



## Guidelines for respectful workplace communication in university operations

In its mission statement, the Catholic University of Eichstätt-Ingolstadt commits itself to promoting the kind of considerate interaction among all university members, which mutually respects the personality and dignity of one's coworkers. These guidelines are meant to serve as an orientation to all members and guests of the KU as to which behaviors will not be tolerated in university operations and what kind of assistance affected persons may expect from various KU offices.

### 1. Principles

All members of the KU will contribute to an atmosphere of successful cooperation by ensuring they communicate non-violently and treat their co-workers mindfully and considerately. It therefore lies within the responsibility of every single employee to address any arising conflict and to actively contribute to finding a solution to it. Serious cases involving the transgression of boundaries, such as discrimination, sexual harassment (especially involving abuse of power), stalking or bullying/cyber-bullying, on the other hand, represent violations of personal rights or of the terms of employment that might have to be taken action against. This means that they cannot be solved by the concerned parties alone, but might require a formal report to the university management.

### 2. Scope of application

The regulations in these guidelines apply to the conduct of all KU members with regard to any other persons that work, research, teach, learn or study on the KU campus or any contracted parties that provide services as well as any guests on campus.

These guidelines especially refer to all forms of (sexual) harassment, threats, violence, insults, discrimination, bullying, cyberbullying and stalking, be it direct or indirect, verbal or non-verbal. None of these behaviors will be tolerated at the KU. The KU encourages people to speak out against any such undesired behavior and to make full use of our support services.

We speak of discrimination, when individuals are insulted or discriminated against because of their ethnicity, religious affiliation, sexual identity, disability or illness.

Sexual harassment may include sexualizing remarks or actions that cause the person they are intended at to feel shame. At worst, they serve as a means of exercising power (e.g., by exploiting relationships of dependency). This can happen verbally or nonverbally through pictures, emails, post-it notices or physical assault. If people are harassed with unwanted, frequent calls, e-mails or gifts, this is also referred to as stalking.

Bullying occurs when a person is systematically and repeatedly insulted, threatened, exposed, socially excluded or harassed over a long period of time, e.g., by spreading negative rumors, or by ridiculing the person, or when information necessary for work or study is repeatedly and deliberately not passed on. If this happens online (social media, internet), we talk of cyberbullying.

### 3. How to proceed in solving a conflict

Affected persons can request confidential counseling from the respective contact point or file an official complaint. A counseling session may still result in a complaint downstream.

#### 3.1 Initial counseling and points of contact

The primary goal of counseling is to jointly explore possible further steps, depending on the situation. Counseling sessions should be recorded and the proceedings documented. A sample interview recording and documentation on an incident are attached to this document for reference.

The primary counseling session is to provide guidance on conflict resolution and to offer the person concerned an overview of the measures that can be taken for their future protection, depending on the severity of the incident.

Any points of contact are bound to treat the so-gained information confidentially, as long as there are no legal obligations to do otherwise. The consent of the person concerned is required for any steps towards conflict resolution.

Research support staff (research and teaching):	Research support staff (administration, IT):	Students:
Supervisor or the respective supervising authority		Student Representatives Council /KU Student Advisory Service/or, if applicable Subject advisor
Occupational psychologist		Psychological counseling
Staff Representative Committee/Human Resources Development		International students/guests: International Office
Prevention Officer		
Catholic Campus Ministry (KHG) Eichstätt		
Women and Equal Opportunity Officer of the entire University		
Officers of the respective faculties	Officers of the academic support staff	Officers of the Student Representatives Council
Research Service Center		
<b>Relevant officer for persons with an impairment:</b>		
Employer's Officer for Matters Involving People with Severe Disabilities		Officer for Students with Disabilities and Chronic Illnesses
Spokesperson for People with Severe Disabilities		

Diagram: Points of contact for counseling according to affiliation

### 3.2 Conflict resolution or official complaint

The counseling services will assist the affected person in resolving the conflict by taking the following initial steps:

- Documenting the exact facts of the case.
- Obtaining a statement from the other party to the conflict, and offering to have a mediation talk with both parties.

If the conflicting parties consent, other services or persons may be called in if this seems likely to help with the resolution of the conflict (see diagram).

Should this prove unsuccessful, in a second step, the affected party may lodge a formal complaint with University Management. They, as part of their duty as supervisory authority, have an essential function in conflict resolution. After ascertaining the facts of the case, the University Management is free to initiate any measures as they see fit. These may include proceedings under civil service law, labor law or even ranging from a ban from the premises to a criminal charge.

### 4. Confidentiality and data protection

Confidential treatment of incidents and related information applies to all counseling sessions, unless legal requirements say otherwise.

Anyone wishing to process personal data must observe the relevant provisions of the data protection law and, if necessary, get consent from the concerned parties.

