

Pursuant to Articles 45 and 47 of the Employment Relationships Act (*Uradni list Republike Slovenije* [Official Gazette of the Republic of Slovenia] (hereinafter: UL RS), Nos. 21/13, 78/13 – amended, 47/15 – ZZSDT, 33/16 – PZ-F, 52/16, 15/17 – Constitutional Court Decision, 22/19 – ZPosS, 81/19, 203/20 – ZIUPOPDVE and 119/21 – ZČmIS-A; hereinafter: ZDR-1), Article 24 of the Health and Safety at Work Act (UL RS, No. 43/11; hereinafter: ZVZD-1), and point 2 of Article 64 of the Statutes of the University of Ljubljana (UL RS, Nos. 4/17, 56/17, 56/17, 14/18, 39/18, 57/18, 66/18, 10/19, 22/19, 36/19, 47/19, 82/20, 104/20, 168/20, 54/21, 97/21, 159/21, 162/21, 163/21 – amended and 202/21), the Governing Board of the University of Ljubljana, at its 3<sup>th</sup> correspondence session held on 21 February 2022, and the University of Ljubljana Senate, at its 5<sup>th</sup> session held on 15 February 2022, hereby adopt the

## **RULES ON MEASURES AGAINST VIOLENCE, HARASSMENT AND BULLYING**

The University of Ljubljana is committed to providing an academic environment in which there is no place for violence, sexual and other harassment, or bullying. Any behaviour or conduct that violates someone's dignity, interferes with someone's personal rights and integrity, or creates a dangerous, intimidating, degrading or otherwise hostile environment is unacceptable. The University of Ljubljana is committed to an active policy of creating and fostering an environment in which everyone's dignity is respected, regardless of their personal circumstances.

Everyone at the University of Ljubljana has the duty to promote and develop respectful collaboration and strive to resolve any disputes amicably.

### **I. GENERAL PROVISIONS**

#### **Article 1 (violation of dignity)**

Any type of violence, sexual or other harassment, and bullying shall constitute a violation of a person's dignity.

#### **Article 2 (content and purpose)**

- 1) These Rules determine the measures by means of which the University of Ljubljana (hereinafter: the UL) shall create an environment in which the dignity of all people is respected and form a

procedure and measures to be undertaken in the event of failure to adhere to said Rules.

- 2) The provisions of these Rules shall also apply *mutatis mutandis* to conduct that constitutes discrimination based on gender, skin colour, age, health status or physical disabilities, religious, political or other beliefs, membership of political, union, student and other organisations, national, ethnic or social origin, family status, financial status, education, sexual orientation, gender identity and gender expression, or any other personal circumstance.
- 3) The terms used in the Rules and written in the masculine gender apply equally to men and women as gender-neutral terms in the original, Slovenian language version of these Rules, but due to differences in grammar and declension this is not needed in this English version. In specific procedures involving an assessment of the violation of dignity, the form corresponding to the gender of the persons involved shall be used in Slovene.

### **Article 3** **(validity)**

- 1) These Rules shall apply to all UL employees, regardless of their job, position or type of employment contract, and to all people who study at the UL and have student status (hereinafter: UL students), and shall apply while they are involved in activities organised by the UL or while they undertake activities directly related to the activities organised by the UL or while they act as representatives of the UL.
- 2) The provisions of these Rules shall also apply *mutatis mutandis* to people who do not have student status who are fulfilling their study requirements, to secondary school students and students who perform temporary or occasional work at the UL or who undertake practical training of students at the UL, and to people who work at the UL based on civil contracts or who are involved in education, the work process or any other activity undertaken by the UL in any other way.
- 3) The provisions of these Rules shall also apply in cases where a person whose dignity has been violated (hereinafter: the victim) was no longer employed at the UL at the time of reporting the alleged violation of dignity or who no longer has student status or is no longer one of the types of persons referred to in the second paragraph of this Article but had the status of such a person at the time of the incident that constitutes or could constitute a violation of dignity.

### **Article 4** **(definition of terms)**

- 1) Violence is any unacceptable interference in the integrity of another person using physical or psychological force.

