

Affirmative Action Plan (for the advancement of women) at the University of Vienna

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Preamble

Equal rights for women and men is a University objective in accordance with § 1 University Act 2002 and in accordance with §§ 2 Z 9 und 3 Z 9 leg. cit., and is one of the University's primary principles and responsibilities. According to § 41 University Act 2002, universities are required to achieve a balanced ratio of women and men among students and employees at the University.

The maintenance of equal rights and women's advancement standards consistent with the Federal Equal Treatment Act, BGBl. No. 100/1993 idF BGBl. I No. 65/2004 is a necessary prerequisite for achieving the goal of gender equality.

The University of Vienna is committed to the concerns of women's advancement and to the creation of positive and career-fostering conditions for women. Therefore, the achievement of objectives in this area—that women and men are given development possibilities correspondent to their qualifications and that the existing disadvantages for women are eliminated or counterbalanced—is seen as a task shared by all University affiliates. Equal treatment of women and men and the advancement of women should find adequate expression in the development plan, in personnel policies, research and teaching, as well as in the distribution of resources. This is particularly the responsibility of people in management functions. Internal information and communication regarding equal rights shall be guaranteed as a crucial condition for the active implementation of this directive by everyone working at the University.

Also included here is support of women students as potential future scientists. Research and teaching should be designed and carried out by women and men as equal partners. The University of Vienna considers women's studies and gender research an essential part of research and teaching; women role models should motivate women students to pursue a scientific career. The University of Vienna actively supports study and working conditions that offer women and men equal opportunities for scientific research, teaching, and learning. The University of Vienna is working toward the creation of framework conditions beneficial for coordinating familial duties and career or studies.

To encourage efforts at achieving practical equal rights among women and men, the University of Vienna is hereby obliged, in their internal distribution of research and teaching resources, to maintain and expand the hitherto accomplished progress in fulfilling the equal rights mandate.

Part A. General conditions

Coverage

§ 1. The Affirmative Action Plan applies to all affiliates of the University of Vienna in accordance with § 94 University Act 2002 as well as to applicants for admission to the University of Vienna as employee or student.

Goals of the Affirmative Action Plan

§ 2. (1) The Affirmative Action Plan's objective is to increase the percentage of women in all organizational entities, at all levels of hierarchy,¹ and in all functions and activities at the University of Vienna in which women are under-represented, including temporary and permanent job and training situations, to a minimum of 40%. All measures that have a direct or indirect influence on the percentage of women staff must be oriented on this goal. Measures for the advancement of women must be integrated within two years into staff planning and development, research and teaching in order to have achieved a significant increase in the women's quota two years after the Affirmative Action Plan comes into effect.

(2) Goal of the measures for women's advancement is to assure the same working conditions for women and men. Women and men should have equal access to all means and opportunities such as infrastructure, financial resources, etc.

(3) The University pursues the following strategic and operative objectives for implementation of the Affirmative Action Plan:

1. Equal opportunity

Women and men are equal partners in all organizational entities, at all levels of hierarchy, and in all functions and responsibilities. Framework conditions must be created and maintained that enable women access to all of the University's areas of activity.

2. Gender mainstreaming

The University of Vienna applies the principle of gender mainstreaming in all decision-making processes.

3. Advancement of women

Aspired to are: supporting women's scientific achievements, promoting a new generation of women scientists, increasing the share of women in research and habilitation projects, and supporting women students at the University of Vienna.

4. Elimination of under-representation

It is necessary to actively work toward the elimination of existing under-representation of women in employment relationships with the University of Vienna in all organizational entities, at all levels of hierarchy, and in all functions and activities.

5. Removal of discrimination

Discrimination against women in the context of an employment relationship or study program at the University of Vienna must be removed. This mandate to

¹ Women professors, women university teachers, women assistants, women assistants in training, women study assistants, women tutors, women teaching staff, externally funded scientific staff, other scientific staff in research and teaching, and general university personnel.

remove discrimination also applies with regard to persons responsible for care of children or dependents.

6. Working environment

For the creation of a non-discriminatory working environment for all affiliates of the University of Vienna, aspired to is, especially:

1. compatibility of study or career with familial responsibilities, and guaranteed is
2. efficient protection of personal integrity at the workplace, especially (also preventative) measures against sexual harassment at the workplace.

7. Infrastructure

An adequate infrastructure for the realization of equal rights and the advancement of women must be established.

Gender mainstreaming

§ 3. (1) Gender mainstreaming demands the inclusion of the goals of equal rights and the advancement of women in all activities, measures, and decision making processes at the University of Vienna, especially by the highest organs of the University Council, Senate, Rectorate's Office, and Rector (§§ 20-25 University Act 2002).

(2) The principle of gender mainstreaming must be consistently implemented at the University of Vienna. All decision-makers must fall back on the available expert knowledge from the Equal Opportunity Working Party and actively include it in relevant decision-making processes.

