



Action programme, guidelines and procedures to combat
**DISCRIMINATION, HARASSMENT
AND VICTIMISATION**
Karlstad University

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INTRODUCTION

Karlstad University takes a zero-tolerance approach to discrimination, harassment, victimisation and reprisals. All staff members and students are expected to contribute to a work and study environment that is inclusive, characterised by respect and encouragement and based on the government's core values. Nevertheless, individuals or groups of individuals sometimes experience discrimination, harassment and victimisation, or are disadvantaged in other ways. Knowing what to do when this happens is crucial. This document provides guidance for how to handle such situations.

WHEN THE EMPLOYER OR THE EDUCATION PROVIDER BECOME AWARE OF IRREGULARITIES

RESPONSIBILITY FOR INVESTIGATION

Regardless of how the employer becomes aware of any irregularities, an investigation must be launched. The matter is primarily investigated by management responsible for work environment, with assistance from officers from the HR Office or the Student Services Centre.

In some cases, such as more complex incidents, the matter is investigated by officers from the HR Office or the Executive and Student Support Office. In some cases, it may be necessary to appoint some other internal or external investigator. It is the circumstances of each individual case that determine who will investigate. The university's legal officers and the head of HR will be consulted if needed.

RESPONSIBILITIES AND PROCEDURES

Despite active measures to promote equal opportunities, gender equality, equality, inclusion, core values, work environment and leadership and co-workership, there are still situations where employees feel harassed, discriminated against, victimised and disfavoured. It is vital that to know that we must **take action**, as well as **how** to act.

In case of perceived discrimination, harassment or victimisation, it is important that the employer and education provider is made aware of this. No formal or written report from the affected party is necessary for an employer or education provider to be considered aware of the irregularities. It can also be spoken information, either from the person subjected to the irregularities, or by someone who witnessed the incident. The obligation to investigate applies as soon as the employer and education provider is made aware of any irregularities.

An investigation must be conducted **swiftly, objectively** and with **legal certainty**, as well as with **respect** to everyone involved. It is important that the employer remains impartial and that the investigator determines the course of events in a correct, professional and respectful manner. The investigator must keep all parties informed on the status of the matter.

The aim of the investigation is to establish the circumstances surrounding the incident, take the necessary actions to end the irregularities and finally to take precautions to avoid similar incidents in the future.

The Discrimination Act (DL 2008:567) states that employers and education providers who are made aware that an employee or student have been subjected to discrimination, harassment or sexual harassment, are obligated to investigate the circumstances and, in case of irregularities, take the necessary measures to prevent this from occurring again. The Swedish Work Environment Agency's regulations (AFS 2015:4) state that employers shall employ systematic work environment measures to prevent victimisation. Employers must also have procedures for how to handle victimisation. The employer has the main responsibility for the work environment, which means that the university management is tasked with preventing, addressing and dealing with victimisation. Staff and students are responsible for contributing to a permissive, inclusive and good work environment and study environment. For more information, see Karlstad University's leadership and co-workership policy.

FOR THOSE WHO HAVE BEEN SUBJECTED TO—OR IN ANY OTHER WAY HAVE BECOME AWARE OF—DISCRIMINATION, HARASSMENT AND VICTIMISATION

It is the person who is subjected to the behaviour who determines if an action or behaviour is unwelcome.

