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Equal Opportunities Working Party

Information brochure



AK =
Gleich

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Preface

The University of Vienna is committed to an active equal opportunities and anti-discrimination policy to ensure equal opportunities and fair treatment for all university members. We are convinced that appreciative and respectful relations at the University of Vienna are the foundation for a positive working and studying environment. As a public institution, the University has a legal as well as a moral obligation to create an appreciative, tolerant and non-discriminatory atmosphere for all university members. The activities of the Equal Opportunities Working Party are an important component in creating this atmosphere.

The Equal Opportunities Working Party gives advice and counselling and supports university members in issues of equal treatment, equal opportunities, gender equality and anti-discrimination. Its duties also include monitoring compliance with gender equality regulations. This brochure provides an excellent opportunity for university members to gain information about equal treatment. I would like to thank the Equal Opportunities Working Party for their important contribution to the University.

Heinz W. Engl

Rector of the University of Vienna





The Equal Opportunities Working Party (AKGleich) – for a good and fair cooperation at the University of Vienna

Do you need information, counselling, support or options for action regarding issues of equal treatment, equal opportunities, gender equality and anti-discrimination?

Are you unsure what to think about a situation of discrimination or harassment and how to behave?

Did you experience or witness discrimination, sexual harassment or bullying at the University of Vienna?

Do you experience discrimination at the University of Vienna on the basis of your gender, ethnicity, religion, belief, sexual orientation or age?

The Equal Opportunities Working Party supports you in all these cases.

We check whether the University of Vienna adheres to the legal provisions regarding the advancement of women and whether it actively supports equality between women and men.

We provide counselling and support to all university members in matters of equal treatment and anti-discrimination.

Equal treatment affects us all.

Anybody can get into a situation in which they experience discrimination, bullying or sexual harassment – as the person affected or as a witness.

The Equal Opportunities Working Party is one of the first points of contact in these cases. Persons contacting us receive competent counselling and professional support.

All cases are treated confidentially and will only be forwarded to the responsible bodies of the University of Vienna if the persons affected have given their consent.

“The University of Vienna is committed to the advancement of women and to actively support equality between women and men, equality for people with disabilities and/or chronic illnesses, and to respectful treatment of transgender, intersex and non-binary people. It rejects all discrimination and disadvantages in connection with caring responsibilities.”

(Affirmative Action Plan for the Advancement of Women and Gender Equality of the University of Vienna, preamble, para. 1)

Composition of the AKGleich

The Equal Opportunities Working Party of the University of Vienna has been established in 1991. It is a collegial body, which must be established at every Austrian university in accordance with the 2002 Universities Act. The Equal Opportunities Working Party comprises 25 members and 50 substitute members.

All members are **free from instructions** and can **decide independently**. They are selected on the basis of their experience and their competence in matters related to equal treatment and the advancement of women. At least half of the members of the Equal Opportunities Working Party are women.



Representatives of students



Representatives of university professors



Representatives of associate professors as well as of the academic university staff in the area of research and teaching



Representatives of the general university staff

The Equal Opportunities Working Party represents all university members and has an even balance of members from all groups of university members and from all faculties/centres.

Who can contact the AKGleich?

The Equal Opportunities Working Party is responsible for all university members pursuant to section 94 of the 2002 Universities Act, including:

- Students
- Research fellows
- Academic and artistic university staff
- General university staff
- Non-tenured associate professors

- Persons who enjoy rights at the University of Vienna due to their authorisation to teach (*venia docendi*)

In addition, it is responsible for applicants:

- applying for a position at the University of Vienna
- applying for admission as a student.

What are the tasks of the AKGleich?

The Equal Opportunities Working Party has three areas of activity:

- **Checking compliance**
 - **Counselling and support**
 - **Information**
-

Checking compliance

The Equal Opportunities Working Party checks if procedures relating to personnel matters comply with the applicable gender equality regulations.

This includes:

- Hiring
- Professorial appointment procedures
- Tenure track procedures
- Habilitation procedures

The Equal Opportunities Working Party monitors these processes from the advertisement of the vacancy to the selection of candidates.

The Equal Opportunities Working Party is not involved in the staffing of vacancies that are exempt from the compulsory advertisement procedure in accordance with the Universities Act:

Teaching assignments, temporary positions in third-party funded projects.