(3) For the implementation of gender mainstreaming, the goals of equal rights and the advancement of women must be included particularly in:

1. drafting a plan for a statute (§ 22 ¶ 1 Z 1 University Act 2002), the enacting or changing of a statute (§§ 19 ¶ 1 und 25 ¶ 1 Z 1 University Act 2002),
2. drafting (§§ 22 ¶ 1 Z 2, 98 ¶ 1 University Act 2002) and agreement on the developmental plan (§ 25 ¶ 1 Z 2 University Act 2002) as well as in the approval of the developmental plan (§ 21 ¶ 1 Z 1 University Act 2002),
3. drafting (§ 22 ¶ 1 Z 4 University Act 2002) and approval of (§ 21 ¶ 1 Z 1 University Act 2002) a plan for the achievement agreement as well as in its negotiation and conclusion (§ 23 ¶ 1 Z 4 University Act 2002),
4. drafting (§ 22 ¶ 1 Z 15 University Act 2002) and approval of (§§ 16 ¶ 5 und 21 ¶ 1 Z 9 University Act 2002) the achievement report,
5. drafting (§ 22 ¶ 1 Z 15 University Act 2002) and approval of (§ 21 ¶ 1 Z 9 University Act 2002) the knowledge assets (§ 13 ¶ 6 University Act 2002).

Target agreements

§ 4. (1) All target agreements (§§ 20 ¶ 5, 21 ¶ 1 Z 4, 22 ¶ 1 Z 6 University Act 2002) must include the goals of equal rights and the promotion of women.

(2) Non-observance of the objective to increase the percentage of women will be taken into consideration, particularly by the Rectorate, with respect to distribution of budgetary means.

(3) In drafting guidelines for the activities of collegial bodies in accordance with § 25 ¶ 1 Z 15 University Act 2002 by the Senate, the principles of gender mainstreaming and equal rights of the sexes must likewise be observed.

Under-representation

§ 5. (1) Women are considered under-represented when their share of the total number of staff at the University of Vienna, on a particular level of hierarchy, within a legal category of persons, or within the corresponding organizational entity is less than 40%.

(2) Women are also to be considered under-represented when their share of the total number of students in a discipline is less than 40%.

Mandate for the advancement of women

§ 6. All University members and especially the managerial bodies are obliged, within their area of influence,

1. to work towards the elimination of an existing under-representation of women in the total numbers of employed persons in permanent employment situations and functions, as well as
2. eliminate existing discrimination against women in connection with employment relations,
3. protect an already achieved women's quota of 40%,
4. for all other measures, which directly or indirectly influence the women's quota, to take into account the goals according to § 2.

Anti-discrimination mandate

§ 7. Collective contracts and business agreements are not to contain any conditions that could have a gender-discriminatory effect.

Public relations

§ 8. (1) Themes specific to women and relevant to equal rights must be presented as essential characteristics of the University profile (e.g., in the website, informational brochures, and other relevant publications, as well as at University of Vienna events).

(2) The Rectorate organizes an annual "women's day" at the University of Vienna, on which the various achievements of women scientists are presented. The aims are, on the one hand, networking of women scientists, and on the other, medial presence.

Information on relevant legal regulations

§ 9. The Rectorate must make available for all decision-makers the relevant legal regulations pertaining to equal treatment issues and matters pertaining to the advancement of women.

General information

§ 10. (1) The percentage of women in University life, and their contribution to research, teaching, and administration must be regularly documented in the University of Vienna's media.

(2) The Rectorate will provide information on gender mainstreaming (particularly for senior staff) at regularly scheduled informational and educational events.

Use of gender-appropriate language

§ 11. All bodies and administrative institutions at the University of Vienna are to use gender-suitable language in send-outs, forms, protocols, talks, and other announcements directed at the public or at University affiliates. The female and male forms or gender-neutral terms are to be used.

Part B. Research

Advancing women's research activities

§ 12. (1) The University of Vienna supports women's research activities.

(2) When awarding scholarships and study grants, qualified women must be taken into consideration in accordance with the percentage of women students; in the awarding of PhD and habilitation scholarships, qualified women must be considered in accordance with the percentage of women graduates.

(3) When distributing resources to support research in organizational entities, these means are to be distributed proportional to the number of applications from women and men, provided that the requests are of an appropriate quality. In all cases, 20% of the applications from women that qualify for support will be approved. Bodies, commissions, or members of the University of Vienna making decisions about the granting of means for research support, which have been made available from the private sector or through foundations, are to follow the same criteria and report on their decisions to the Equal Opportunity Working Party.

Part C. Teaching

Participation in teaching posts, women's quota

§ 13. (1) The share of women teachers as a percentage of all teachers among the total number of study program administrations and organizational entities is to be increased to a minimum of 40% through all staff categories to the extent that this is possible for each particular staff body. In the granting of teaching posts, a balanced gender ratio is to be considered

Guest professors

§ 14. (1) For guest professors, the women's quota is mandated at a minimum of 40% per organizational entity.