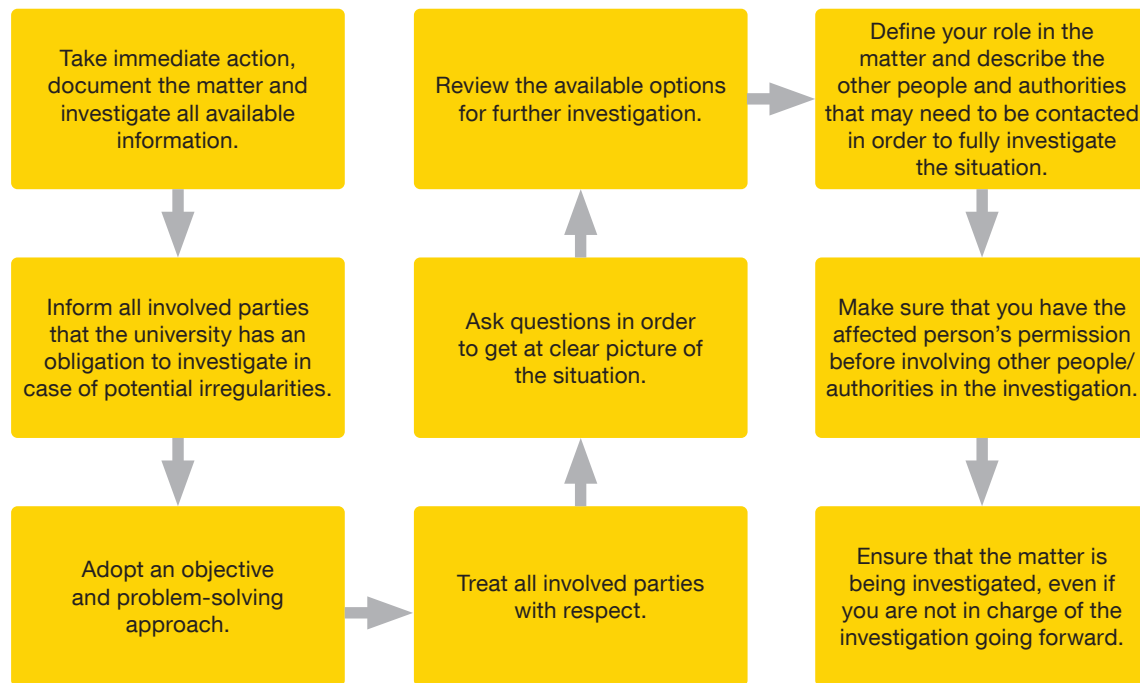
Let the person know that this action or behaviour is unwelcome.

Students should first and foremost contact their teacher, the Student Services Centre or the student union*.

Employees should first and foremost contact their immediate supervisor, or the head of the immediate supervisor. You can also contact the HR Office, a safety representative, a union representative or the occupational health services*.

*see page 9 for contact information

FOR THOSE WHO HAVE RECEIVED A REPORT REGARDING DISCRIMINATION, HARASSMENT AND VICTIMISATION



Examples of questions that can help with the investigation:

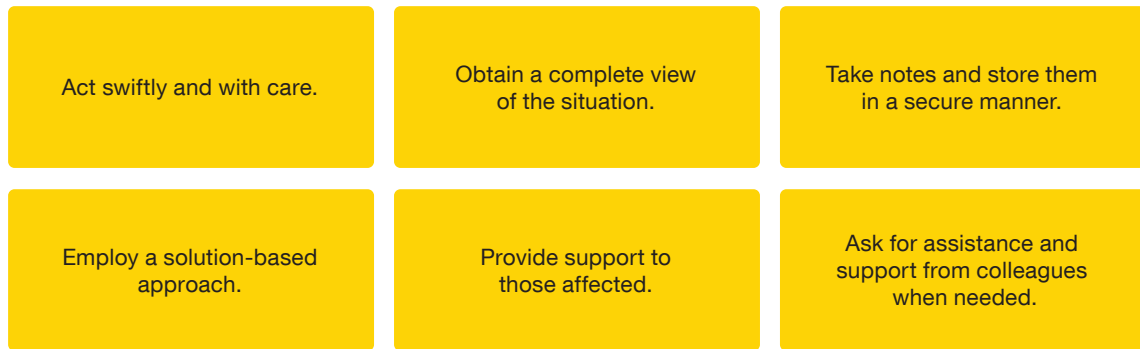
- How long has the situation been like this?
- What kind of actions have you been subjected to?
- How often have you been subjected?
- Can you personally affect the situation in any way?
- Have you had the opportunity to explain that the behaviour is unwelcome?
- Do you have the support you need?
- Is your health at risk?

FOR THOSE WHO HAVE BEEN REPORTED

Karlstad University has an obligation to investigate in case of potential irregularities. Anyone who is contacted due to having been reported, will be called to an impartial meeting. Before the meeting, you have the right to contact your trade union. A union representative or safety representative may be present at the meeting. During the meeting, you will have the opportunity to describe the situation from your point of view.