Counselling, support and information

The Equal Opportunities Working Party provides counselling and support to **persons affected** by discrimination, sexual harassment and bullying.

The Equal Opportunities Working Party provides counselling, support and information to **university bodies**. It does so, for example, by means of the annual activity report for the University Board and the Rectorate, especially by means of the recommendations included in this report.

The Equal Opportunities Working Party informs university **units advertising a vacancy** about the applicable gender equality regulations and checks compliance.

The Equal Opportunities Working Party informs university **members and bodies** about equal treatment, the advancement of women and protection against discrimination.

What rights does the AKGleich have?

The Equal Opportunities Working Party is a controlling body, but not a decision-making body. Therefore, it cannot reverse any decisions taken by the University and it cannot give instructions.

The Equal Opportunities Working Party has the following legal remedies, in particular:

- Objection against the incorrect composition of collegial bodies
(The Equal Opportunities Working Party can raise an objection if the composition of a collegial body does not comply with the applicable gender equality regulations, i.e. a women's quota of at least 50 %.)
- Appeal lodged to the Arbitration Committee in case of suspected discrimination
- Request to the federal equal opportunities committee for preparing an expert opinion within six months in case of an incident of discrimination

In addition,

- all members of the Equal Opportunities Working Party are free from instructions and can decide independently;
- the members of the Equal Opportunities Working Party may not be impeded when fulfilling their tasks for the Equal Opportunities Working Party. They may not be disadvantaged professionally as a result of their function at the Working Party.
- the Equal Opportunities Working Party has the right to view all necessary documents. However, they may view personnel files only with the consent of the person affected.

- the Equal Opportunities Working Party has the right to submit a proposal for the Affirmative Action Plan for the Advancement of Women and Gender Equality to the Rectorate.

The rights and obligations of the Equal Opportunities Working Party result from the federal equal opportunities act (Bundes-Gleichbehandlungsgesetz), the 2002 Universities Act as well as the Affirmative Action Plan for the Advancement of Women and Gender Equality and the Statutes of the University of Vienna.

Arbitration Committee:

The Arbitration Committee mediates in cases of dispute between university members and decides on complaints filed by the Equal Opportunities Working Party (section 43 of the 2002 Universities Act).

schiedskommission.univie.ac.at/en

Federal equal opportunities committee:

Prepares expert opinions on whether the principle of equal treatment has been violated, at the request of the Equal Opportunities Working Party or the persons affected as well as ex officio.

Additionally checks compliance with the principle of the advancement.

In what situations can I contact the AKGleich?

In every situation in which you need **information or support** regarding equal treatment at the University of Vienna, such as when:

- you are being discriminated against;
- you are being (sexually) harassed;
- you are being bullied;
- you witness any such incidents and want to help others;
- you need information about issues of equal treatment in a job application, habilitation or professorial appointment procedure;
- you have general questions about equal treatment and anti-discrimination at the University of Vienna;
- if you need information and want to get in contact with other counselling offices.

If you notice discrimination through language:

The Affirmative Action Plan for the Advancement of Women and Gender Equality of the University of Vienna stipulates that all statements targeted at the public or at university members must use non-discriminatory and gender-sensitive language.

A guideline on the use of gender-inclusive language is available on the website of the Gender Equality and Diversity unit.

personalwesen.univie.ac.at/en/gender-equality

What happens during counselling?

We take every concern seriously. Your enquiry will be treated strictly confidential.

- We discuss your situation and/or concern with you.
- We consider your objective.
- We discuss possible courses of actions in your situation.
- We can initiate discussions with the persons involved. These can take place with or without the presence of the superior.
- We can lodge an appeal to the Arbitration Committee in case of suspected discrimination.
- We can also only document your “case” – in anonymous form and maintaining confidentiality, of course.
- We refer you to suitable counselling services if the Equal Opportunities Working Party is not responsible in your situation or if they can provide additional support.
- We cooperate with internal as well as external counselling services in the area of discrimination, sexual harassment and bullying.

Further counselling services

The Equal Opportunities Working Party cooperates with the counselling offices at the University of Vienna and, if necessary, puts persons affected and interested persons in touch with them.

