

APPROVED

by Order No. 2023-V-0164 of the Rector of
the Lithuanian University of Health Sciences
of 13 June 2023

POLICY ON THE PREVENTION OF VIOLENCE AND HARASSMENT AT THE LITHUANIAN UNIVERSITY OF HEALTH SCIENCES

CHAPTER I PURPOSE AND SCOPE

1. The purpose of the Policy on the Prevention of Violence and Harassment at the Lithuanian University of Health Sciences (hereinafter referred to as the University) (hereinafter referred to as the Policy) is to establish and implement effective preventive measures aimed at protecting employees from violence and harassment and to ensure that employees have a clear and accurate understanding of the potential manifestations of violence and harassment in the workplace, are able to recognise the relevant signs and are aware of the available legal remedies.
2. This Policy has been developed in accordance with the Law of the Republic of Lithuania on Occupational Safety and Health, the General Regulations for the Assessment of Occupational Risk, the Methodological Guidelines for the Assessment of Psychosocial Risk Factors, the Labour Code of the Republic of Lithuania, the Law of the Republic of Lithuania on Equal Opportunities, and other legal acts, as well as the Methodological Recommendations for the Development of Policies on the Prevention of Violence and Harassment prepared by the State Labour Inspectorate.

CHAPTER II DEFINITIONS

3. Responsible Person – a person appointed by order of the Rector who liaises with employees who have experienced or may have experienced violence and/or harassment in the workplace, provides them with advice on matters relating to workplace violence and harassment or, in the event of a conflict, ensures that feedback is communicated to the relevant parties.
4. Employee(s) – an employee or employees of the University working under an employment contract.
5. Report – written submission of information concerning violence and/or harassment in the workplace.
6. Report Investigation Commission (hereinafter referred to as the Commission) – a permanent commission established by order of the Rector of the University and authorised to receive and investigate employees' reports concerning situations involving violence and/or harassment in the workplace.
7. Harassment – unwanted conduct where, on the grounds of sex, race, nationality, citizenship, language, origin, social status, faith, beliefs or views, age, sexual orientation, disability, ethnic origin or religion, a person's dignity is violated or an attempt is made to violate it, and which has the purpose or effect of creating an intimidating, hostile, degrading or offensive

environment. Harassment may be verbal or written and, less frequently, may involve physical conduct.

8. Psychosocial factor – a factor which, because of inappropriate working conditions, excessive work demands, inadequate work organisation or dysfunctional interpersonal relationships between employees, causes psychological stress to an employee.
9. Sexual harassment – unwanted and offensive conduct of a sexual nature, expressed verbally, in writing or through physical conduct, directed towards a person with the purpose of violating their dignity, by creating an intimidating, hostile, degrading or offensive environment.
10. Violence – any intentional physical, psychological, sexual or economic act or omission directed against another person in connection with work, because of which the employee suffers or may suffer non-pecuniary or pecuniary harm.
11. Manager – the employee's immediate manager or, where there is no immediate manager, the head of the relevant unit, or, in their absence, a member of staff holding a managerial position responsible for coordinating the activities of the relevant structural unit, as provided for in the University's Internal Rules of Procedure.

CHAPTER III GENERAL PROVISIONS

12. The University shall take measures to create a working environment in which employees are not subjected to hostile, unethical, degrading, aggressive, abusive or offensive conduct that infringes upon an employee's dignity and honour, physical or psychological integrity, or is intended to cause the employee undue stress at work.
13. The University has zero tolerance for violence and harassment against employees and shall take measures to ensure that reports or allegations received are investigated, prohibited conduct is brought to an end, and the conduct of persons found responsible is treated as a serious breach of their employment duties, which may result in termination of the employment contract.
14. Employees shall cooperate with one another, seek to resolve situations peacefully, treat colleagues ethically and courteously, and comply with the provisions of the Code of Ethics approved by resolution of the University Senate. In the event of a conflict or disagreement, employees shall refer the matter to their Manager and seek to resolve the situation.
15. Employees who witness unacceptable conduct towards another employee shall not tolerate such conduct or dismiss it as a joke or ill-judged humour. It is prohibited to encourage or condone such conduct by smiling, laughing or otherwise engaging in behaviour that supports or legitimises the unacceptable conduct.
16. Violence and/or harassment are prohibited:
 - 16.1. in workplaces where an employee is under the authority of the University as their employer and performs their work functions;
 - 16.2. during rest and meal breaks or while using welfare, sanitary or hygiene facilities;
 - 16.3. during work-related trips, travel, training, events or social activities;
 - 16.4. during work-related communication, including communication using information and electronic communications technologies;
 - 16.5. in accommodation provided by the University, where applicable;
 - 16.6. while travelling to or from work.