It is important that you, in turn, do not expose the person who has made the report for anything that could be perceived as unpleasant consequences or reprisals. All employees are offered counselling through the occupational health services. After the meeting, you will receive information on any updates in the investigation from the investigator.

FOR THE INVESTIGATOR



Below is a checklist of available measures for the investigator. However, specific circumstances in individual cases can require you to take measures not listed here.

FIRST STEPS

- Familiarise yourself with all available information on the matter.
- If it is not clear from the report, make an initial assessment of whether this is a case of discrimination (for example harassment or sexual harassment) according to the Discrimination Act or the Work Environment Act (victimisation, conflicts, bullying).
- Use the available information to determine who else should be involved. In issues related to work environment, the immediate supervisor or the head of the immediate supervisor should be involved. In discrimination matters, it can be appropriate to involve a legal officer and/or HR.
- When needed, consult a legal officer or your immediate supervisor on whether someone else should handle the matter instead of you, either due to conflicts of interest or other factors.

INVESTIGATION

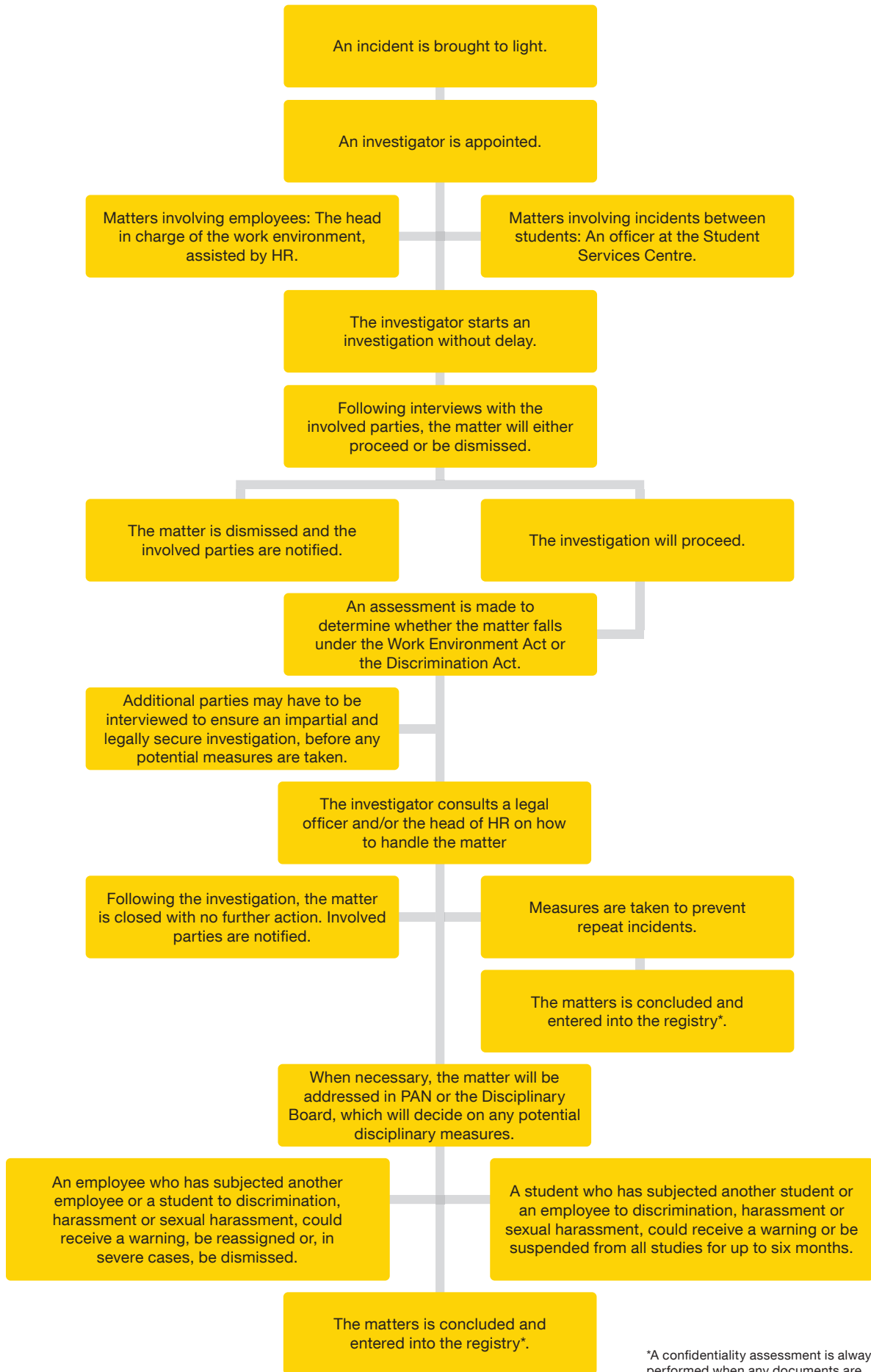
- Contact the affected person. Ask questions to clarify the course of events.
- Contact the person accused of misconduct. Inform the person, objectively and with care, about the reported/witnessed situation. Ask the person accused of misconduct to describe the situation from their perspective.
- When needed, consult other affected or involved parties about how they view the situation, as well as anything that could explain the situation.