At the University of Vienna, you can also contact the following units at any time:

- Sexual Harassment and Bullying Counselling Office (provides psychological counselling)
- Gender Equality and Diversity unit
- Works Council for the General University Staff and Works Council of the Academic University Staff
- Disability representative for the general university staff and disability representative for the academic university staff
- Human Resources Development unit
- Conflict resolution counselling office (only for employees – not for students)
- Threat management (point of contact if you notice threatening behaviour)
- Security management (24–7 in acute situations, in case of accidents, emergencies or danger)
- Offices of the Austrian National Union of Students (ÖH) (there are offices responsible for different issues): for example, relating to women*, social affairs, accessibility, culture, anti-racism, queer issues, elderly students
- Children's Office
- Reconciling work and family life (information on the website of Human Resources and Gender Equality)

- Accessible Studying Team (support and counselling on accessible studies)
- leitung.zulassung@univie.ac.at (Admission Office, responsible in case of change of name and gender)

Non-university counselling and support services can also help:

- Psychological Counselling Service for students
- Ninlil – association against sexual violence against women with learning difficulties or multiple disabilities
- ZARA Civil Courage and Anti-Racism-Work
- Ombud for Equal Treatment
- Counselling office of the City of Vienna – fighting discrimination
- Office of the Austrian Student Ombudsman at the Federal Ministry of Education, Science and Research
- Männerberatung (counselling office for men) Vienna

You decide who you contact first. There is no defined order in which you have to contact these offices.

Understanding equal treatment

What is discrimination?

Discrimination refers to the objectively unjustified disadvantage, unequal treatment or degradation of individuals or groups of persons on the basis of certain characteristics. The Equal Opportunities Working Party is responsible for preventing discrimination on the grounds specified by law:

- Gender
- Ethnicity
- Religion
- Belief
- Age
- Sexual orientation

Direct discrimination takes place when persons are treated unequally based on these grounds in comparable situations.

Indirect discrimination takes place when seemingly neutral regulations or rules have a disadvantageous effect on persons on the basis of these grounds.

The Center for Teaching and Learning (CTL) offers workshops, counselling and a guideline on diversity in teaching and studying at the University.

Discrimination and harassment on the basis of a disability are prohibited by the **disabled persons employment act**.

If you are discriminated against due to a disability, the Equal Opportunities Working Party can refer you to the responsible internal and/or external offices.

The Austrian federal equal opportunities act (Bundes-Gleichbehandlungsgesetz, B-GLBG) also prohibits discrimination in the form of sexual harassment and harassment.

What is harassment?

Discrimination on the grounds mentioned above can also take the form of harassment.

The Austrian federal equal opportunities act defines sexual harassment as conduct that is destroying or intended to destroy a persons' dignity and that is unwanted, inappropriate, degrading, insulting, or offensive (see section 8a, para. 16 of the B-GLBG).

At the workplace and at the place of study, such a behaviour creates an intimidating, hostile, or humiliating work environment for the person affected (see *ibid.*).

Understanding equal treatment

What is sexual harassment?

Sexual harassment is defined as conduct related to the sexual sphere which is unwanted, inappropriate, degrading, insulting, or offensive to the affected person (see section 8 of the B-GlBG).

The decisive factor is how the person being harassed perceives the behaviour (subjective perception).

Sexual harassment is often a form of abuse of power and oppression of the person who is less powerful.

There is a wide range of sexually harassing behaviour. It can take the form of physical, verbal and non-verbal harassment.

For example, sexual harassment can include:

- Unwanted and inappropriate physical contact;
- Sexist jokes;
- Offensive and suggestive remarks, remarks about physical characteristics, appearance, clothing or sex life;
- “Undressing” someone with the eyes, stares;
- Sending sexually explicit messages;
- Showing sexist or pornographic material.

In extreme cases (especially intensive touching of parts of the body that belong to the sexual sphere), sexual harassment can also be a criminal offence (section 218 of the Austrian criminal code (Strafgesetzbuch, StGB)).

What is bullying?

A situation of bullying is characterised by the following elements:

- A person or group of persons is harassed, tormented, marginalised and injured repeatedly, systematically and in a targeted way, either directly or indirectly.
- Bullying can take the form of words and gestures or, for example, ignoring someone or via electronic media (cyber-bullying).
- The person affected is often not able to react to the attacks or to defend themselves.

At the workplace, bullying can occur among colleagues or between superiors and employees (bossing). In the area of studies, bullying can occur among students as well as between students and teachers.

