

Code of Conduct of the University of Mannheim

in accordance with the senate resolution of 26 February 2014

1. Preamble

The institutions and governing bodies of the University promote a work environment distinguished by cooperative conduct at the place of work and study.

As an educational institution the university has a particular responsibility and a role model function for society and especially for young people. Academic and research achievements as well as successful studying can only take place in an environment of sound cooperation. Consequently, sound cooperation is a condition for the success of the University in general. The basic requirement for this is the cooperative conduct of all members of the University.

The Code of Conduct seeks to embed cooperative conduct in the University's culture. Furthermore, its aim is to secure immediate action in the event of disruptions to the work environment in order to re-establish cooperative behavior.

2. Scope

The Code of Conduct applies to all members and affiliates of the University (hereinafter referred to as "university members"), in particular to all employees and students.

3. Code of Conduct

All university members contribute to a pleasant work environment for teaching, research, study and work. This especially includes respecting the personality of each individual, being aware of conflicts at the place of work or study and calling attention to problems as early as possible. In the event that university members are affected by any of the behaviors described in no. 4, measures for the improvement of cooperation at the University shall be taken. This needs to be considered especially, if such behavior is aimed at or is causing disadvantages for a university member. Regardless of their respective motivation, all university members contribute to working against violations of the Code of Conduct by

- a) promoting an environment of mutual appreciation and openness,
- b) actively looking out for violations of the Code of Conduct and helping harassed persons (e.g. fellow co-workers or and students) by, for example, encouraging them to stand up for themselves and referring them to the corresponding contact persons,
- c) active protection of the employees' dignity by superiors and human resources executives,
- d) openly disapproving the disruption of the cooperative environment and
- e) openly discussing conflicts with individuals or in a group.

4. Violations of the Code of Conduct

Behavior that has the purpose or effect of violating a person's dignity or of creating an environment marked by intimidation, stalking, hostility, humiliation, degradation or insults violates the code of cooperative conduct. This includes in particular:

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a) Sexual harassment

Sexual harassment is any conduct of a sexual nature that is unwelcome by the victim and that has the purpose or effect of violating the victim's dignity. This includes for example:

- aa) comments of sexual content, in particular offensive remarks, comments or jokes about a person, their body, behavior or private life,
- bb) unwelcome display or visible installation of pornographic pictures, regardless of their form (e.g. calendar, screen saver, poster),
- cc) gestures or non-verbal comments of a sexual nature,
- dd) unwelcome sexual requests and/or coercion to sexual acts,
- ee) unwelcome physical contact of a sexual nature,
- ff) sexual discrimination, harassment and violence, in particular by a person of authority taking advantage of a subordinate at the place of work or study.

b) Discrimination

Discrimination is the unjust or prejudicial treatment of a person, in particular their humiliation through degrading remarks, jokes or behavior on the grounds of

- aa) ethnic and/or social background,
- bb) skin color, descent,
- cc) a permanent/temporary disability,
- dd) gender,
- ee) religious or ideological orientation,
- ff) political beliefs,
- gg) sexual orientation or
- hh) age.

c) Inappropriate aggressive behavior

Inappropriate aggressive behavior is culpable behavior that harms others while there is no justifiable reason for such behavior. Inappropriate aggressive behavior can be of verbal nature (e.g. defamation), psychological nature (e.g. social exclusion) or can be assault. This includes in particular:

- aa) unprovoked aggressive behavior in conversations, e.g. yelling,
- bb) insults,
- cc) threats,
- dd) physical violence.

d) Bullying

The term bullying describes negative communicative actions, which occur repeatedly and are systematically aimed at a particular person. This includes, for example,

- aa) defamatory statements about university members or members of their family,
- bb) spreading rumors about university members or members of their family,
- cc) deliberate withholding of work-related information,
- dd) disinformation,
- ee) threats and humiliation,
- ff) insults, hurtful treatment, scorn, aggressive behavior and
- gg) dishonorable treatment by superiors, co-workers or teachers, e.g. the assignment of insulting, unsolvable or pointless tasks or of no tasks at all.

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5. Personal Conflict Resolution

Conflicts should first be discussed openly between the involved persons and, if possible, resolved by them. Already at this stage, the persons involved can ask for advice from the competent institutions mentioned in no. 6 and/or talk to a trusted university member.

6. The Right to Complain

If it is not possible or not appropriate to solve the problem directly between the persons involved, victims can contact the competent institutions. A complaint must not cause disadvantages for the person filing the complaint. The accused person is presumed innocent until the accusation is resolved.

All information and incidents as well as personal data and conversations are to be treated with confidentiality and not shared with third parties who are not involved in the proceedings. The competent institutions shall investigate all indications and complaints about harassment, which are not obviously unfounded. Anonymous statements and complaints shall only be investigated, if the accusations seem credible.

The competent institutions in this context in particular are the immediate and/or next higher-level superiors. In cases of sexually motivated incidents, the Department of Gender Equality and Social Diversity provides initial counseling whereas the contact point for all other incidents is the threat management. The contact information of the competent institutions shall be made publicly available for all university members.

7. Responsibilities of the Competent Institutions

The competent institutions are responsible for providing confidential counseling services in a timely manner, if possible, within one week after having gained knowledge of the incident. The counseling session shall clarify whether the accusations, complaints and suspicions are credible and should be pursued within the meaning of the Code of Conduct.

In cases of sexually motivated incidents and if the individual case demands this, the competent institution shall cooperate with the University's Committee Against Sexual Harassment, the human resources division, if employees are involved, the legal division and the corresponding members of the President's Office.

In the case of non-sexually motivated incidents, the internal regulations for threat management apply. In instances of severe violations of the Code of Conduct, the victims are advised to contact the police or the public prosecutor's department. If necessary, the university can also take charge of this.

8. University Catalog of Measures

The University initializes adequate measures for each individual case or arranges for measures to be taken. The responsibility for initializing measures lies with the President's Office. The President's Office can delegate the general responsibility or the responsibility for individual cases to other institutions. Among others, such measures may include:

- a) strengthening constructive communication in the environment of the persons involved in order to foster cooperative conduct,
- b) issuing warnings to change the behavior,
- c) giving instructions on interactions with each other,
- d) obliging employees to attend trainings,

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- e) initiating further legal measures, in particular in the field of labor law or disciplinary law (written warning, dismissal, disciplinary proceedings etc.) and higher education law (disenrollment),
- f) in case of incidents caused by third parties, e.g. house bans, termination of assignments, contract terminations.

9. Information; Training

The University has to provide all university members with adequate information on cooperative conduct. Therefore, the topics of sexual harassment, bullying, discrimination as well as threats and threat management are included in employee trainings and information events, respectively. Employees are released from their duties to attend such trainings. New employees will receive a copy of this Code of Conduct with their hiring documents. The Student Body Representative Committee is asked to offer information events for students and to provide information on these topics in the course of their regular public relations activities.

10. Superior Rule of Law

The legal rights of the persons involved, in particular the rights derived from the General Act on Equal Treatment (AGG), remain unaffected by this Code of Conduct.

11. Commencement; Concluding Provisions

The Code of Conduct will come into effect on the day of its publication in the Bulletin of the President's Office (Amtliche Bekanntmachungen des Rektorats). At the same time, the Code of Conduct of the University of Mannheim of 23 July 2003 ceases to be effective.

Mannheim, 11 March 2014

sgd Prof. Dr. Ernst-Ludwig von Thadden
President

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