- 2) Harassment is any unwanted interference in the personal space of another person without the use of force. In particular, harassment includes:
  - ridicule;
  - sending emails, texts and other messages whose form or content is in conflict with decency or the academic standards of respectful communication;
  - harassment via social media;
  - humiliation;
  - mobbing.
  
- 3) Sexual harassment is any type of unwanted interference of a sexual nature in another's personal space. In particular, sexual harassment includes:
  - sexually suggestive comments;
  - lewd remarks about a person's clothing, anatomy or appearance;
  - sending emails, texts or other messages with intrusive sexual content;
  - sexual harassment via social media;
  - inciting or forcing a person into sexual intercourse or some other sexual act;
  - inciting a sexual act with a promise of faster progression in study or work, a better grade, a higher salary, or other study/job benefits;
  - unwanted touching;
  - sexual intercourse or other sexual acts without consent.
  
- 4) Bullying is unfounded, recurring or systematic behaviour or conduct which justifiably causes discomfort or mental anguish to the victim. In particular, bullying includes repeated:
  - abuse and insults, ridicule;
  - unfounded interference with a person's opportunities to communicate;
  - unwarranted oversteering of a person's email;
  - unfounded criticism of work performance;
  - unfounded omission of a person when allocating new work or study assignments;
  - hindering a person's work through unfounded withdrawing of financial or material assets;
  - allocating unreasonable or unfeasible work or study assignments with the intention of bullying;
  - written or verbal threats;
  - unwarranted threats of terminating a person's employment contract or making a person unable to progress in their studies.

**Article 5**  
**(personal data protection)**

All people who are involved in procedures conducted in line with these Rules or are familiarised with these procedures due to the nature of their work shall comply with applicable regulations and

consistently protect all personal data relating to such procedures.

**Article 6**  
**(obligations of the Management)**

- 1) The Rector, the Dean and the Secretary General (hereinafter: the Management) shall ensure an environment in which UL employees and students and persons referred to in the second paragraph of Article 3 of these Rules are not exposed to instances of violation of their dignity. To this end, the Management shall ensure these Rules are implemented in accordance with applicable regulations and internal documents of the UL.
- 2) The Management shall provide appropriate assistance to victims.
- 3) If a third party violates the dignity of a person referred to in Article 3 of these Rules, the competent person shall require the third person, as soon as they learn of the violation, to immediately stop committing the violation and shall ensure everything necessary for the victim to no longer be in danger or exposed to the violation of their dignity. If the violation bears signs of a criminal offence that is prosecuted *ex officio*, the Police shall be notified of this.

**II. MEASURES TO PREVENT VIOLATIONS OF DIGNITY**

**Article 7**  
**(awareness-raising, information and prevention)**

- 1) The Management shall ensure that all UL employees and students and persons referred to in the second paragraph of Article 3 of these Rules are familiar with the provisions of these Rules. They shall be kept informed by publishing the Rules on the UL website and websites of individual UL member faculties.
- 2) The Management shall also determine other ways to raise awareness and provide information on the issue of violation of dignity, particularly in the form of regular education courses for all UL employees and students and appropriate public access to general information intended to support and assist victims and by providing options for taking action in the event of a person's dignity being violated.
- 3) In particular, the UL shall carry out the following activities and measures:
  - ensure regular education, informing and awareness-raising for UL employees and students;

- handle this issue in a way that raises awareness and informing of UL employees and students and call attention to the importance of taking action in the event of anyone's dignity being violated;
- ensure effective support to maintaining a healthy work and study environment;
- strive to improve the organisation of work, the study process and management methods in order to reduce the possibilities of anyone's dignity being violated;
- implement regular education courses for trusted persons and other persons in charge of the implementation of these Rules;
- implement regular education courses to enhance competences in the area of resolving conflict situations for trusted persons and other persons in charge of the implementation of these Rules.