### 5. Conflict prevention through awareness-raising and training opportunities

In order to raise awareness for this issue with all the members of the University, the KU reserves the right to publish these guidelines in any appropriate form. They are meant to consolidate the kind of positive behavior that is the foundation of a communication that is inclusive, respecting, fair, cooperative, value-oriented and religion-sensitive to all members and guests of the KU. In addition to concrete conflict counseling, the KU also supports its employees and students through targeted training programs on conflict prevention and conflict resolution.

The President

Signed Prof. Dr. Gabriele Gien

#### Encs.:

- Exemplary Documentation of an incident at the KU
- Release from confidentiality, data protection and consent

## Annex 1:

### Exemplary Documentation of an incident at the KU

#### 1. General information

- 1.1 Receipt of the report (date) \_\_\_\_\_
- 1.2 At which service/office? \_\_\_\_\_
- 1.3 Concerned person: Name \_\_\_\_\_
- 1.4 Department: \_\_\_\_\_
- 1.5 Student with enrollment number: \_\_\_\_\_

#### 2. Determination of the facts of the matter; contested matter as seen by the complainant

- 2.1 As seen by the complainant, what happened?
- \_\_\_\_\_
- \_\_\_\_\_

- 2.2 When and where did the incident take place? \_\_\_\_\_

- 2.3 Who initiated the incident? \_\_\_\_\_

- 2.4 Does the complainant feel discriminated against due to

- age
- sex
- gender identity
- religious affiliation/ideology
- disability
- ethnicity
- social background
- marital status
- chronic illnesses
- other reasons

- 2.5 Is this incident a case of

- discrimination
- harassment
- sexual harassment
- bullying
- cyberbullying
- stalking
- other

- 2.6 Are there any witnesses or other evidence (pictures, documents, screenshots or similar)?
- \_\_\_\_\_

- 2.7 Who was informed about the incident? (supervisors, students, etc.)
- \_\_\_\_\_

2.8 Did anyone address the other concerned party in this conflict? If so, who, when and where?

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2.9 What was the other party's statement? In verbal or in written form?

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2.10 What reasons does the other party give for their behavior?

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2.11 Did the other party involve other persons in the incident? If so, who, when and where?

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### **3. Statement by the other party to the conflict**

3.1 Statement to be obtained by

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3.2 In verbal or in written form

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3.3 If verbal form: What happened as seen by other party?

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3.4 What reasons do they give?

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3.5 Have they been addressed on the subject of the incident or has any third party reacted to the incident?

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3.6 What witnesses, documents or other evidence is there?

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### **4. Examination of the facts and mediation**

4.1 The affected person is willing to take part in a mediated conversation with the other party to this conflict and wants the following persons to be present during this conversation:

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4.2 The other party to this conflict is willing to take part in a mediated conversation with the affected person and wants the following persons to be present during this conversation:

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4.3 Result of the conversation

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## Annex 2:

### Release from confidentiality, data protection and consent

The parties involved expressly agree that their personal data collected as part of finding the facts of the incident in question may be processed for the purpose of resolving the conflict and may be passed on to other offices within the University in this context.

Of course, this data will be treated with appropriate sensitivity. It will not be used for purposes other than that mentioned above.

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Place, date and signature of the person involved

### Data protection notice for data processing at KU services:

Based on your consent, we will process your personal data in accordance with Section 6 para. 1 lit. B KDG.

Your consent and provision of data is given voluntarily. Refusal or revocation of such consent will not have any detrimental effects for you.

You can revoke your consent at any time by submitting a corresponding declaration to the responsible data processor. Processing of your personal data will then be inadmissible for the future. However, this shall not affect the lawfulness of the processing effected on the basis of the initial consent up to the point in time of the revocation.

In accordance with the KDG, you can request information from the KU in accordance with Section 17 KDG about which personal data regarding your person is being processed by the KU and request correction/completion in accordance with Section 18 KDG if the data is incorrect or incomplete.

You can also request deletion in accordance with Section 19 KDG or the restriction of processing of your personal data in accordance with Section 20 KDG or file an objection against certain types of data processing in accordance with Section 23 KDG.

You also have the right to data transferability in accordance with Section 22 KDG.

If you make use of the mentioned rights, the responsible person will verify whether legal prerequisites are fulfilled.

Additionally, you have the right to appeal to the data protection supervisory authority (Gemeinsame Datenschutzaufsicht der bayerischen (Erz-) Diözesen, Kapellenstr. 4, 80333 Munich).

Your personal data will not be processed for the purpose of automated decision making (including profiling).

Your data will be stored for as long as necessary for the purpose of processing.

Responsible entity for data processing: Catholic University of Eichstätt-Ingolstadt, Ostenstraße 26, 85072 Eichstätt, info@ku.de

KU data protection officer: SK-Consulting Group GmbH, Herr Georg Möller, Osterweg 2, 32549 Bad Oeynhausen, datenschutz@SK-consulting.com