(2) When inviting guest professors, special consideration is given to women's studies and gender research as well as women-conscious and gender-conscious course content.

Approval of curricula

§ 15. The working groups for issuing curricula must allow the Equal Opportunity Working Party to send a member or an expert from the relevant subject area, to have an advisory voice in the working group.

Student evaluation of teaching

§ 16. (1) In student evaluations of teaching, an appropriate means of evaluation should determine whether equal treatment of women and men students has been realized and whether the course curriculum has been taught in a gender-sensitive way, in compliance with the mandate for equal treatment of the sexes. (Special attention should be paid to whether gender-biased testing practices occur and whether discriminatory examples and themes are used). Furthermore, it should be determined whether women and gender-specific themes are offered, subject matter permitting.

(2) Also necessary to determine is whether, in the course of the curriculum, lectures containing theoretical or method-critical contents relating to women's studies and gender research are at least offered to students as an elective in the framework of the study program or recommended as a free elective.

Part D. Students

Increasing the quota of women in disciplines in which women are under-represented

§ 17. (1) The University of Vienna sets appropriate measures to promote women's access to disciplines in which women are under-represented.

(2) In all disciplines of study in which the share of women beginning or completing a course of study is under 40%, the administration of the study program must develop strategies and set concrete measures that increase the percentage of women in these disciplines.

(3) Such disciplines should be increasingly presented and promoted at presentations, college fairs, and informational gatherings at schools, and elsewhere, with the goal of advancing women's representation.

Scholarships

§ 18. (1) Scholarship offers are to be made known to the general public in an appropriate way. Women are especially encouraged to apply. The University of Vienna is working toward making additional scholarships available for women, and allowing for scholarships to be interrupted in the case of maternity leave or a familial leave of absence, and it is working toward lifting age restrictions for scholarship applicants with family obligations.

(2) In the awarding of scholarships, women are to be given preference in cases of equal qualifications.

(3) The goal is to achieve at least the same share of women scholarship recipients as the share of women students.

Mentoring, coaching, and similar measures

§ 19. Mentoring programs, coaching, and similar measures are considered important measures for raising the number of women graduates at the University of Vienna. The Rectorate supports and finances the development and realization of the corresponding programs for women's advancement through the Center for Gender Equality (Referat Frauenförderung und Gleichstellung) (§ 52). For women students, special support services have been developed such as course and career counseling (especially in disciplines in which women are under-represented).

Compatibility of studies and familial responsibilities

§ 20. (1) Providing for dependents is a valid reason to take a leave of absence according to § 67 ¶ 1 University Act 2002.

(2) The University of Vienna provides funding, staff, and rooms, based on available resources, to offer childcare opportunities for students. The Office for Children provides need-oriented child-care options for students and makes available information on child-care options.

Part E. General University personnel

Advancement of women in administration

§ 21. The University supports women's careers in administration through:

1. Development, implementation, and monitoring of relevant career models in the area of general University personnel with special consideration of women's situations.
2. Development of training and continuing education measures (qualification programs) in University-specific administration (personnel development).
3. Targeted support of women's participation in these measures (remuneration systems, consideration of familial situation, etc).
4. Consideration of the special work requirements of women (family, pregnancy, re-entry into the workforce, etc.), also in general personnel through appropriate models for work schedules, alternative work methods if possible (for example, teleworking) and programs for women's re-entry into the workforce.

Part F. Personnel and organizational development

I General provision

Personnel and organizational development

§ 22. (1) All measures that affect the staff and organizational development must consider the concept of gender mainstreaming, equality of the sexes, and the elimination of under-representation of women.

(2) The University of Vienna sets appropriate measures with regard to the following areas:

1. Promoting the scientific achievements of women;
2. Supporting the next generation of women scientists;
3. Eliminating the current under-representation of women in educational or employment relationships with the University in all organizational entities, at all levels of hierarchy, and in all functions and activities;
4. Continuing education and promotion of women's professional qualifications;

(3) Where necessary, childcare should be offered to accompany personnel development measures. Employees on parental leave are to be admitted to personnel development measures.

II Hiring personnel

General information

§ 23. (1) According to the mandate for women's advancement stipulated in § 41 University Act 2002 and § 11 Federal Equal Treatment Act, the share of women in all organizational bodies on all hierarchical levels and in all functions at the University of Vienna should be increased to reach at least 40% or an existing 40% share is to be maintained. In organizations in which this share has not been reached, women applicants whose qualifications equal those of the best male applicant for the open position should be favored until a quota of 40% women has been reached, as long as there are no overwhelming reasons to hire the male applicant (§ 11b Federal Equal Treatment Act). These reasons may not be of a discriminatory nature.

(2) If the percentage of women graduates reaches over 40%, this share should also be a goal for teaching assistants.