- When in doubt, consult the university's legal officer or HR.
- **Continually document the process throughout.**

COMPILING THE INVESTIGATION RESULTS

- When enough information has been gathered, the results of the investigation are compiled.
- Decide whether the matter should be dismissed or if the investigation should proceed. Sometimes corrective action communication is enough for the parties to realise how they have been perceived and to give them the opportunity to change this behaviour.
- Decide whether the matter falls under the Discrimination Act or the Work Environment Act.
- Should the matter fall under the Discrimination Act, the university's legal officer is consulted. If the matter concerns an employee, the HR Office shall also be consulted for advice on how to proceed.
- Should the matter fall under the Work Environment Act, management shall be informed and the proper measures taken, in order to create a good work environment.
- Should the matter warrant sanctions, the head of HR and a legal officer are consulted about any potential further handling of the matter in the Staff Disciplinary Board or the Disciplinary Board.
- A summary report is written and, following the final decision, the matter is entered into the registry. The scope and content of the report is adjusted to suit the investigation and the nature of the matter.
- The notes you have taken throughout the investigation may be added as documentation in the matter.

CASE MANAGEMENT



*A confidentiality assessment is always performed when any documents are requested.

WHAT ARE DISCRIMINATION, HARASSMENT, SEXUAL HARASSMENT AND VICTIMISATION?

Discrimination — disfavourable treatment or offensive behaviour based on one or more of the seven grounds of discrimination:

- Gender
- Transgender identity or expression
- Ethnicity
- Religion or other belief
- Disability
- Sexual orientation
- Age

Direct discrimination — a form of discrimination where someone is disadvantaged by being treated worse than someone else in a comparable situation.

Indirect discrimination — a form of discrimination where a rule or a procedure seems neutral but in reality has a discriminatory effect.

Harassment — a form of discrimination where someone's dignity is violated in a way that is related to one or several of the grounds for discrimination.

Sexual harassment — a form of discrimination where conduct of a sexual nature violates someone's dignity.

Inadequate accessibility — a form of discrimination where a person with a disability is disadvantaged through an organisation failing to take reasonable accessibility measures that would put that person in a comparable situation with others without the disability.

Instruction to discriminate — a form of discrimination where someone gives an order or instructs someone who is in some way dependent, such as an employee, to

discriminate against another person.

Victimisation is described in the Swedish Work Environment Authority's act on Organisational and Social Work Environment (AFS 2015:4) as words and actions "directed against one or more employees in an abusive manner, which could lead to ill health or their being placed outside the community of the workplace".

Victimisation is unnerving, unpleasant and emotionally draining. It can result in individuals being excluded from the workplace community, and can lead to mental illness. Examples of victimisation include not being greeted, being called nicknames, being ostracised, exclusion from meetings, being ignored, deliberate withholding of work-related information or in some other manner being incomprehensibly or unfairly treated.