Bullying involves, for example, defamation, marginalisation, refusal of support, withholding of information, ridicule, permanent control, disparagement on the Internet or on social media, or the passing on or dissemination of personal photos, videos or messages.

Bullying can, but does not necessarily have to, relate to the grounds of discrimination mentioned before.



The distribution of images or facts relating to a person's most private sphere by electronic means over a longer period of time can constitute cyber-bullying punishable by law (section 107c of the Austrian criminal code (Strafgesetzbuch, StGB)).

As proxy for the employer, superiors have a duty of care for the welfare of their staff. Therefore, superiors are obliged to intervene in cases of harassment and bullying and to take suitable measures.

What can I do?

- Get **help** if you feel that you are affected by discrimination, harassment or bullying. Contact the Equal Opportunities Working Party or any other counselling office at the University of Vienna.
- **Support** persons affected by discrimination, harassment or bullying by acting as a witness to an incident.
- **Document** the incident by means of reports from memory.
- **Protect** your employees as a superior as part of your duty of care and ensure a non-discriminatory work environment.
- **Promote** a non-discriminatory work and study environment for all university members.

About us

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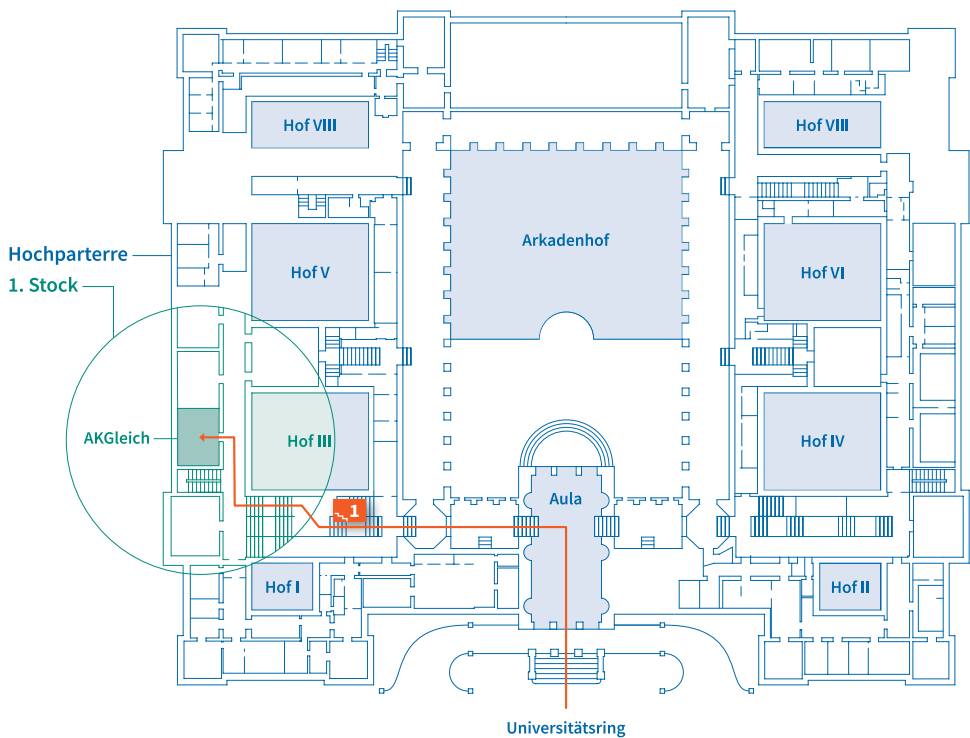
Contact

You can contact every member of the Equal Opportunities Working Party personally via telephone or e-mail, or contact the office. A complete list of contact details is available on our website: gleichbehandlung.univie.ac.at under “Zusammensetzung” (members).



The core team of the Equal Opportunities Working Party, f.l.t.r.: Marianne Ertl, Farsam Salimi, Susanne Hochreiter and Barbara Schaffer.





How to reach us

Our office is located in the Main Building of the University of Vienna, on the first floor, staircase 1 (if you are standing in the Aula, this is the main staircase on the left).

At the end of the staircase, follow the corridor to the right. The entrance to the office of the Equal Opportunities Working Party is located directly after a small staircase (staircase 5) on the left.

More accessible Access via Hof III lift.

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