

Anti-Discrimination and Harassment Policy

June 20th, 2023

Anti-Discrimination and Harassment Policy

CRM is committed to providing a welcoming environment free from discrimination based on race, color, creed, religion, sex, national origin, age, physical or mental disability, family care status, veteran status, marital status, sexual orientation, identification or expression, non-gender or non-sex-based harassment of individuals protected under federal civil rights laws, as outlined in organizational policies or codes of conduct, statutes, regulations, or executive orders. Likewise, the CRM will not tolerate harassment based on these characteristics, any form of sexual harassment or sexual assault.

Types of harassment:

Workplace harassment is any abusive behavior exercised in the workplace by hierarchical superiors and by equals, in such a way that an intimidating, hostile and humiliating work environment for the victim endangers their job or conditions their professional career.

Sexual harassment as a type of workplace harassment refers to any behavior, verbal or physical, of a sexual nature that has as its purpose the effect of violating the dignity of a person, when creating an intimidating environment, demeaning or offensive.

Psychological harassment (mobbing) is considered to include a set of behaviors or actions exercised systematically and prolonged over time, whose purpose or effect is objectively degrading treatment personal and/or professional, with the consequent damage to the dignity and moral integrity of the affected person and the degradation of their work environment.

Harassment can include, but is not limited to, the following behaviors:

- ❖ Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, or comments.
- ❖ Visual displays such as derogatory and/or sexually-oriented postings, photography, cartoons, drawings or gestures.
- ❖ Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work.
- ❖ Threats and demands to submit to sexual requests as a condition of continued program standing, or to avoid some other adverse action, and offers of other benefits in return for sexual favors.
- ❖ Retaliation for reporting or threatening to report harassment.
- ❖ Communication via electronic or social media of any type that features any of the examples of harassment above, or any other actions that violate state or federal anti-harassment laws, e.g., offensive email jokes, graphics, messages, etc.

Centre de Recerca Matemàtica

Zero Tolerance policy against harassment

Code of Conduct:

1. The CRM is committed to the effective equality of women and men.
2. The CRM is taking targeted measures to avoid any kind of discrimination on the grounds of gender, race, religion, culture, physical ability, physical appearance, ethnicity, national origin, political affiliation, age, or any other reason between its employees or managers.
3. It does not tolerate any behavior contrary to freedom, dignity, physical and mental integrity of employees, visitants, suppliers or any other person collaborating with the center.
4. It ensures quality of work for its employees, as well as their health.
5. It applies a preventive approach to protection against any type of harassment.
6. It has a protocol against harassment to ensure a safe and respectful work environment for every staff member.
7. It provides information and training for every staff member (management; employees) on matters related to avoiding harassment and discrimination.
8. It arbitrates with specific procedures to conveniently manage complaints.
9. It will apply disciplinary actions when necessary, including termination (employees) or expulsion (visitants/collaborators) in the face of proven harassment scenarios.
10. It makes available a standard complaint form to report any possible case. This will be managed guaranteeing confidentiality, privacy and compliance with data protection, as well as a speedy research procedure.

Anti-Discrimination and Harassment Process Infographic

0 Ask to stop the behavior

If you feel comfortable doing so, would be to ask the harasser to stop his/her offensive behavior

1 Report and be advised

If you perceive you are being harassed, you can contact the External Prevention Service - EPS (phone/e-mail: see info). They will listen to you, discuss options and help you to decide which are the next steps to take. You can also resort to other means, such as filing a complaint with the police or legal entities.

Information of interest

Process time: 3 working days
EPS e-mail:
esther.hqp@gmail.com or
info@hqp.cat
EPS phone: +34 93 850 78 58

2 Formalizing the complaint and investigation

You should provide a written complaint to the EPS, trying to follow the suggested model, though it can be informal. It should include as many details of the incident(s) as possible, as well as the names of involved individuals and/or witnesses. The investigation will be then started. A process of gathering information will be conducted and the parties will be listened.

Information of interest

Process time: 20 working days
EPS e-mail:
esther.hqp@gmail.com

3 Decision

According to the report, a representative of the Centre will make a decision:
If there is enough evidence of a situation of harassment:

- The sanctioning process for a proven situation of harassment will be started, and corrective measures will be adopted.

If there is no sufficient evidence of the existence of a harassment situation:

- The complaint will be filed.

A copy of this decision report will be sent to the complainant and to the denounced.
Whether the case ends in a sanction or if it ends without sanction, your employment situation will be analyzed.

Information of interest

Process time: 5 working days

NORMATIVE REFERENCES

1. Catalan regulations

- ❖ Articles 15.2, 25.3 and 40.8 of the Statute of Autonomy of Catalonia.
- ❖ Articles 92 h), 115 b) and 116 of Legislative Decree 1/1997, dated 31 October, approving the recasting into a single text of the precepts of certain legal texts in force in Catalonia regarding of public function.

2. Spanish regulations

- ❖ Articles 1.1, 9.2, 14, 18.1, 35.1 and 53.2 of the Spanish Constitution.
- ❖ Law 30/1992, of November 26, on the Legal Regime of the Public Administrations and Common Administrative Procedure.
- ❖ Articles 173, and from 316 to 318 of the Organic Law 10/1995, of 23 November, of the Penal Code.
- ❖ Preamble XI and article 38 of Organic Law 5/2010, of June 22, by which modifies the Organic Law 10/1995, of November 23, of the Penal Code.
- ❖ Law 31/1995, of November 8, on the prevention of occupational risks.
- ❖ Royal Decree 39/1997, of January 17, approving the Regulation of prevention services.
- ❖ Articles 28 and 37 of Law 62/2003, of December 30, on measures fiscal, administrative and social order.
- ❖ Law 7/2007, of April 12, on the Basic Statute of Public Employees.
- ❖ Articles 115, 116 and 117 of Royal Legislative Decree 1/1994, dated 20 June, approving the Consolidated Text of the General Law of the Social Security.
- ❖ Article 4.2 c) and e) of Royal Legislative Decree 1/1995, of March 24, which approves the Consolidated Text of the Law of the Statute of the workers.
- ❖ Article 8.11 of Royal Legislative Decree 5/2000, of August 4, by the that the Consolidated Text of the Law on Infractions and Sanctions in the social order.
- ❖ Royal Decree 171/2004, of January 30, which develops the article 24 of Law 31/1995, of November 8, on risk prevention labor, in terms of coordination of business activities.

3. European regulations

- ❖ European Parliament resolution on moral harassment in the workplace of work.
- ❖ [2001/2339/(INI)].
- ❖ Commission of the European Union (2001) "Violence at work". Minutes of the meeting of March 3, 2001. Doc. 0978/01 ES.
- ❖ European Parliament resolution on moral harassment at work (C77E of 3-28-02).
- ❖ European Social Charter of May 3, 1996.
- ❖ Others
 - Number 23, on psychological harassment at work, of the Sheets of information.
 - Monographs of the Labor Department of the Government of Catalonia