

Please note that the following document is a non-binding convenience translation. Only the German version of the document has legal validity.

## Senate Guideline on Cooperative Behavior

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## 1. Preamble

The Heidelberg University of Jewish Studies (HfJS) warmly welcomes all students and academic staff of different origins, genders, sexual, religious, and ideological orientations, social classes, and from many different countries and in various roles. It is a place of lively academic debate on all facets of Jewish religion, history, cultures, and societies. It is interested in Jewish cultures as a whole, across geographical and temporal spaces: in the past and present, as self-assured Judaism, as diaspora, and also in the Land of Israel.

As an educational institution, the HfJS has a special responsibility and role model function: academic and research achievements, as well as educational success, can only flourish in an environment of intact cooperation. This requires all parties involved to act in a spirit of partnership. The HfJS is committed to acting in a spirit of partnership, guarantees equal and respectful cooperation between its members and affiliates at all levels, and promotes measures to create and maintain a conducive working environment.

## 2. Scope

The Senate guideline for cooperative behavior applies to all members and affiliates of the HfJS in accordance with § 2 of the University Statutes. It also applies to persons who are not bound to the HfJS by labor or service law and who are not employed by the HfJS, but who have a factual connection to the HfJS. These are, in particular, persons with scholarships, external doctoral candidates, and external employees. The Senate Guideline for Cooperative Behavior supplements existing regulations for the protection of employees, such as the General Equal Treatment Act (AGG) or the State Higher Education Act (LHG). A catalog of appropriate measures and sanctions can be found in the appendix.

## 3. Principles

Particular emphasis is placed on a positive atmosphere and fair competition in teaching, research, and the workplace. All persons, especially those in management and leadership positions, are responsible for ensuring that discrimination based on ethnic origin, gender, religion or belief, disability or illness, age or sexual identity, in particular the exploitation of relationships of dependency in studies, training, and the workplace, as well as sexual harassment, bullying, and stalking are not tolerated and are prevented. The HfJS Senate disapproves of any form of discrimination, denigration, bullying, and stalking. These actions are prohibited. They also constitute a violation of obligations under employment contracts, service law, and higher education law, which will be punished accordingly. The persons covered by the scope of this guideline undertake to comply with these principles and to work to ensure that such acts do not occur.

## 4. Responsibilities of the responsible bodies

The Rector ensures that university members are fully informed about the problems of bullying, discrimination, stalking, and sexual harassment, about the possibilities for prevention, and about the rights and counseling options available to those affected. The HfJS appoints a contact person for questions relating to sexual harassment, bullying, stalking, and discrimination: . After reviewing the facts of the case, victims of sexual harassment, bullying, stalking, and discrimination are also offered various options for improving and resolving their situation, e.g., conflict resolution procedures, labor law remedies, legal proceedings, and measures.

## 5. Appendix

### Definitions

What is perceived as sexual harassment, bullying, stalking, or discrimination is largely determined by the subjective perception of the person affected. The following lists are therefore by no means exhaustive.

#### Sexual harassment

Sexual harassment is any sexually determined behavior that is unwanted by the person concerned or is likely to demean them as a person and constitutes a violation of boundaries. The behavior fulfills the criterion of a subjective violation of boundaries. Sexual harassment can be expressed in words, actions, gestures, or other sexualized behavior.

This can include, for example:

- Suggestive remarks, comments, or jokes about the person, their body, their behavior, or their private life
- Displaying sexist and pornographic images, regardless of their form (e.g., calendars/screensavers/posters)
- Gestures and nonverbal comments with sexual connotations
- Unwanted requests and/or coercion to engage in sexual acts
- Unwanted physical contact
- Sexual discrimination, harassment, violence, and exploitation of dependent relationships in the workplace and training environment.

#### Bullying

The term bullying describes negative communicative actions by one or more persons directed against another person that occur repeatedly and systematically.

These can include, for example:

- Slander of co-workers or their family members

- Spreading unverified rumors about persons covered by the scope of this policy or their families
- Deliberately withholding necessary information
- Disinformation
- Threats and humiliation
- Insults, hurtful treatment, mockery, and aggression
- Unworthy treatment, e.g., assigning offensive, unsolvable, meaningless, or no tasks at all.
- Repeated or coordinated personally offensive statements directed at persons covered by the scope of this directive, e.g., in the form of defamation in public and internal university forums.