**Article 8**  
**(trusted person)**

- 1) One or several persons trusted by both UL employees and students (hereinafter: trusted persons) shall be appointed at each UL member faculty and the UL Secretariat to help and support victims.
- 2) Based on these Rules, the Dean or the Secretary General shall issue a decision to appoint one or several trusted persons. Every UL member faculty and the UL Secretariat shall publish the list of trusted persons on their respective websites.
- 3) The trusted person shall undergo an education course for trusted persons and shall attend regular supervisions or engage in other professional support carried out by the UL for trusted persons.
- 4) A person who is a member of the UL Management (Rector, Vice-Rector, Assistant Rector, President of the UL Governing Board), of a member faculty's management (Dean, Vice-Dean, faculty member secretary, President of the member faculty's management board), or of the UL Secretariat (Secretary General) cannot be appointed to act as a trusted person.
- 5) Similarly, it shall not be possible to appoint someone not employed at the UL as a trusted person.
- 6) The trusted person shall provide support to victims, ensure a safe space in which to talk to victims, familiarise victims with their rights, and offer victims relevant information on possible actions to take and on possible forms of psychosocial assistance, and support victims in other ways before and during the procedure.
- 7) The trusted person shall protect all data made known to them while communicating with victims as confidential. Such data may only be disclosed to third parties if the victim gives their consent. The trusted person shall not act as a witness in procedures based on these Rules unless the victim

agrees to this.

- 8) The trusted person may not be proposed as a candidate for a member of a committee referred to in Article 9 of these Rules.
- 9) The trusted person shall keep a list of cases handled and report on them, in anonymised form, at the close of each academic or calendar year to the Dean or Secretary General, who shall then inform the Rector on said report.

### **III. COMPETENCES TO HANDLE VIOLATIONS OF DIGNITY**

#### **Article 9**

##### **(committee to establish facts and circumstances)**

- 1) To establish facts and circumstances concerning the reporting of a violation of dignity, the Rector, at the proposal of individual UL member faculties, the UL Secretariat and the UL Student Council, shall determine a set of persons from among UL employees or members of the Student Council, who are professionally qualified, to act as members of the committee. A person shall be deemed professionally unqualified if it is ascertained in a procedure conducted at the member faculty or based on a report made to the Rector that this person has committed a violation of dignity. Each UL member faculty shall propose to the Rector two employees: one member of the professional staff and one member of the teaching, scientific research or higher education associate staff. The UL Secretariat shall propose two members of the professional staff. The UL Student Council shall propose two members of the UL Student Council.
- 2) Persons from the previous paragraph shall undertake regular education courses relating to the violation of dignity, these to be organised by the UL.
- 3) The mandate of the representatives of UL member faculties and the UL Secretariat shall be four years, while the mandate of student representatives shall be one year. Year 1 students of first-cycle studies or year 1 students of integrated master's studies cannot be appointed to act as a representative of the UL Student Council.
- 4) To establish facts and circumstances pertaining to the reporting of a violation of dignity, the Rector shall appoint a three-member committee (hereinafter: the committee) for each individual matter, whereby the members shall be chosen by way of a decision from the set of approved persons referred to in the first paragraph of this Article.
- 5) The committee shall comprise one representative of the UL member faculty or the Secretariat, depending on where the alleged violation of dignity took place, and two representatives of a non-affected UL member faculty or the Secretariat. If the proceedings are conducted against a

UL student or if a UL student is the victim, the committee shall comprise one representative of the UL Student Council, one representative of the UL member faculty or the Secretariat, depending on where the alleged violation of dignity took place, and one representatives of a non-affected UL member faculty or the Secretariat.

- 6) The following persons cannot not act as members of the committee composed to handle an individual matter:
  - the victim, the reporting person, the alleged perpetrator or a witness in a specific matter involving a violation of dignity handled by the committee;
  - a person who is a lineal blood relative up to any degree of the victim or the alleged perpetrator or the reporting person, or collaterally related with any of them to the fourth degree inclusive, or married or in a civil partnership or related by marriage with any of them up to and including the second degree in a direct or in a collateral line, even if the marriage or civil partnership has already ended, or a person who lives or has lived with a person from this indent in cohabitation or a non-formal civil union;
  - a guardian, adoptive parent, adopted child, foster parent or legal representative of or a person authorised by the victim or alleged perpetrator;
  - a person who is connected with the victim or the alleged perpetrator in a way that causes other circumstances to exist in which this person's private interest might affect their impartiality in the performance of committee work or cause doubt regarding it.
- 7) The exclusion of a committee member due to circumstances referred to in the sixth paragraph of this Article shall be decided on, by way of a decision, by the Rector upon the proposal of a committee member, the victim or the alleged perpetrator no later than within five working days of being informed about the potential grounds for exclusion. In such a case, the Rector shall appoint a new committee member by means of a decision, choosing from among the set of confirmed persons referred to in the first paragraph of this Article. If the new representative of the member faculty is excluded as well, the Rector shall appoint a new committee member by means of a decision, choosing from among all employees of the member faculty at which the two excluded representatives are employed. The same provision shall apply by analogy in the case of excluding both representatives of the UL Student Council or both representatives of the UL Secretariat.
- 8) If there are grounds for exclusion pertaining to the Rector, the latter shall be replaced in the specific procedure by the Vice-Rector.

