



**ST. ELIZABETH UNIVERSITY OF HEALTH AND SOCIAL
WORK**

N. O. Bratislava

**Non- discrimination -Bossing within theScope of the
St. Elizabeth University of Health and Social Work**

in Bratislava

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Article 1

Subject matter and scope of non-discrimination regulation- Bossing

1. *Non- discrimination--Bossing of the St. Elizabeth University of Health and Social Work, N.O.* (hereinafter referred to as the "*Non- discrimination-Bossing 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 the implementation of the Long-Term Plan and in the fulfilment of all its functions, SEU consistently promotes fundamental human rights and freedoms, social rights and economic rights, respect for academic ethics, ensuring protection against any kind of intolerance and discrimination of managers and employees in labour relations.

Article 2

Sources of regulation of non-discrimination aspects of bossing

1. SEU applies and implements international sources of labour law, which the Slovak Republic has ratified and published in Slovak law and which have priority over the sources of labour law in Slovak legislation (sources of law of the United Nations, the International Labour Organization, the Council of Europe and the European Union), 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 work and protection against unjustified exercise of the right in the employment relationship, in other employment and labour relations, etc.

2. In the system of labour protection and in the implementation of the protective function of labour law in the position of managers and employees of the SEU, the sources of Slovak law are consistently applied in the practice of hiring employees, their classification, in changes in employment relationships and in their termination, 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.,

- specific legal regulation of the content of employment relationships in Act No. 311/2001 Coll. on equal treatment in certain areas and protection against discrimination, as amended, etc.

3. The internal regulations of the SEU form part of the duties of senior staff and employees as an integral system of work discipline, including the internal system of quality assurance of higher education, working conditions and living conditions of all employees and students of the SEU.
4. The internal documents of the SEU form a coherent system of formalised rules that define the organisational structure, establish the competences of the individual management levels of the SEU its internal normative procedural instructions.
5. SEU ensures the amendment and updating of internal normative instructions in accordance with changes in the legal order of the Slovak Republic also in the field of legal regulation of labour relations.

Article 3

Terminology in non-discrimination lawsuits- Bossing

1. In accordance with the provisions of Section 47 of Act No.131/2018 Coll. on Higher Education Institutions, as amended, university teachers, researchers and other employees work at the SEUs employees.

2. 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.

Harassment is conduct which creates or is likely to create an intimidating, hostile, embarrassing, humiliating, degrading, humiliating, disrespectful 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. Bossing is a form/type of workplace bullying by a superior employee against a subordinate employee. The premise of bossing is the unjustified abuse of the right to manage, lead and control employees and to give them work tasks for that purpose.

4. The principle of equal treatment in employment relations and similar legal relations of the SEU and employees of the SEU is regulated in Section 6 of Act No. 365/2004 Coll., the Anti-Discrimination Act. Section 7 of the above-mentioned Act regulates the treatment of employees with disabilities, and Section 8 defines the facts of permissible differential treatment.

Article 4

Processes, Policies and Structures of Non-Discrimination-Bossing in the Scope of St. Elizabeth's University of Health and Social Work, N.O. in Bratislava

1. Employees of the SEU are entitled to social rights and economic rights in employment relations with the SEUs employer 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 the employment relationship between the SEU and its employees must be in accordance with good morals; no one may abuse these rights and obligations to the detriment of the other party to the employment relationship or fellow employees.

3. SEU and employees may not abuse these rights and obligations to the detriment of the other party to the employment relationship or fellow employees. No one shall be harassed or otherwise penalized in the workplace of the SEU in connection with the performance of the employment relationship for filing a complaint, lawsuit, petition for criminal prosecution or other report of crime or other anti-social activity against another employee or employer.

4. The SEU shall not, without serious reasons based on the specific nature of the employer's activities, invade the privacy of an employee in the workplace and its common areas by monitoring him/her, recording telephone calls made by the employer's technical work equipment, and checking electronic mail sent from and delivered to the work e-mail address without prior notice to the employee. If the SEU implements a control mechanism, it shall discuss with the employees the scope of the control, the manner in which it is to be carried out and the duration of the control, and shall inform the employees of the scope of the control, the manner in which it is to be carried out and the duration of the control.

5. The SEU may not impose an obligation of confidentiality on an employee regarding his or her working conditions, including pay and conditions of employment. No person shall be harassed or otherwise penalised in the workplace for failing to maintain confidentiality about his or her working conditions, including pay and conditions of employment.

6. An employee of the SEU has the right to lodge a complaint with the SEU in connection with a breach of the principle of equal treatment and non-compliance with the terms and conditions.

The SEU is obliged to respond to the employee's complaint without undue delay, to make corrections, to refrain from such action and to eliminate its consequences.

7. An employee 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. An employee of the SEU who considers that his or her privacy in the workplace or common areas has been violated or that the SEU has not complied with the conditions under the relevant provisions of the Labour Code may apply to the courts for legal redress.

8. Disputes between the SEU and an employee over claims arising from employment relations are heard and decided by the courts.

9. If an employee believes that a senior employee of the SEU is violating the prohibition of discrimination (bossing), he/she should seek redress from his/her direct supervisor, he/she may file a complaint with the Ethics Committee established under a special directive of the SEU or with the Rector of the SEU, may terminate the employment relationship on the basis of the provisions of the Labour Code, or may avail himself of other legal remedies (obtaining an injunction against the actions of the employee's superior, the right to appropriate compensation, the right to have the unlawful situation rectified, the right to compensation for non-pecuniary damage, etc.)).

Article 5

Final provisions

1. *Non- discrimination-Bossing in the Scope of the St. Elizabeth University of Health and Social Work St. Elizabeth, 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 is effective from 07.07.2022

In Bratislava on 07.07.2022

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