(3) In assessing a candidate's scientific qualifications, in cases of a similar quality, but lesser quantity of scientific work, time devoted to care-giving is to be taken into consideration. A comparison of women and men applicants is to be made according to comparable criteria.

Job postings

§ 24. (1) Job postings must be written in such a way that they are able to serve as objective criteria in the hiring process. Thus, the text must contain in addition to all necessary qualifications for the job, a comprehensive profile of the ideal candidate (especially the essential and ideal qualifications) and understandable, sufficiently detailed qualification criteria. Gender-biased language in job postings is inadmissible.

(2) Job descriptions for open positions and for management functions must contain the additional information: “The University of Vienna strives for an increase in the share of women in scientific and general University personnel, especially in management functions and therefore expressly encourages qualified women to apply.” In the case of existing under-representation (§ 23) the additional sentence is added: “In cases of equal qualification, women will be given preference.”

(3) Posted job descriptions for the position of University professor in subject areas in which courses connected with women-specific topics and research are already anchored in the study plan, must point out this situation.

(4) Job posting texts and, if requested, workplace, and job duty descriptions must be immediately disclosed by the appropriate organization to the Equal Opportunity Working Party.

(5) Inadmissible are, in particular, job descriptions that contradict these stipulations or otherwise present gender bias as well as those descriptions that are written in such general terms that they do not serve as an objective decision-making basis for the subsequent hiring process. This applies as well to overly detailed job descriptions if there is a valid suspicion that the potential circle of applicants has been subjectively narrowed to the advantage or disadvantage of a particular person or has been non-objectively restricted for the advantage of one gender.

(6) If the Equal Opportunity Working Party has reason to assume that a job description presents gender discrimination or contradicts ¶ 1, 2, 4 and 5, then it is justified in contacting the Arbitration Commission within two weeks. It is forbidden to fill the position until the commission has made a decision.

(7) If the organization posting the job description changes the description to alleviate the complaint by the Equal Opportunity Working Party before the Arbitration Commission has made a decision, the complaint is withdrawn.

Re-posting the job

§ 25. (1) If there are no women applicants who fulfill the legal requirements and qualifications for a job by the specified deadline, then the Equal Opportunity Working Party must be informed of what measures were taken to encourage women to apply.

(2) The job opening should be re-posted if the Equal Opportunity Working Party does not explicitly deem it unnecessary to re-post the job.

(3) If, despite a new, reformulated and re-posted job opening, and despite a verifiably active search for qualified women, there are still no women applicants, then a selection process is to be carried out.

General regulations for the selection process

§ 26. Applications from women who are on legally or contractually arranged leaves of absence or on leave from an educational facility or workplace are to be included in the selection process and considered equal to other applications.

Job interviews

§ 27. (1) All women applicants who legally fulfill the nominal requirements and fulfill the requirements of the job description are to be invited to admission or selection interviews. In exceptional cases (i.e., an unusually large number of applicants), the number of women applicants invited to interviews may be reduced with the verifiable consent of the Equal Opportunity Working Party.

(2) In job interviews, hearings, and the like, questions that discriminate against women (e.g., about family planning matters) are to be omitted. In the assessment of the applicant, no selection criteria or qualification may be used that is oriented on a discriminatory, stereotypical understanding of the sexes.

(3) In appointment procedures for University professors, § 29 is also valid.

Selection criteria

§ 28. (1) Selection criteria that are not listed in the job description may not be applied. If, from the job description alone, no decision is possible, any additional criteria that are used must be explicitly related to the fulfillment of job duties. Inadmissible are criteria oriented on a discriminatory, stereotypical understanding of the sexes. The necessity of resorting to additional criteria and the resulting selection decision is to be submitted in writing to the Equal Opportunity Working Party.

(2) In the comparison of qualifications, no criteria may be used that disadvantage women applicants or that are oriented on a discriminatory, stereotypical understanding of the sexes.

(3) An appreciation of gender mainstreaming is to be listed as a selection criterion in job postings for leadership positions and professorships (see § 29 ¶ 4).

(4) If the women's quota, as stipulated in § 23, remains unattained, and if no women have been recommended to fill the position, then the recommending organization must evidence reasons, using the criteria of the job posting, in the case of every woman who applied as to why she was not recommended.

(5) Interruption of gainful employment, reduction of working hours or the deferment of completion of particular courses of education due to the care of children or dependents may not disadvantage the applicant.

(6) Comparable career developments inside and outside of the university including the qualifications acquired therein are to be considered in the decision making process.

Additional regulations for the appointment process

§ 29. (1) In the appointment process, potential qualified women applicants should be encouraged to apply through appropriate measures. The corresponding evidence is to be recorded in the file.

(2) If, in the appointment process, according to § 98 ¶ 2 clause 2 University Act 2002, other candidates are included who did not apply, the Equal Opportunity Working Party is to be informed immediately.