**Article 10**  
**(committee administrator)**

- 1) The work of the committee administrator shall be carried out by an employee of the UL Rectorate specialist service.

- 2) The committee administrator shall provide professional and technical support to the committee and attend to the documentation and materials, which they shall keep in compliance with the law pertaining to personal data protection.
- 3) The committee administrator shall maintain data on the number and type of matters and any measures adopted. This data shall be publicly accessible in an anonymous form.

**Article 11**  
**(competencies of the committee)**

The committee shall:

- establish facts and circumstances regarding the specific reporting of the violation of dignity;
- based on the facts and circumstances ascertained, adopt a decision on whether dignity was violated in the specific case;
- prepare for the Rector a proposal of measures against the alleged perpetrator if the established facts and circumstances indicate that dignity was violated;
- perform other duties pursuant to the Rector's instructions relating to the specific matter.

**Article 12**  
**(committee meetings)**

- 1) The committee shall perform its work at meetings closed to the public.
- 2) If a meeting cannot be held in person, it shall be conducted remotely in the form of a correspondence meeting or video conference, using information and communication technology. In the event of a video conference, the committee members and the administrator, along with any other attendees invited to the session, shall ensure that the discussions cannot be overheard by anyone not invited to the meeting.
- 3) The first session shall be convened by the committee administrator based on the Rector's decision on appointing the committee, while subsequent sessions shall be convened by the committee administrator at the proposal of a committee member. The invitation to the session shall include any materials necessary for the committee to make decisions.
- 4) The committee shall be in quorum if all members are present at the session.
- 5) Decisions shall be made through voting. A decision shall be adopted if a majority of committee members vote in favour. Committee members cannot abstain from voting.

- 6) Committee members and other attendees of the session may unanimously adopt the decision to make an audio recording of the session. The audio recording of the session may be made solely for the purpose of drawing up session minutes and shall be kept along with the decision, the minutes and any other materials pertaining to the session until the minutes are confirmed at the next committee session. The audio recording shall then be deleted.
- 7) Minutes shall be taken of the committee session; they shall be prepared by the committee administrator, who shall then send them on to committee members for confirmation and notes within seven working days of the concluded session. The minutes shall be adopted after having been confirmed by all committee members. The confirmed minutes shall be signed by all committee members and its administrator.

#### **IV. PROCEDURE IN THE EVENT OF VIOLATION OF DIGNITY**

##### **Article 13**

##### **(protection of personal integrity)**

- 1) All procedures under these Rules concerning the reporting of a violation of dignity shall be conducted in the spirit of consideration and confidentiality, ensuring that the personal dignity and privacy of parties to the procedure are completely protected.
- 2) The victim and persons providing help and support to the victim or participating in the procedure as witnesses may not be exposed to any inappropriate conduct because of their participation in the procedure conducted under these Rules, nor may their labour law standing worsen or their rights as UL students be curtailed (hereafter: retaliatory measures). Retaliatory measures include particularly exclusion, intimidation, ridicule, threats of terminating an employment contract, threats of being unable to take exams or mandatory practical classes or complete studies, taking someone off work assignments, and allocating senseless work or study assignments.
- 3) A person claiming to have been subjected to retaliatory measures (hereinafter: exposed person) may require the Dean or another competent person, in writing, to take action. In their request, they shall provide evidence in support of their claim of having been exposed to retaliatory measures. Before making their decision, the Dean shall obtain an explanation from the person supposedly taking retaliatory measures. If the Dean establishes that there are reasonable grounds to suspect unacceptable behaviour that has the nature of retaliatory measures, they shall decree, by way of a decision, that such conduct should stop immediately.
- 4) The Dean or another competent person shall provide the exposed person with a safe working and study environment devoid of retaliatory measures. The exposed person may file a report

against the person implementing retaliatory measures, whereby the report shall be filed in line with the provisions of these Rules:

**Article 14**  
**(reporting a violation of dignity)**

- 1) A report of a violation of dignity shall be submitted in writing to the Rector, the Dean of the member faculty or the Secretary General.
- 2) If the report is made to the Dean of the member faculty, the procedure shall be conducted at the member faculty in question in line with Article 15 of these Rules, unless the act bears the signs of a criminal offence that is prosecuted *ex officio*. If the report is made to the Rector, the procedure shall be conducted at the UL Secretariat in line with Article 18 and the subsequent articles of these Rules.
- 3) The report may be made within three months of the incident that constitutes a violation of dignity. When a report refers to two or several identical incidents or incidents of the same type which are interconnected in terms of the manner in which they were committed or in terms of another circumstance of the case, the reporting deadline shall begin as of the last incident.

**Article 15**  
**(reporting a violation of dignity to the Dean of a member faculty)**

- 1) A report to the Dean of the member faculty where the act constituting a violation of dignity was committed or where the alleged perpetrator is employed, works, studies or is in any other way involved in the member faculty's activity shall be submitted by the victim, another person or an organisation that learns of the violation of dignity in question. The procedure of handling the violation of dignity shall be initiated by the Dean even if the reporting person is unknown, so long as the report states all the circumstances referred to in the second paragraph of this Article.
- 2) The report shall be made to the Dean in writing and shall contain the name of the victim or a determinable circle of victims if the act was committed against several people, the name of the alleged perpetrator, and a description of the act constituting the violation of dignity, including the time and place of the act or acts if they were recurring.
- 3) The Dean may initiate the procedure of handling the violation of dignity even without a written report if they learn of the violation of dignity.
- 4) If the violation reported or learned by the Dean bears signs of a criminal offence that is prosecuted *ex officio*, the Dean shall immediately inform the Rector, and the procedure of

handling the report shall be conducted at the UL Secretariat in accordance with Article 18 and subsequent articles of these Rules.

**Article 16**  
**(handling of the violation at a member faculty)**

- 1) If the report is made to the Dean or the Dean learns of the violation in another way and the act does not bear the signs of a criminal offence that is prosecuted *ex officio*, the violation shall be handled at the member faculty.
- 2) The purpose of the procedure conducted at the member faculty is to reach an agreement on immediate cessation of violations and any other measures to prevent the violations of dignity based on the established facts and circumstances. The agreement shall be concluded between the victim, the perpetrator and the Dean.
- 3) Both the victim and the alleged perpetrator must agree to the procedure being conducted at the member faculty. If the victim or the alleged perpetrator disagrees with the procedure being conducted, the Dean shall draw up a record of this and immediately inform the Rector, who shall initiate the procedure in line with Article 18 and the subsequent articles of these Rules.
- 4) Consent to the procedure being conducted at the member faculty may be withdrawn at any time. In such a case, the Dean shall draw up a record of consent being withdrawn and inform the Rector of this; the Rector shall then initiate the procedure in line with Article 18 and the subsequent articles of these Rules.
- 5) The procedure shall be conducted by the Dean. The Dean shall conduct separate interviews with the victim and the alleged perpetrator and with other persons if this proves necessary in order for the violation of dignity to cease. The victim may be confronted with the alleged perpetrator and any other persons only if the victim gives their consent. A record shall be kept of the interviews conducted and measures taken.
- 6) The procedure of handling the violation at the member faculty shall conclude within a month of the report being made or the Dean learning of the violation in any other way.
- 7) If the procedure is successful because an agreement referred to in the second paragraph of this Article was reached, the Dean shall adopt a declaratory decision, summarising the content of the agreement. The perpetrator shall be warned that the Dean will report them to the Rector if they fail to adhere to the agreement.
- 8) If the procedure of handling the report is unsuccessful because the agreement referred to in the second paragraph of this Article was not reached, but there are reasonable grounds to suspect

that a violation has occurred, the Dean shall, no later than within three working days from the completion of the procedure conducted at the member faculty, report this to the Rector and take measures to immediately protect the victim and ensure a working and study environment where no violations of dignity will take place. In particular, appropriate measures involve organising the work and study process so that the victim is not in danger or exposed to violations of their dignity. The measures may not interfere with the labour law position of the alleged perpetrator.

