



**ST. ELIZABETH UNIVERSITY OF HEALTH AND SOCIAL
WORK N. O. , Bratislava**

**Non-Discrimination-Mobbing within the purview of the St.
Elizabeth University of Health and Social Work N.O.
in Bratislava**

BRATISLAVA 2022

**ST. ELIZABETH UNIVERSITY OF HEALTH AND SOCIAL WORK , N. O.,
Bratislava**

**Non-Discrimination-Mobbing within the purview of the St.
Elizabeth University of Health and Social Work, N.O.
in Bratislava**

CONTENTS

Article 1

Subject matter and scope of the non-discrimination regulation-Mobbing 3

Article 2

Sources of the regulation of non-discrimination-Mobbing 3

Article 3

Terminology in non-discrimination processes-Mobbing 4

Article 4

Processes, policies and structures of non-discrimination-Mobbing 5

Article 5

Final provisions6

Article 1

Subject matter and scope of the non-discrimination regulation- Mobbing

1. *Non- discrimination-Mobbing of the St. Elizabeth University of Health and Social Work N.O.* (hereinafter referred to as the "*Non- discrimination-Mobbing of the SEU*") establishes the conceptual basis, processes, policies, competencies, rights and obligations of the individual levels of the organization and management of the SEU resulting from the content of the Internal Quality Assurance System for Higher Education.

2. In fulfilling all its functions, the SEU consistently promotes fundamental human rights and freedoms, respect for academic freedom and academic ethics, ensuring protection against any kind of intolerance and discrimination of senior staff, university teachers, other employees and students in legal relations arising in the conditions of the SEU.

3. Non- discrimination – Mobbing regulates the relations arising in the course of mobbing in the conditions of the SEU, unless a special regulation stipulates otherwise (*Measure of the Rector of the SEU No. 3/2020 on equal treatment of teachers and students of the St. Elizabeth University of Health and Social Work*).

Article 2

Sources of regulation of the prohibition of discrimination from mobbing aspects

1. SEU applies and implements international law of international legal sources, which the Slovak Republic has ratified and published in the Slovak legal order and which have priority over Slovak legislation, including the legal regulation of gender equality policy, elimination of all forms of discrimination, discrimination in employment and occupation, equal pay for men and women, protection of labour and protection against unjustified exercise of the right.

2. In the system of prevention of mobbing, as well as the elimination of its consequences, labour protection and the implementation of the protective function of the law in the position of senior employees of the SEU, employees of the SEU and students of the SEU, the sources of the law of the Slovak Republic are consistently applied, in particular

- The Constitution of the Slovak Republic and constitutional laws of the Slovak Republic, the Labour Code, legislation on universities, on the performance of work in the public interest, etc.,

- special legal regulation in Act No. 311/2001 Coll. on equal treatment in certain areas and protection against discrimination, as amended (Anti-discrimination Act), etc.

3. The internal regulations of the SEU form part of the duties of senior staff, university teachers, other SEU employees and SEU students as an inseparable system of mutually reinforcing relationships of synergy, cooperation, coherence, mutual respect, respect for good manners.

4. In the conditions of the SEU, the spirit of mutual respect, avoiding disruption of unity and orientation towards common goals and tasks set by the company should prevail in the relations between managers, employees and students.

Article 3

Terminology in Non-Discrimination-Mobbing Processes

1. Discrimination is direct discrimination, indirect discrimination, harassment, sexual harassment and unjustified discrimination; discrimination is also instruction to discriminate and incitement to discriminate. Direct discrimination is an act or omission which treats a person less favourably than another person in a comparable situation is, has been or could be treated. Indirect discrimination is an externally neutral regulation, decision, instruction or practice which disadvantages or is likely to disadvantage a person in comparison with another person; there is no indirect discrimination if such a regulation, decision, instruction or practice is objectively justified by the pursuit of a legitimate interest and is reasonable and necessary to achieve that interest.

2. Harassment is conduct which creates or is likely to create an intimidating, hostile, embarrassing, humiliating, degrading, humiliating, degrading or offensive environment and which has the purpose or effect of interfering or is likely to interfere with a person's liberty or human dignity.

3. Mobbing (Lat. "mobile vulgaris", in the older understanding "bullying") as a negative form of discrimination is a form of "psychological terror" in the workplace, a conflict burden between superior employees and subordinate employees, directed "from the top down", but also by subordinate employees against superior employees. In the conditions of the SEU, relations between university teachers and students in the direction of superiority to subordination and relations from subordination to superiority can also be characterised as relations burdened with mobbing.

4. Forms of mobbing can take the form of bossing and sexual harassment (they are regulated by specific regulations of the SEU), stalking, harassment, unfair attack on the personality of individuals and groups of people (defaming-open attacks on integrity, defamation,

ridicule, defamation, slander, etc.), cyberbullying (higtech/cyberbullying-data manipulation, data loss, deletion of documents, manipulation of viruses, threatening emails, etc.,).

Article 4

Processes, policies and structures to prohibit discrimination- mobbing

1. Employees of the SEU are entitled to social rights and economic rights in employment relations with the employer of the SEU without any restrictions and discrimination on the grounds of gender, marital and family status, sexual orientation, race, colour, language, age, adverse health condition or disability, genetic characteristics, faith, religion, political or other opinion, trade union activity, national or social origin, membership of a nationality or ethnic group, property, birth or other status.
2. The exercise of rights and obligations arising from legal relations between the SEU, its senior staff, university teachers, other staff and students must be in accordance with good morals; no one may abuse these rights and obligations to the detriment of the other party to the legal/millegal relationship, fellow student-employees.
3. SEU and all its entities may not abuse these rights and obligations to the detriment of another. No one shall be harassed or otherwise penalised in the workplace of the SEU in connection with the exercise of rights and duties for making a complaint, claim, prosecution or other report of mobbing, criminality or other anti-social activity against another employee, student or employer.
4. Anyone has the right to complain to SEU about a breach of the principle of equal treatment and non-compliance with the conditions. SEU is obliged to respond to the complaint without undue delay, to make corrections, to refrain from such conduct and to eliminate its consequences.
5. A senior employee, university teacher, other employee or student of the SEU who believes that his/her rights or legally protected interests have been affected by non-compliance with the principle of equal treatment may apply to the court and seek legal protection provided for by a special law on equal treatment in certain areas and on protection against discrimination and on amendment and supplementation of certain laws.
6. If a senior employee, university teacher, other employee or student of the SEU considers that the prohibition of discrimination (mobbing) is violated in the conditions of the SEU

has the right to request redress from his/her immediate superior, the employee's superior, the relevant academic functionary and may submit a complaint to the Ethics Committee of the SEU, established under a special directive of the SEU or to the Rector of the SEU, may terminate the employment relationship on the basis of the provisions of the relevant legislation or use other legal means (obtaining an injunction against the actions of the superior staff member, the right to appropriate compensation, the right to redress of an unlawful situation, the right to compensation for non-pecuniary damage, the use of administrative and criminal law instruments against nibbing, etc.).).

Article 5

Final provisions

1. *Non- discrimination-Mobbing in the Scope of the St. Elizabeth University of Health and Social Work, N. O. in Bratislava* was approved by the Scientific Council of the St. Elizabeth University of Health and Social Work, N. O., Bratislava on 07.07.2022
2. Non – discrimination – Mobbing is effective from 07.07. 2022

In Bratislava on 07.07.2022

Dr. h. c. prof. MUDr. Juraj Benca, PhD., MPH
Rector