(3) The Equal Opportunity Working Party has the right to send a maximum of two women and men representatives to a session of the appointment commission. These have the right to bring forward a motion, to request a special vote as well as to add to the record particular contributions to the discussion made by members of the appointment commission. The members of the Equal Opportunity Working Party are to be invited in a timely manner to each session of the appointment commission. If the members are not invited, the appointment commission is entitled, with official inclusion of the Equal Opportunity Working Party, to call for a new session to once again carry out the counsel and decision making on which the decision was based.

(4) Proven competencies in the advancement of women and/or gender mainstreaming and/or women's and gender research are to be taken into consideration as positive points in the selection process.

(5) If, in the appointment process, applicants are invited to a lecture or personal presentation, then, without exception, all women applicants who satisfy the legal requirements and the demands in the job description must be invited.

(6) Women applicants who are qualified to the same degree as the best man applicant are to be selected preferentially in the hiring process.

(7) In making a decision based on the recommendations by the appointment commission, the Rector must take into consideration aspects of equal rights and the advancement of women.

(8) In all appointment negotiations, the rector must inform the negotiation partners of the women's quota in the relevant organizational entity and of any legal obligations that they are obliged to observe (especially the mandate for the advancement of women).

III Career planning, education, and continuing education (advanced training)

Mentoring

§ 30. (1) Mentoring, i.e., the systematic, professional, organizational as well as social introduction, accompaniment, and support of the employee, is a further aspect of career advancement or professional support. In the initiation phases for new colleagues, direct supervisors are required to act as mentors. These supervisors may also implement as mentors other experienced University of Vienna colleagues in the corresponding field. However, the immediate supervisors remain responsible for a suitable initiation of new colleagues. The Rectorate is responsible for adequate training of the mentors.

(2) The mentors' activities are a significant contribution to the fulfillment of duties resulting from the work relationship. In the distribution of duties, supervisors must make special allowances for the additional responsibilities resulting from the mentorship.

(3) The Rectorate will set up a women-specific mentoring program at the Center for Gender Equality that is based on the experiences and results of the Center's previous mentoring programs. Sufficient budgetary and personnel resources and rooms are to be allotted in the interest of the program's continual implementation.

Official duties, office and working hours

§ 31. (1) In determining duties resulting from training or working relationships (in the following: official duties) consideration must be given to maintaining a balanced distribution of responsibilities among all colleagues within the organizational entity.

(2) The official duties must be designed in such a way that the respective staff members are able to obtain the qualifications necessary for their career within the time allotted.

(3) In setting the official duties of “assistants (who are still students)” attention must be paid to a balanced distribution of responsibilities in research, teaching, and administration. This must be done in such a way that, by producing scientific achievements, qualifications leading to career advancement are facilitated. This means, in particular, that in determining official duties—especially for women employed part-time—consideration must be given to dedicating at least 30% of the working hours to producing scientific achievements.

(4) In aptitude assessments, job descriptions, establishment of official duties, assigning responsibilities, appraisals, and certificates, no discriminatory or career blocking evaluation criteria may be used, which lead to a disadvantage for women employees or which are oriented on a discriminatory or stereotypical understanding of the sexes.

Flexibility of working hours

§ 32. (1) Flexibility of working hours is to be encouraged for all affiliates of the University of Vienna. It is to be present in all career discussions and at staff meetings. Research work and family responsibilities are to be taken into consideration when setting working hours, especially when setting the hours for lectures, exams, and meeting times.

(2) All staff members should be assisted through organizational measures in understanding the legal and contractual or collective-contractual possibilities for reducing weekly work hours or for part-time work as well as arranging flexible work hours and claiming special leaves of absence for family reasons and leaves for care-giving. In the reduction of weekly work hours to half, or part-time work, work responsibilities are to be proportionally reduced.

(3) All researchers are to be granted exclusive and contiguous time to be used for their own research.

(4) In accordance with available means, the University of Vienna makes available, funding, staff, and rooms for childcare for the staff. The Children’s Office works out need-oriented childcare offers for the staff members and makes available information about childcare for staff members.

Education and continuing education

§ 33. (1) Individual organizational entities must emphatically support women. In the authorization for participation in educational or continuing education measures, care must be taken to ensure a balanced ratio between the sexes.

(2) Supervisors must encourage qualified colleagues in the scientific field to write dissertations and habilitations.

(3) Immediate supervisors must permit and grant time for qualified workers who wish to participate in events that are essential to career planning and advancement with scientific or career promoting content, provided there are no opposing urgent work interests. Decisions must be made in a reasonable period of time. If the participation in educational events requires a change in office or working hours, this is to be granted by the supervisor, as long as there are no urgent work interests to address.

(4) When planning continuing education seminars, these should be organized in a family-friendly way (i.e., providing for childcare), to the extent that budgetary means allow.

(5) Both part-time employees and women employees granted a legal or contractually arranged leave of absence should be offered the same opportunities for continuing education as full-time employees.