- 9) If a violation is not established, the Dean shall issue a reasoned decision on the completion of the procedure.

**Article 17**  
**(reporting a violation of dignity to the Secretary General)**

If the alleged perpetrator is employed, works or is in any other way involved in the activities of the UL Secretariat, the report shall be made to the Secretary General, who shall handle the report *mutatis mutandis* in accordance with the provisions of Articles 15 and 16 of these Rules.

**Article 18**  
**(reporting a violation of dignity to the Rector)**

- 1) A written report shall be made to the Rector by the victim or a person authorised by the victim to do so.
- 2) The Dean of the member faculty shall report to the Rector in the following cases:
  - the victim decides to submit a report to the Rector via the member faculty's Management;
  - the procedure conducted at the member faculty referred to in Article 16 of these Rules did not conclude by reaching an agreement but there are reasonable grounds to suspect that a violation took place, or if such an agreement is breached within a year of being reached as referred to in Article 16 of these Rules;
  - the report was submitted to the Dean in line with Article 15 of these Rules and the reported act bears the signs of a criminal offence that is prosecuted *ex officio*.
- 3) The report shall be lodged with the Rector in writing and shall contain the name of the victim or a determinable circle of victims if the act was committed against several people, the name of the alleged perpetrator, and a description of the act constituting the violation of dignity, including the time and place of the act or acts if they were recurring.
- 4) The Rector may initiate the procedure of handling the violation of dignity even without a report if they learn of the violation of dignity in another way. In such a case, the Rector's formal note

of the violation detected shall have the nature of a report.

- 5) If the reported violation bears signs of a criminal offence that is prosecuted *ex officio*, the Rector shall notify the Police immediately after receiving the report. After reporting the act to the Police, the report shall be handled in line with these Rules.
- 6) Before accepting it for handling, the Rector shall verify the report to ascertain whether it is timely, complete and understandable. Reports that have been submitted too late shall be rejected by way of a decision.
- 7) If a report is incomplete or incomprehensible, the Rector shall request the reporting person in writing to supplement their report and shall set a deadline to do so at five working days of receiving the request for supplementation. If the reporting person fails to supplement their report within the set deadline and does not justify their lateness, it shall be deemed that the reporting person decided to withdraw their report. In such a case, the Rector shall reject the report by way of a decision.
- 8) After verifying the report, the Rector shall immediately inform the Dean of the member faculty where the violation of dignity was committed of the report in writing, along with the Dean of the member faculty where the alleged perpetrator is employed, works, studies or is in any other way involved in the activity of the member faculty or the Secretary General if the alleged perpetrator is employed, works or is in any other way involved in the activity of the UL Secretariat.

#### **Article 19**

##### **(procedure conducted at the Rectorate)**

- 1) After receiving the report, the Rector, by way of a decision, shall appoint a committee referred to in Article 9 of these Rules.
- 2) The Rector shall inform the victim or the person authorised by the victim and the alleged perpetrator that a committee was appointed; the Rector shall also send the report to the alleged perpetrator, notifying them that they may express their views on the report in writing within five working days of receiving the report.

#### **Article 20**

##### **(establishing facts and circumstances)**

- 1) The committee shall establish facts and circumstances surrounding the specific matter based on the collected documentation and personal interviews.

