents of discrimination;
- e) Monitor the situation at the Institute with regard to discrimination and plan and implement measures to counter such phenomena;
- f) Formulate recommendations and advise the Director on standards of equal treatment and countering discrimination, as well as giving an opinion on the Institute's internal regulations in the context of antidiscrimination and the promotion of equal treatment;
- g) Sensitise the Institute's staff to the issue of discrimination and increase their knowledge in the aforementioned area;
- h) Contribute to fostering a climate of mutual respect and confidence within the Institute.

Submitting a notification of Discrimination and Inquiry

§ 6

1. Notification of a case of discrimination may be made by a person who is an employee or doctoral student of the Institute. A notification may also be submitted by a person who is not the person concerned.
2. Notification of a case of discrimination at the Institute may not be the basis for unequal treatment, in particular with regard to the employment relationship.
3. Notification of a case of discrimination to the Committee may be made in any of the following ways: in writing, including through electronic communication tools, by telephone, or orally. In the case of oral and telephone notification, the member of the Committee to whom the discrimination has been reported shall make an official note. Anonymous reports shall not be taken into consideration.
4. Notification directly to the Deputy Chairperson or a member of the Committee shall be forwarded to the Chairperson of the Committee.
5. With the consent of the notifying person, notifications that do not meet the discrimination criteria may be referred for consideration to other bodies operating within the Institute, according to their jurisdiction.

§ 7

1. The Committee shall commence proceedings without undue delay.

2. Proceedings before the Committee shall be conducted with respect for the rights and with particular attention to the protection of the personal rights of the participants in the proceedings.
3. A person indicated in the notification as having committed discrimination shall be informed in writing or electronically of the commencement of proceedings before the Committee, including the substance of the allegations made.
4. Persons concerned shall be required to provide the Committee with any information and explanations to the extent indicated by the Committee.
5. The Committee shall take steps to clarify the case, in particular it may summon the persons concerned, as well as persons identified as witnesses to a case of discrimination, to provide explanations (Inquiry).
6. If witnesses need to be heard in the course of the proceedings, the Committee shall invite them to a meeting.
7. At the Committee's request, the Institute's staff and doctoral students shall be obliged to provide information and access to documents relating to the matter to which the Committee's work relates.
8. When in doubt about the assessment of a particular case, the Committee may consult external experts.
9. All members of the Committee are required to be objective and impartial in their assessments of specific cases.
10. The Committee has no authority to warn persons of criminal liability for making false statements.
11. Proceedings before the Committee shall not be conducted if:
 - a. The employment relationship has terminated with either party to the proceedings or steps have been taken to terminate it;
 - b. Proceedings have been or are being brought before a court in respect of the same act or on the same factual basis.
12. In the event of excused absence from work of one of the persons concerned, an inquiry shall not be carried out until the impediment has ceased to exist.

Report and intervention measures

§ 8

1. In the course of the proceedings, the Committee shall first determine whether discrimination has occurred in the notified case.
2. If discrimination is confirmed, the Committee shall determine whether and what intervention measures, sanctioning the person committing the discrimination and

assisting the person discriminated against, should be taken in the given case in order to immediately stop further discrimination or reduce its negative effects.

3. In particular, the Committee may recommend educational measures, including the participation of the person committing the discrimination in anti-discrimination workshops or training, and remedial measures, including psychological support for the person discriminated against. If the factual situation requires diagnostic and therapeutic consultation, the Committee shall inform the Director of its recommendation to refer the employee or doctoral student to entities specialised in counteracting the effects of discrimination. Any assistance from a psychologist, psychiatrist or other necessary specialist shall be provided to the discriminated person at the employer's expense.
4. At the conclusion of the proceedings, the Committee shall draw up a report containing the main finding of the Inquiry and a recommendation for intervention and corrective action. The report shall be signed by all members of the Committee. The report shall be forwarded to the Director and the persons concerned. The report shall include, in particular:
 - a) A description of the facts established in the course of the inquiry;
 - b) The Committee's reasoned position on the notification submitted;
 - c) Any dissenting opinion of a member of the Committee;
 - d) The proposed remedies.
5. The Committee's drawing up of the report shall conclude the proceedings on the given notification before the Committee.
6. The Director shall, upon receipt of the report of the inquiry, take measures to eliminate the irregularities found and prevent their recurrence.

Confidentiality

§ 9

1. All persons participating in the work of the discrimination and unequal treatment procedure are obliged to maintain confidentiality as to all facts learned in the course of the work.
2. Members of the Committee shall not in any way release or disseminate documents relating to the discrimination case under consideration.
3. The proviso to paragraph 2 shall not apply to access made to authorised bodies.
4. The data contained in the Committee's materials and documents may contain personal data and shall be subject to the protection envisaged for the protection of personal data.

Preventive action

§ 10

1. The Committee may carry out actions to find out the extent of discrimination at the Institute and the mechanisms in place to counteract such undesirable behaviour. For example, these actions may include: conducting surveys, focus group interviews and individual meetings. The results of these analyses in anonymised form shall be made available to the Director of the Institute and the staff.
2. The Committee shall also be responsible for carrying out and organising educational and publicity activities on the manifestations of discrimination, the potential consequences, the legal consequences and the methods of counteracting this type of behaviour, in particular by identifying it and responding appropriately.
3. The Committee shall advise the Director of the Institute in the event of the introduction of any regulations at the Institute which may affect equal relations between staff members.

Final provisions

§ 11

It is the responsibility of each employee to familiarise themselves with the content of this procedure.