(6) If the request to participate in such events or seminars is rejected, the Equal Opportunity Working Party may, if requested, ask to be supplied with a written justification for the rejection. In the case of valid suspicion of discrimination, the Equal Opportunity Working Party may contact the Arbitration Commission.

Contents of education and continuing education

§ 34. (1) In the context of the University of Vienna's continuing education program, special seminars for women's advancement are to be offered.

(2) Women employees have the right to women-specific continuing education.

(3) Parents are to be supported in their job re-entry through appropriate measures for continuing education.

Education and continuing education in women's advancement and gender mainstreaming for senior staff

§ 35. As a personnel development measure for senior staff and future leadership ("high potentials"), special training is offered in women's advancement and gender mainstreaming. The Rectorate motivates senior staff and recommends them, as well as future leaders, to take advantage of these educational programs.

Symposia and conferences

§ 36. Of the resources that the University of Vienna makes available to finance participation of its affiliates at symposia, conferences, and the like, a contribution that is proportional to or larger than the women's quota of the organizational entity of the University is to be dedicated to the activities of women. These resources are also to be used for participation in symposia that serve primarily professional networking and continuing education of women (even if no lecture is presented).

Career and employee reviews

§ 37. (1) Career reviews are to be conducted at least every two years with all scientific staff members, regardless of any other binding personnel regulations. Career reviews should be carried out according to § 186 ¶ 1 Z 2 Beamten-Dienstrechtsgesetz (Public Service Act) 1979, mutatis mutandis.

(2) Employee reviews are to be carried out with all affiliates of the general university personnel, regardless of any other binding personnel regulations. Employee reviews should be carried out according to § 45a Public Service Act 1979 (if necessary, mutatis mutandis).

(3) The Rectorate develops a gender-sensitive guideline for employee reviews as well as career reviews.

IV Additional regulations

Professional advancement

§ 38. (1) In entrusting general University employees with managerial functions and in decisions about changes in function and promotions, attaining a balanced gender ratio should be taken into consideration.

(2) Women applicants who are as qualified as the best-suited male applicant for the desired higher function or promotion are to be given preference until the women's share in the specific organizational entity of the University, at the particular level of hierarchy, or in the relative function or activity, has reached at least 40%.

Replacement during maternity, protection, and leave of absence

§ 39. Replacements are to be found as early as possible in the case of maternity and parenthood (work restriction, maternity leave, or part-time work) of state officials or employees.

Expert reports, commissions, and committees

§ 40. (1) In the formation of appointment commissions, according to § 98 ¶ 4 University Act 2002 as well as habilitation commissions, according to § 103 ¶ 7 University Act 2002, consideration is to be given to a balanced gender ratio. The Equal Opportunity Working Party makes available, when possible, a list of professionally qualified women scientists for the specific field.

(2) When ordering expert reports in habilitation and appointment proceedings, consideration is to be given to a balanced gender ratio.

(3) Furthermore, when commissioning experts, they are to be informed that expert reports on women scientists must take into account women-specific biographies.

(4) Should a recommendation be made according to § 98 ¶ 3 University Act 2002 that does not include any women, this must be specifically justified.

Women in University administration

§ 41. In appointing working groups, advisory boards, collegial bodies, and commissions in the context of the University administration, consideration should be given to a balanced gender ratio. Women are, whenever possible, to be accepted as candidates for chair positions. This is also valid for candidates for offices with only one chair.

External consulting

§ 42. (1) In commissioning external consultants in matters concerning personnel development, care must be taken to ensure that their methods comply with gender fairness.

(2) The Equal Opportunity Working Party is:

1. to be heeded in the selection of external consultants,
2. to be informed of the results, and
3. to be heeded in the implementation of the recommended measures.

Part G. Work environment and protection of personal integrity at the workplace

Work hours

§ 43. (1) In developing new models for scheduling and logging work hours and administration of presence and absence, the Equal Opportunity Working Party is to be included.

(2) Regarding flexibility of work hours, § 32 is valid.

Special leaves and leaves of absence

§ 44. When taking a special leave or leave of absence for family reasons and for a leave for care giving, the following principles apply to all employees:

1. Taking part-time leave, maternity, or family leave may not lead to direct or indirect discrimination of employees within the employment or educational relationship.
2. The Rectorate will provide replacement personnel.

Discrimination, sexual harassment, mobbing

§ 45. (1) All affiliates of the University of Vienna have the right to treatment that is respectful of their dignity, especially to protection from harassment, sexual harassment, discrimination, and mobbing.

(2) The University of Vienna therefore takes preventative measures and ensures that persons affected by sexual harassment, discrimination, or mobbing receive free legal counseling from the Center for Counseling on Sexual Harassment and Mobbing, at the Center for Gender Equality.