- 2) Whenever this proves necessary to ascertain the circumstances of a specific case, the committee may invite the victim, the alleged perpetrator, the Dean or the Secretary General to submit, within five working days of receiving such a request, additional materials relating to the employment, study, work or any other activity of the victim or the alleged perpetrator at the UL or to the clarification of the circumstances of the incident being handled and the consequences thereof. If the person does not submit the materials within the deadline set and does not justify their lateness, the committee may reach a decision without the requested materials.
- 3) The committee may invite the victim, the alleged perpetrator and other people to a personal interview.
- 4) The committee shall conduct a personal interview with the victim or the alleged perpetrator at their proposal.
- 5) The victim may be confronted with the alleged perpetrator and any other persons only if the victim gives their consent.
- 6) In the invitation, the invitee shall be notified that the procedure in that particular matter will be carried out without their presence if they do not excuse their absence. At least five working days shall pass between the handing of the invitation and the implementation of a personal interview.
- 7) If the victim, alleged perpetrator or any other person, who has been invited properly, fails to attend the personal interview and they do not excuse their absence, the committee may reach a decision without conducting the personal interview.

**Article 21**  
**(committee's findings)**

- 1) The committee shall inform the Rector of its findings in writing; it shall do this as soon as possible and no later than within two months of being appointed. Based on justified circumstances, the Rector may extend the deadline for the submission of the committee's findings by way of a decision.
- 2) If the committee establishes circumstances indicating that no violation of dignity took place, the Rector shall issue a reasoned decision on the completion of the procedure. The decision shall immediately be sent to the alleged perpetrator and the victim or the person authorised by the victim.
- 3) If the committee establishes circumstances indicating that a violation of dignity took place, the committee shall prepare for the Rector a proposal of measures to be taken against the alleged

perpetrator. The committee's opinion shall be substantiated.

- 4) When preparing the proposal of measures to be taken against the alleged perpetrator, the committee shall take into account all the circumstances surrounding the violation, particularly the following:
  - whether the violation of dignity occurred intentionally or due to negligence;
  - the circumstances in which the violation of dignity was committed;
  - whether this was a one-time violation or whether it is recurring behaviour/conduct on the part of the alleged perpetrator;
  - to what extent the alleged perpetrator acknowledged the inappropriateness of their behaviour or conduct;
  - whether the alleged perpetrator is aware of the seriousness of the violation and whether they regret their behaviour or conduct;
  - to what extent the violation affected the victim;
  - the type and gravity of the violation of dignity.

## **Article 22**

### **(action upon establishing a violation of dignity)**

- 1) If the committee's findings suggest that a violation of dignity took place in the specific case, the Rector shall, by way of a decision, adopt one or several measures referred to in the second, third or fourth paragraph of this Article. Although the Rector shall not be bound to the proposed measures prepared by the committee, they shall have to provide reasoning in their decision as to why the measures adopted deviate from those proposed.
- 2) If the perpetrator is employed at the UL, the Rector shall order them to immediately cease violating the victim's dignity and shall impose one or several of the following measures:
  - refer the perpetrator to attend an education course intended to raise their awareness of the issue of violating dignity;
  - if possible, an altered manner of performing work obligations shall be ordered for the perpetrator in line with the labour legislation;
  - issuing of a warning;
  - initiation of a procedure of issuing a written warning prior to ordinary termination of employment contract in accordance with the act governing employment relationships;
  - initiation of a procedure of ordinary termination of employment contract due to misconduct in accordance with the act governing employment relationships;
  - initiation of a procedure of extraordinary termination of employment contract in accordance with the act governing employment relationships.

It shall not be allowed to simultaneously impose measures referred to in the third, fourth, fifth or sixth indent of this paragraph.

- 3) If the perpetrator is a UL student, the Rector shall order them to immediately cease violating the victim's dignity. In addition, the Rector may, depending on the committee's findings, order an altered manner of fulfilling study requirements and/or initiate a disciplinary procedure in line with the provisions of the Rules on the Disciplinary Liability of the Students of the University of Ljubljana.
- 4) If the perpetrator is a person referred to in the second paragraph of Article 3 of these Rules, the Rector shall order them to immediately cease violating the victim's dignity. If possible, the Rector may unilaterally terminate the contract that serves as the basis for the perpetrator to perform work at the UL.
- 5) The Rector shall immediately inform the perpetrator, the victim or the person authorised by the victim of the measures adopted and completion of the procedure, along with the Dean of the member faculty where the violation of dignity was committed and the Dean of the member faculty where the alleged perpetrator is employed, works, studies or is in any other way involved in the activity of the member faculty or the Secretary General if the alleged perpetrator is employed, works or is in any other way involved in the activity of the UL Secretariat.
- 6) The decision referred to in the first paragraph of this Article shall be executed by a competent person at the member faculty or at the UL Secretariat, who shall do so within the deadline determined by the Rector.
- 7) No complaints may be made against the Rector's decision referred to in the first paragraph of this Article.