CHAPTER IV

FORMS OF VIOLENCE AND HARASSMENT

17. Violence and harassment most commonly manifest themselves through unethical or disrespectful conduct towards another employee or employees, ignoring, bullying, unjustified criticism, shouting, insults, defamation, manipulation, ridicule, mockery, bullying and other unethical comments, threats and intimidation, and, less frequently, through physical and/or sexual abuse. Such conduct may include, but is not limited to, the following forms:
 - 17.1. unacceptable or unwanted physical contact (e.g. touching, stroking, patting, pinching, attempting to touch or embrace another person, pulling another person closer, etc.) or demanding such physical contact;
 - 17.2. displaying or sending information of an obscene nature;
 - 17.3. intrusive enquiries about a person's private life or intimate relationships;
 - 17.4. unwanted comments concerning a person's appearance, body shape or clothing;
 - 17.5. verbal or written humiliation (including jokes or practical jokes directed at or ridiculing an employee or group of employees, sarcasm, hate speech, gossip, spreading rumours, defamation and offensive gestures), as well as abusive or offensive language intended to humiliate, shame or threaten an employee. This may include, but is not limited to, threats, name-calling, shouting, screaming, aggressive outbursts, intimidation, refusal to communicate and similar conduct;
 - 17.6. deliberate and intentional isolation or refusal to cooperate in the workplace, exclusion from social activities, deliberate avoidance of contact or conversation with the purpose of isolating an employee, or restricting their communication with colleagues;
 - 17.7. threats or other intimidating conduct intended to restrict an employee's freedom of choice or decision-making;
 - 17.8. exerting pressure on an employee to engage in conduct, provide services or provide sexual services unrelated to the performance of their work functions;
 - 17.9. persistent attempts to initiate communication, following an employee, or collecting and/or disseminating information about them where this is unrelated to their work functions;
 - 17.10. insults, bullying, abuse, non-constructive or degrading criticism without justification or suggestions for improving the matter criticised, and verbal aggression;
 - 17.11. ridiculing an employee's personal characteristics or private life.
18. Violence and harassment may also take other forms that are not immediately apparent but nevertheless create an intimidating, hostile, degrading or offensive working environment.

CHAPTER V

INVESTIGATION OF REPORTS

19. Employees who have reasonable grounds to believe that they or other persons may have been subjected to harassment and/or violence shall submit a report as soon as practicable after the date on which the alleged conduct occurred or became known to them, but in any event no later than 12 (twelve) months after the incident.
20. Reports shall be submitted to the Commission by email at: lygiosgalimybes@lsmu.lt.

21. Reports shall be investigated in accordance with the following principles:
 - 21.1. presumption of innocence – a person shall be presumed innocent until a decision has been made regarding their alleged unacceptable conduct;
 - 21.2. promptness – the matter shall be investigated within the shortest practicable period;
 - 21.3. direct participation – all persons involved in the matter (the person affected, the employee who engaged or is alleged to have engaged in unacceptable conduct, and any witness(es)) shall be given every opportunity to provide explanations;
 - 21.4. impartiality – the matter shall be investigated objectively and without any preconceived views as to the circumstances of the case.
22. When submitting a report concerning a suspected case of violence and/or harassment, an employee is advised to provide:
 - 22.1. details of the circumstances (date, time and place) in which the employee may have experienced or is experiencing violence and/or harassment;
 - 22.2. the person(s) who allegedly violated or may have violated the employee's rights;
 - 22.3. a description of the incident, its manifestations and any other relevant circumstances;
 - 22.4. the person(s) who witnessed the incident;
 - 22.5. information as to whether the employee consents to their identity being disclosed, together with their email address for further communication;
 - 22.6. any proposals they may have regarding the prevention of violence and harassment in the workplace and the resolution of the situation described (optional);
 - 22.7. any other relevant information available to them (e.g. correspondence or other supporting evidence).
23. Where an employee's report concerns one or more members of the Commission, the member(s) concerned shall withdraw from consideration of the matter and shall not participate in any way in the further investigation of the report or complaint.
24. All reports received, except anonymous reports, shall be registered and investigated. An employee's report shall be investigated within 10 (ten) working days of its receipt. Where there are objective grounds for doing so, the Commission may, by decision, extend the time limit for investigating the report.
25. Reports may be investigated either in person or using remote working tools.
26. Where necessary, the Commission shall have the right to require the employee and any other persons concerned with the report or possessing relevant information to provide additional information or explanations regarding the circumstances set out in the report. Any such request shall be made without disclosing the personal data of the employee who submitted the report.
27. While investigating a report, the Commission may invite the employee who submitted the report and the person who allegedly violated their rights. The person affected and the employee who engaged or is alleged to have engaged in unacceptable conduct shall be invited to meetings separately. Other persons who have or may have information relevant to the circumstances set out in the report shall likewise be heard separately from the persons participating in the investigation of the report.
28. Having investigated an employee's report, the Commission shall:
 - 28.1. confirm the circumstances set out in the report and submit a proposal to the Rector of the University regarding further action and/or measures to be taken;