(3) In accordance with § 8 Federal Equal Treatment Act, sexual harassment presents a violation of personal rights. The University of Vienna does not tolerate sexual harassment or sexist behavior and takes appropriate measures in dealing with the prevention of sexual harassment of University affiliates. The Center for Counseling on Sexual Harassment and Mobbing must protect, even from the University administration, the anonymity of those seeking counseling,. Sufficient resources in terms of funding, staff, and rooms are to be maintained in order to provide continuous fulfillment of duties.

(4) All affiliates of the University of Vienna, especially those with leadership positions in research, teaching, and administration are responsible for keeping sexual harassment out of their work areas.

(5) Employees involved with personnel matters will be offered regular training on dealing with cases of sexual harassment, gender discrimination, and mobbing, and will be advised to attend. The topic will become a regular feature of continuing education courses, especially for supervisors.

(6) The University of Vienna, in its continuing education course program, offers regular courses in assertiveness training, and at least one course in self-defense for women per study year.

Security on the University premises

§ 46. (1) The University of Vienna takes all necessary precautions to ensure safety on University premises and reports on these every two years to the Equal Opportunity Working Party.

(2) The Rectorate is responsible for eliminating the sources of danger and spaces where fear is generated in regards to sexual harassment and violence against women. This applies especially to supplying sufficient lighting in all passages and hallways, securing buildings through locking systems, and locking all buildings at night, on weekends, and holidays.

Part H. Infrastructure and responsibilities relating to women's advancement and equal treatment

Equal Opportunity Working Party

§ 47. (1) The Equal Opportunity Working Party at the University of Vienna monitors the observance of relevant decisions on equal treatment and advancement of women and is active in implementing gender equality.

(2) The Working Party advises and supports students and employees of the University of Vienna in those university processes that affect them. Therefore, any information made available to the Working Party is to be handled confidentially. The members of the Working Party are therefore obliged to confidentiality.

(3) The Equal Opportunity Working Party is to be informed of procedures taken according to § 178 BDG 1979.

(4) The Working Party is active in naming experts in habilitation and appointment procedures; it also assists in the search for appropriate applicants in appointment proceedings.

- (5) The working group makes information available on its homepage concerning its responsibilities, activities, and consultation offers, as well as contact options.
- (6) In cases based on § 42 ¶ 8 University Act 2002, the period for invoking the Arbitration Commission begins the day after a decision is taken note of by the Equal Opportunity Working Party.

Support of the Equal Opportunity Working Party

- § 48.** (1) Fulfilling duties as a member or gender commissioner of the Equal Opportunity Working Party (¶ 8) is an important contribution to fulfilling responsibilities and official duties in the area of the administration arising from educational or employment relationships and is to be counted as work or office hours.
- (2) In the transfer and regulation of responsibilities at the workplace and in the determination of official duties, the additional burden from activities as member of the Equal Opportunity Working Party, as a contact person or gender commissioner must be taken into consideration.
- (3) The members of the Equal Opportunity Working Party, the contact persons, and the gender commissioners may not be disadvantaged professionally at any time during or after carrying out their functions.
- (4) Responsibilities as chair of the Equal Opportunity Working Party should be taken into consideration in applications for prolonging employment contracts.
- (5) The chair of the Equal Opportunity Working Party and their representatives can be granted, after completion of their responsibilities in the working group, a research sabbatical, maintaining their monthly pay and reimbursement of expenses for one semester.
- (6) Members of the Equal Opportunity Working Party and the gender commissioners should be allowed to participate in regular training and informational events.
- (7) The members of the Equal Opportunity Working Party, the contact persons, and the gender commissioners are entitled to fulfill their responsibilities in issues of equal treatment at their workplace and are to use the available resources at the workplace.
- (8) The Equal Opportunity Working Party nominates one gender commissioner per study conference. The gender commissioner advises the chair of the study program or the head of the subdivision on a gender-adequate design and organization of the study programs, especially in the evaluation of the study programs, the awarding of teaching contracts, and designing the curricula. To this end, the gender commissioner becomes an advising member of the study conference and informs the Equal Opportunity Working Party.

Resources

- § 49.** (1) The Rectorate must provide for administrative support for the Equal Opportunity Working Party and the gender commissioner as well as for the necessary resources (staff, rooms, and materials). This must also be considered in notification of needs to the responsible University bodies.
- (2) In the framework of the annual budget planning of the University of Vienna, the Equal Opportunity Working Party makes an application with regard to its budgetary requirements. This proposal is to be considered in the creation of the budget.
- (3) The Equal Opportunity Working Party furthermore has available a room with appropriate technical equipment (a minimum of computer equipment of sufficient

quantity and quality including printer, telephone, telefax) and the possibility for confidential consultation as well as a separate, appropriately equipped reception area.

Networking with other equal opportunity offices

§ 50. The chair of the Equal Opportunity Working Party and the Equal Opportunity Working Party office also have the responsibility to network with other institutions dedicated to equality and women's advancement at other universities, with the posts in the federal ministries responsible for issues of equal treatment, as well as other institutions in the field of women's advancement and equality, both nationally and internationally.