### **Stalking**

Stalking refers to the intentional and repeated pursuit and harassment of a person in such a way that their safety is threatened and their life is seriously impaired. Stalking has been a criminal offense since 2007 (Section 238 of the German Criminal Code, "Stalking"). Stalking can take many forms. Specific examples of stalking include:

- countless phone calls
- harassing text messages, emails, or letters
- Lying in wait and following, demonstratively staying close to the person concerned
- Ordering goods and placing advertisements in the name of the victim
- unwanted gifts, etc.

### **Discrimination**

Discrimination is a violation of the inviolable dignity, rights, and freedoms of the individual under the Basic Law. Examples of discrimination include:

- derogatory remarks, comments, or jokes and/or actions based on:
- national and/or social origin
- skin color
- ancestry
- disability
- gender
- religious and/or ideological orientation
- political opinion
- sexual orientation
- illness
- age

- Use of documents that prevent equal treatment of persons covered by the scope of this directive.

### Legal basis

- Basic Law (GG) [www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf](http://www.gesetze-im-internet.de/bundesrecht/gg/gesamt.pdf)
- State Higher Education Act (LHG) [www.landesrecht-bw.de/jportal/?quelle=jlink&query=HSchulG+BW&psml=bsbawueprod.psml&max=true&aiz=true](http://www.landesrecht-bw.de/jportal/?quelle=jlink&query=HSchulG+BW&psml=bsbawueprod.psml&max=true&aiz=true)
- General Equal Treatment Act (AGG) [www.gesetze-im-internet.de/bundesrecht/agg/gesamt.pdf](http://www.gesetze-im-internet.de/bundesrecht/agg/gesamt.pdf)
- Disability Equality Act (BGG) [www.gesetze-im-internet.de/bundesrecht/bgg/gesamt.pdf](http://www.gesetze-im-internet.de/bundesrecht/bgg/gesamt.pdf)

If it is not possible or reasonable to resolve a problem or settle a conflict directly between the parties involved, those affected or their superiors can contact the responsible authorities. This is the contact person for questions relating to sexual harassment and anti-discrimination or the equal opportunities officer. A complaint that has been lodged must not lead to discrimination against the person lodging the complaint or the person concerned. The collection of personal data must be limited to what is necessary and is subject to data protection. Incidents, discussions, and information about possible offenses will be treated confidentially. The commission members are bound to confidentiality. Those affected have a say in the course of the proceedings. Complaints and reports of bullying, discrimination, stalking, and sexual harassment must be investigated.

### Right of appeal

Appropriate, necessary, and reasonable measures must be taken in the event of violations of this policy. The specific measures to be taken in each individual case depend on the nature and severity of the violation and whether the person concerned is an employee, a student, a person with an adjunct teaching position, a person with a private lectureship, a Professor /senior professor, a visiting scholar, an unpaid employee, or an external person. In the event of a serious violation, the HfJS may file a criminal complaint.

### Measures against employees (depending on the severity of the violation)

#### General measures:

- Warning to change behavior (by the supervisor or the human resources department)
- Instructions on how to interact with each other
- Obligation to participate in training events
- Threat of measures under labor law

#### Labor law measures, e.g.:

- Warning, formal warning

- Termination

#### Measures against lecturers

- Warning to change behavior
- Revocation of adjunct teaching position/ teaching assignment
- Ban from premises

#### Measures against private lecturers

- Warning to change behavior
- Ban from premises
- Revocation of teaching authorization (§ 39 (5) sentence 3 LHG) possible if the person concerned proves unworthy of it.

#### Measures against holders of honorary professorships/senior professorships

- Warning to change behavior
- Ban from the premises
- Revocation of appointment as honorary professor (Section 55 (1) sentence 4 in conjunction with Section 17 (3) of the University Statutes)

#### Measures against students

- Warning to change behavior
- Exclusion from a course
- Exclusion from the use of university facilities
- Withdrawal of IT usage rights
- Ban from university premises
- De-registration

#### Measures against persons engaged in scientific activities as guests

- Warning to change behavior
- Ban from the premises

#### Measures against unpaid persons

- Warning to change behavior
- Ban from the premises

#### Measures against external persons

- Warning to change behavior
- Threat of termination of any existing contractual relationship
- Termination of any existing contractual relationship
- Ban from premises