- 28.2. determine that the circumstances set out in the report have not been substantiated and provide recommendations to the employees concerned regarding their future conduct, with a view to preventing similar circumstances from recurring.
29. The Secretary of the Commission shall notify the employee who submitted the report of the Rector's decision, by providing them with the relevant resolution, no later than within 3 (three) working days of the date on which the resolution was adopted. The notification shall be sent to the email address provided by the employee or through the University's information systems.
30. Information concerning the employee who submitted the report, the circumstances set out in the report and the persons concerned shall be treated as confidential and shall not be disclosed to persons who are not involved in the alleged breach or its investigation, except where required by law, including where the investigation of the alleged breach is referred to law enforcement authorities.

CHAPTER VI

PROTECTION MEASURES AND SUPPORT FOR PERSONS REPORTING VIOLENCE AND HARASSMENT AND PERSONS AFFECTED

31. In investigating a report, members of the Commission shall ensure the confidentiality of the employee who has reported violence or harassment. Members of the Commission shall not disclose any information relating to the investigation to persons who are not involved in the investigation procedure. Any form of retaliation or hostile conduct towards an employee who has reported experiencing violence or harassment is prohibited and shall constitute a serious breach of employment duties.
32. The University shall implement the following principal preventive measures:
- 32.1. improvement of the psychosocial working environment – creating a safe and healthy working environment, clearly defining work tasks and objectives, and providing employees with opportunities for professional development;
 - 32.2. improvement of the physical working environment – ensuring that workplaces are comfortable and safe and comply with the requirements established by applicable legislation;
 - 32.3. registration and investigation of cases of violence and harassment in the workplace – informing employees of their right and the available means to report actual or suspected violence and/or harassment at work;
 - 32.4. information and training for employees and managers – where necessary, providing employees with training on potential situations involving violence and harassment, the resolution of investigated cases of workplace violence and harassment, appropriate conduct aimed at preventing and/or reducing workplace conflicts, stress and conflict management, management ethics, and other relevant matters;
 - 32.5. co-operation – encouraging employees to speak openly about violence and harassment in the workplace and fostering respectful communication between colleagues and between employees and managers;
 - 32.6. provision of support to persons who have experienced violence or harassment at work – recommending that an affected person seek professional assistance where appropriate (provided that such a recommendation would not itself be considered offensive),

- particularly where the person may experience anxiety, fear, irritability, sleep disturbances, anger, distress or other psychological symptoms; where possible and with the employee's consent, transferring the employee to another workplace or granting leave;
- 32.7. application of the most severe measures against the perpetrator – re-familiarisation with this Policy and other relevant documents, with particular emphasis on the conduct giving rise to the report, and/or issuing a written warning or terminating the employment relationship. Before any such measures are applied, both parties shall be given an objective opportunity to be heard, considering their explanations, the circumstances of the case and the perpetrator's previous conduct. When applying the most severe measures, due regard shall be given to their proportionality in relation to the consequences of the violence.
33. The Rector of the University shall, by order, appoint a Responsible Person who shall:
- 33.1. inform employees who have experienced violence or harassment at work about the support available to them and arrange for the provision of the necessary assistance;
- 33.2. provide employees with advice on matters relating to violence and harassment at work and aid in the event of a conflict;
- 33.3. listen to employees' concerns and organise internal communication, including informing employees about cases of psychological violence at work and their resolution, potential risks of psychological violence and ways of protecting themselves;
- 33.4. ensure that feedback is communicated effectively;
- 33.5. perform such other functions relating to the prevention of violence and harassment as may be assigned by the Rector of the University.
34. The Rector of the University shall appoint the person(s) responsible for organising and implementing preventive measures.
35. Preventive measures may be applied concurrently or implemented progressively, according to priority.
36. Preventive measures shall be reviewed, considering the manifestations of violence and harassment in the workplace identified by the University, and updated where necessary.

CHAPTER VII

FINAL PROVISIONS

37. This Policy may be amended only by order of the Rector of the University, subject to consultation with the Works Council.
38. This Policy shall apply to and be binding upon all employees of the University.
39. Once a year, the Responsible Person shall publish anonymised information for University employees concerning reports received, decisions taken in respect of such reports and other relevant information relating to the implementation of this Policy.
40. Employees shall be notified of this Policy and/or any amendments thereto against signature or by electronic means (through the Process and Document Management System) and shall comply with the obligations set out herein and, in the performance of their duties, act in accordance with the principles established by this Policy.