**Article 23**  
**(report against the Management)**

- 1) When the victim of the violation of dignity is the Dean or Secretary General, or if the report is filed against the Dean or Secretary General, the procedure at the member faculty pursuant to Articles 15 and 16 of these Rules shall be managed *mutatis mutandis* by the Rector, who shall for this purpose also perform acts that are otherwise performed by the Dean or Secretary General in line with these Rules.
- 2) When the victim of the violation of dignity is the Rector or if the report of violating the dignity is filed against the Rector, the procedure shall be managed *mutatis mutandis* by the Vice-Rector, who shall for this purpose perform acts that are otherwise performed by the Rector in line with these Rules.

**V. FALSE REPORTING OF A VIOLATION OF DIGNITY AND FALSE TESTIMONY**

**Article 24**

**(false reporting and false testimony)**

- 1) False reporting of a violation of dignity means intentional false reporting with the purpose of harming the person against whom the report has been filed. A report shall not be deemed false according to these Rules if it is ascertained that the reporting person was justifiably mistaken in their definition of the acts that constitute a violation of dignity.
- 2) False testimony means intentional giving of a false statement on which the committee relied when making its decision.
- 3) The provisions of these Rules shall apply *mutatis mutandis* to the procedure relating to the false reporting of a violation of dignity and false testimony.

**VI. STATUTE OF LIMITATIONS**

**Article 25**

**(statute of limitation)**

- 1) The initiation and managing of the procedure based on a report received as referred to in Article 14 of these Rules shall be subject to a period of limitation of nine months from the incident that constitutes the violation of dignity. This is also the period of limitation for the initiation and managing of the procedure in cases when the Rector or the Dean learn about the violation without a report being filed.
- 2) The measures imposed as referred to in Article 22 of these Rules shall be executed within 30 days of their being imposed.

**VII. SERVICE**

**Article 26**

**(service of documents)**

- 1) The documents inviting parties and informing them of the status of the procedure conducted based on these Rules and all notices and invitations requesting the parties to act which are subject to deadlines or on which the rights of parties depend shall be served via email to the employee's

email address provided and the use of which is required by the employer, or the rules of the administrative procedure shall be applied *mutatis mutandis*.

- 2) If the party in the procedure is a UL student, the documents referred to in the first paragraph of this Article shall be served via the information system for students, or the rules of the administrative procedure shall be applied *mutatis mutandis*. In the event of serving documents via the information system for students, the documents shall be deemed served on the UL student on the second working day after the day the document was noted in the student information system.

## **VIII. FINAL PROVISIONS**

### **Article 27**

#### **(monitoring and evaluation of the Rules)**

- 1) A special committee appointed by the Rector shall draw up a report on an annual basis on the relevance of provisions and activities arising from the application of these Rules.
- 2) The report referred to in the previous paragraph shall form the basis for amendments intended to make these Rules more effective.

**Article 28**  
**(entry into force)**

- 1) On the day these Rules enter into force, the Rules on Measures to Protect the Dignity of Employees at the University of Ljubljana and Students of the University of Ljubljana, adopted at the second session of the University of Ljubljana's Governing Board held on 22 October 2012, and the Measures to Protect Employees against Sexual or Other Harassment or Bullying in the Workplace, adopted on 27 November 2018, document No. 011-1/2018-1, shall cease to be in force.
- 2) Procedures relating to the violation of dignity already initiated but not yet completed before these Rules enter into force shall be completed following the Rules on Measures to Protect the Dignity of Employees at the University of Ljubljana and Students of the University of Ljubljana of 22 October 2012.
- 3) After these Rules are adopted, they shall be published on the UL website. The Rules shall enter into force on the day following their publication on the UL website.

Prof. Dr Gregor Majdič  
Rector

Prof. Dr Emil Erjavec  
President of the UL  
Governing Board

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