

Resolution No. 57 /XIV R/2009
of the Rector of Wrocław Medical University
of 28 August 2009

on internal anti-mobbing policy

On the basis of Article 66 and 136 of the Higher Education Act of 27 July 2005 (Journal of Laws No. 164, item 1365, as amended), in connection with Article 94 Labour Code Act of 26 June 1974 (Journal of Laws No. 21, item 94, as amended) the following instructions are introduced:

General resolutions

§ 1

Internal anti-mobbing policy, hereinafter IAP, establishes rules to counteract mobbing phenomenon at Wrocław Medical University.

§ 2

Any references in IAP to:

1. anti-mobbing commission- should be interpreted as collective authority, appointed by employer to consider employee's or student's complaints about mobbing,
2. mobbing- should be interpreted as actions or behaviors of employee or student, directed against employee or student, which involve persistent and long-term bullying or deterring employee or student, inducing lower assessment of vocational usability causing or with the object of humiliation or ridicule employee or student, insulating someone or eliminated from the group of co-workers. **Resolution is not applied to relation student-student.**
3. employer- should be interpreted as Wrocław Medical University,
4. employee- should be interpreted as person who remains with employer in work or student relation.

§ 3

1. Each employee is obliged to acquaint oneself with the contents of IAP.
2. Statement of acquaintance with the contents of IAP with employee's signature, date is attached to employee's personal files (to part B).

Counteraction against mobbing

§ 4

Any actions or behaviours of mobbing will not be tolerated by employer.

§ 5

1. Each employee, who finds, that he was subject to mobbing, can make a written complaint to employer.
2. A complaint should include presentation of actual state, evidences in support of mentioned coincidences and indication of perpetrator or perpetrators of the mobbing.
3. Person who makes accusations should write complaint personally and provide it the date.

§ 6

1. In the event of academic teachers or students Vice-Rector for Scientific Affairs, and in the event of employees who aren't academic teachers- Chancellor, appoints within 5 working

days from the day of submission of the complaint anti-mobbing commission, hereinafter "Commission", which will interpret if the complaint is justified.

2. Commission consists of 7 members, chosen from the employees of the Wrocław Medical University in the following manner:

- a) 1 member is appointed by Rector,
- b) 2 members are appointed by Vice-Rector for Scientific Affairs/ Chancellor,
- c) 2 members are appointed by the accused,
- d) 2 members are appointed by person who makes accusation.

3. If the accused or person who makes accusation is Rector, Vice-Rector for Scientific Affairs or Chancellor, members of the Commission from item 2 a) and b) are appointed by Vice-Rector for Scientific Affairs- item 2 a), Rector- item 2 b).

4. Administrative service of the Commission is kept by Personnel Department.

§ 7

1. Members of the Commission elect chairman from among themselves.

2. After having heard the clarification of the person who makes accusation, the accused and conducted hearing of evidence the Commission makes decision simple majority of votes about legitimacy of examining complaint.

3. Explanations can be also provided by person who manages the unit, employs the accused or person who makes accusation and has essential information about mentioned event.

4. From Commission's meeting is prepared a protocol, which should be signed by all members from Commission and both sides of proceedings.

5. Proceedings before Commission is confidential.

6. In cases, which are not regulated in IAP for proceeding before the Commission shall apply accordingly code of civil procedure regulations.

§ 8

1. Member of the Commission can't state in cases pertaining to him or his closest family.

2. Exclusion the member from the Commission can be made also on application of the participant of the proceedings, if there are coincidences which have influence on his neutrality.

3. An appeal against the decision regarding exclusion the member from the Commission, can be filed to the Rector within 7 days from the date of receiving the decision. If the Rector is the accused or person who makes accusation an appeal should be filed to the Vice-Rector for Scientific Affairs.

4. Rector's/Vice-Rector for Scientific Affairs' decision is final.

§ 9

1. In the event of recognition the legitimacy of complaint of the accused, employer can administer rebukes or reprimand and change the work relation in the manner as provided for in the Labour Code Act.

2. The accused may be additionally abridged of his rights arising from the Labour Code Act regulations, which are contingent upon not breaking employee's duties.

3. In gross cases of mobbing employer may terminate with the accused the work relation without notice, and with reference to student may apply penalties provided for in Study regulations.

4. If possible employer transfer injured employee, on employee's application or upon his consent, to another position or in other way prevent direct touch the person who makes accusation with the accused.

5. Suggestion about type of the penalty imposed upon the accused is made by Commission.

§ 10

1. All documents from Commission's meeting are preserved in Personnel Department.
2. Protocols from Commission's meetings (including copies) are available only upon the consent of the Rector, and if the Rector is the accused or the person who makes complaint upon the consent of the Vice-Rector for Scientific Affairs.

Final resolutions

§ 11

Employer if necessary leads the training on application of IAP regulations.

§ 12

The Commission once a year draws up an activity report. In report the Commission includes the opinion of IAP.

§ 13

Resolution comes into effect as of 1st October 2009.

Rector of Wrocław Medical University

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