In general, intent is not required for an act to be considered discrimination or harassment. It is the consequences of the actions and the experiences of the affected party that determine if an action constitutes discrimination or harassment. However, the person affected by the harassment should make it clear to the harasser that the behaviour is perceived as abusive, if this is not obvious.

University representatives (management, staff and other representatives) may not discriminate when decisions are taken, in meetings with students, staff or applicants to employment, practical placements or courses and programmes, or in any other actions or activities. There may be objective grounds for special treatment that do not constitute discrimination. In such cases, the university must show that such objective grounds exist. Students or staff may not be subjected to reprisals, i.e. they may not be punished in any way for reporting harassment (DL 2008:567).



PREVENTION AND PROMOTION

Employers and education providers are obligated to take measures aimed at preventing discrimination, as well as in other ways promote equal rights and opportunities regardless of gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age (DL 2008:567).

Karlstad University's work regarding active measures shall be ongoing and entail investigating risks of discrimination and reprisals, analysing the causes of risks and barriers, taking preventative and promotional measures and monitoring and evaluating the work.

Active measures encompass work conditions, provisions and practices regarding salaries and other terms of employment, recruitment and promotion, training and different kinds of professional development and possibilities to reconcile gainful employment and parenthood.

For education providers, active measures encompass admissions and recruitment processes, teaching formats and organisation of courses and programmes, examinations and assessment of students' performance, study environment and the ability to reconcile studies and parenthood.

Karlstad University is also tasked with gender mainstreaming its activities, i.e. adapting the activities to contribute to the government's gender equality objectives. The overall aim is for women and men to have equal opportunities to shape society as well as their own lives. This is expressed in six objectives: equal distribution of power and influence, financial equality, equal education, equal distribution of unpaid household work, equal health and ending men's violence towards women.

More information about the government's gender-equality objectives is available at [www.regeringskansliet.se].



1. WORKING CONDITIONS
2. SALARY AND TERMS OF EMPLOYMENT
3. RECRUITMENT AND PROMOTION.
4. CONTINUING PROFESSIONAL DEVELOPMENT AND TRAINING
5. RECONCILIATION OF GAINFUL EMPLOYMENT AND PARENTHOOD.

SPECIAL DUTIES:



Förhindra trakasserier och repressalier

Alla arbetsgivare ska ha riktlinjer och rutiner för att förhindra trakasserier, sexuella trakasserier och repressalier. Riktlinjerna och rutinerna ska följas upp och utvärderas.



Jämn könsfördelning

Du som är arbetsgivare ska främja en jämn könsfördelning i olika typer av arbeten, inom olika kategorier av arbetstagare (yrken, roller, funktioner med mera) samt på ledande positioner. Arbetet ska följas upp och utvärderas på samma sätt som det övriga arbetet med aktiva åtgärder.



Lönekartläggning

Alla arbetsgivare ska göra en lönekartläggning varje år. Syftet med lönekartläggningen är att upptäcka, åtgärda och förhindra osakliga skillnader i lön mellan kvinnor och män.

Image taken from www.do.se

CONTACT INFORMATION

HR Office

[[The HR Office at Karlstad University](#)]

Student Services Centre

[[Student Services Centre at Karlstad University](#)]

Student Health Services

[[Student Health Services at Karlstad University](#)]

Karlstad Student Union

[karlstadstudentkar.se/]

Staff organisations

[[Trade unions at Karlstad University](#)]

Safety representative

Each faculty must appoint at least one safety representative.

[[Safety representatives at Karlstad University](#)]

The student union houses a student safety representative:

[studiesocialt@karlstadstudentkar.se]

The University Chaplaincy

[[The Karlstad University Chaplaincy](#)]

Occupational health service

[[Occupational health service at Karlstad University](#)]

The Equality Ombudsman

[www.do.se/ 08-120 20 700]

RELATED DOCUMENTS

[[The Health and Safety Guide](#)]

[[Leadership and Co-Workership Policy](#)]

[[Work Environment Policy](#)]