Office of women's advancement at the Rectorate

- § 51. (1) The Rectorate has created an office for women's advancement.
- (2) This office is to be equipped with the appropriate staff and rooms for the fulfillment of responsibilities and the Rectorate is to support it in the fulfillment of all responsibilities involving women's advancement and awareness of the problem.
- (3) The vice-rector for personnel and women's advancement is to further develop women's advancement programs and programs for counseling and supporting scientific careers.

Center for Gender Equality

- § 52. (1) The Center for Gender Equality is a service of the University of Vienna to coordinate the responsibilities of women's equality and advancement according to § 19 ¶ 2 Z 7 University Act 2002.
- (2) The Center for Gender Equality shall be provided sufficient funding, staff, and rooms.
- (3) The Center for Gender Equality fulfills the following responsibilities:
1. Formulates and develops women's advancement projects and measures at the University of Vienna,
 2. Provides counsel and information on issues of women's advancement,
 3. Coordinates the Center for Counseling on Sexual Harassment and Mobbing,
 4. Implements women-specific mentoring programs for the next generation of women scientists,
 5. Periodically publishes gender-specific data for the University of Vienna,
 6. Counsels decision-makers on issues of women's advancement and equality,
 7. Networks with women-specific institutions within and outside of the University and
 8. Maintains public relations.

Referat Genderforschung (Office for gender research)

§ 53. The office of gender studies/women's and gender research serves to support and develop research and education in the area of women's and gender research through, among other things:

1. service, coordination, and information for scientists and students in the area of women's and gender research and in the corresponding scientific-artistic area; dissemination of information; creation of informational materials in a variety of media,
2. support and development of research and teaching activities in women's and gender research; communication of contents to the public, and
3. networking with other coordination sites and institutions in the area of women's and gender research.

Part I. Budgetary matters and incentive systems (special budgets)

Budgetary matters

§ 54. (1) In the creation and allocation of budgets within the framework of target agreements, the mandates of equality and women's advancement (Federal Equal Treatment Act, University Act 2002, Affirmative Action Plan) are to be considered as factors relevant to planning and distribution. Budgetary applications that work specifically to counter under-representation or discrimination against women are to be considered within the scope of available means.

(2) One criterion applicable to the allocation of all budgetary means is to fill the women's quota in the appropriate organizational entity, according to § 23 ¶ 1 and 2 Affirmative Action Plan.

Budgetary incentive systems (special budget)

§ 55. The Rectorate of the University of Vienna provides budgetary incentives for women's advancement. Appropriate incentive systems for equal rights (special budgets) are to be developed.

Part J. Requirements for data collection and evaluation

Survey of the women's quota

§ 56. (1) The Rectorate regularly collects necessary data for the implementation of the Affirmative Action Plan. The women's quotas are to be determined, documented, and published annually, beginning on 1 January 2005. Special consideration is hereby granted the women's share of employees, students, and graduates, and also women's academic and career progress and working environment.

(2) To the extent that these data are bound to legal consequences, they are to be used as the base for decisions on personnel matters.

(3) The results of these studies are to be published without fail by the Rectorate every two years.

(4) If the women's quota, according to § 23 ¶ 1 and 2, is not reached in one area, then the crucial reasons must be provided in a report by the responsible decision-makers in the context of their reporting duty, according to §§ 56 and 59-61 Affirmative Action Plan.

Accompanying evaluation of women's advancement

§ 57. In the evaluation of organizational entities and sub-entities, relevant data on women are to be gathered separately and published.

Part K. Implementation and reporting duties

General regulations on implementation

§ 58. (1) Every form of sexual discrimination presents a violation of the educational or employment relationship and is punishable according to the legal regulations of the (service or work) regulations.

(2) The implementation of the measures toward reaching equality of women and men in all organizational entities, on all hierarchical levels, and in all functions and activities at the University of Vienna, is among the duties arising from the employment relationship with the relevant administrator. A violation of these regulations is to be prosecuted in accordance with the legal service or employment regulations.

Requirement for reporting on women's advancement

§ 59. (1) Women's advancement belongs to the objective agreements between the Rectorate and the organizational entities. The result of the evaluation of the objective agreement on women's advancement is to be reported to the Equal Opportunity Working Party.

(2) The member of the Rectorate responsible for women's advancement reports regularly on measures taken toward women's advancement.

Part L. Commencement

Commencement

§ 60. The Affirmative Action Plan of the University of Vienna commences one day after the announcement appears in the University of Vienna newsletter.

§ 61. Four years after the date that the Affirmative Action Plan becomes effective, the Plan shall be re-evaluated for effectiveness by the Working Party, the Rectorate, and the Senate Council.

Status: 21. 12. 2005

Only the text proclaimed in the announcement sheet is legally binding text.