



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

**Non-discrimination -Sexual harassment within the purview of 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 -Sexual harassment within the purview of St.
Elizabeth's University of Health and Social Work, N.O.
in Bratislava**

CONTENTS

Article 1

Subject matter and scope of regulation of the prohibition of discrimination-Sexual harassment 4

Article 2

Sources of regulation of non-discrimination-Sexual harassment..... 4

Article 3

Terminology in non-discrimination processes-Sexual harassment4

Article 4

Processes, policies and structures of non-discrimination-Sexual harassment 5

Article 5

Final provisions.....6

Article 1

Subject matter and scope of regulation of non-discrimination-Sexual harassment

1. *Non- Discrimination-Sexual Harassment of the St. Elizabeth University of Health and Social Work , N.O.* (hereinafter referred to as the "*Directive on Prohibition of Discrimination-Sexual Harassment of the SEU* ") establishes the conceptual basis, processes, policies, competencies, rights and responsibilities of the various levels of the organization and management of the St. Elizabeth University of Health and Social Work , N.O. arising from the content of the Internal Quality Assurance System for Higher Education.

2. SEU creates conditions for prevention and safe living and working conditions. It rejects any form of sexual and gender-based harassment and violence that infringes on human dignity, honour and human rights, especially in its field of activity.

3. Non- discrimination regulates the relationships arising in the context of potential or actual sexualharassment in the conditions of the St. Elizabeth University of Health and *Social Work*, unless a specific regulation stipulates otherwise (see the *Rector's Measure No. 3/2020 on the equal treatment of teachers and students of the St. Elizabeth University of Health and Social Work*).

Article 2

Sources of regulation prohibiting discrimination-Sexual harassment

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, decisions of international judicial institutions, including the legal regulation of gender equality policy, elimination of all forms of discrimination in the form of harassment and sexual harassment. The sources of Slovak law, in particular in anti-discrimination legislation, including the criminal sanction of sexual harassment, are part of the legal normative system in the Slovak legal order.

Article 3

Terminology in non-discrimination proceedings-Sexual harassment

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 outward a 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 regulation, decision, instruction or practice is objectively justified by the pursuit of a legitimate interest and is proportionate and necessary to achieve that interest.

2. 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 liberty or human dignity.

3. Sexual harassment consists of inappropriate behaviour with a sexual connotation, particularly in the form of expressing an attempt to gain/retain sexual attention and in the form of sexual blackmail and coercion. It may be manifested, for example, by sexual advances, offers of benefits in return for intimate acts, threatening or abusing a superior work/study position, conditioning of academic performance, hostile behaviour, etc.

4. Harassment and sexual harassment are contrary to the principle of equal treatment of men and women and constitute discrimination on grounds of sex.

5. *Directive 2006/54/EC of the European Parliament and of the Council on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation* defines sexual harassment as a situation where any form of unwanted verbal, non-verbal or physical conduct of a sexual nature occurs with the intention or effect of violating a person's dignity, in particular by creating an intimidating, hostile, degrading, humiliating, humiliating or offensive environment.

Article 4

Processes, policies and structures to prohibit discrimination-sexual harassment

1. University teachers, other employees and students of the SEU may exercise, among others, their rights and obligations without any restriction or discrimination on the grounds of sex, marital and family status, sexual orientation, race, colour, language, age, adverse health condition or disability, genetic characteristics, creed, 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. Anyone has the right to make a complaint to SEU about a breach of the principle of equal treatment, including sexual harassment. The SEU is obliged to respond to the complaint without undue delay, to remedy the situation, to ensure that the conduct that is the subject of the complaint is stopped and to eliminate the consequences of the conduct.
3. 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 in the form of sexual harassment 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 (Anti-Discrimination Act).
4. If a senior employee, university teacher, other employee or student of the SEU believes that the prohibition of discrimination in the form of sexual harassment is violated in the conditions of the SEU, he/she is entitled to request redress from his/her immediate superior, his/her supervisor or teacher, the relevant academic official, and may also file a complaint with the Ethics Committee of the SEU, established in accordance with a special directive of the SEU or to the Rector of the SEU, or to use other legal means (obtaining a cease and desist from the actions of the superior employee or university teacher, the right to adequate compensation, the right to remedy the unlawful situation, the right to compensation for non-pecuniary damage, the right to use administrative and criminal law instruments against sexual harassment, filing a criminal complaint, etc.).

Article 5

Final provisions

1. *Non- discrimination-Sexual Harassment 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- Sexual Harassment is effective from 07.07.2022.

In Bratislava on 07. 07. 2022

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