

FRIENDLY GUIDE

USC Prevention and action protocol against sexual harassment and harassment on the basis of gender, sexual orientation, and gender identity.

What do we refer to as sexual harassment, harassment on the basis of gender, sexual orientation, and gender identity?

SEXUAL HARASSMENT

It is any verbal, non-verbal, or physical unwanted behaviour of sexual nature carried out with the purpose or effect of violating the dignity of a person, particularly when it creates an intimidating, hostile, degrading, humiliating, or offensive environment.

HARASSMENT BASED ON GENDER

It is any unwanted behaviour towards a person on the basis of their gender, with the purpose or effect of violating their dignity and creating an intimidating, hostile, degrading, humiliating, or offensive environment.

HARASSMENT BASED ON SEXUAL ORIENTATION OR GENDER IDENTITY

It is any behaviour on the basis of a person's sexual orientation or gender identity which seeks to violate their dignity and/or create an intimidating, hostile, degrading, humiliating, offensive, or segregating environment.

Am I being victim of sexual harassment, harassment on the basis of gender, sexual orientation, or gender identity?

YOU ARE VICTIM OF SEXUAL HARASSMENT IF ANOTHER PERSON:

- ↓ Makes jokes, pranks, or comments about matters of your sexual private life
- ↓ Invades your physical space.
- ↓ Compliments you with flattery
- ↓ Engages in unwanted caresses or touches
- ↓ Tries to establish an unwanted romantic relationship with you
- ↓ Bribes you for sexual favours in exchange for professional or academic benefits
- ↓ Forces you into having non-consensual sexual relations
- ↓ Assaults you sexually with physical force
- ↓ Threatens you if you do not cooperate sexually

YOU ARE VICTIM OF HARASSMENT ON THE BASIS OF GENDER IF ANOTHER PERSON:

- ↓ Treats you differently because you are a woman or because, if you are a man, you are not considered masculine enough

- ↓ Ignores your contributions, comments, or actions
- ↓ Has a paternalistic attitude on the basis of your gender
- ↓ Underestimates you academically for being a woman or, if you are a man, for not being considered masculine enough
- ↓ Ridicules you because of your gender
- ↓ Makes contemptuous gestures or comments on the basis of your gender
- ↓ Forces you into assuming tasks that are less visible and less stimulating

YOU ARE VICTIM OF HARASSMENT ON THE BASIS OF YOUR SEXUAL ORIENTATION OR GENDER IDENTITY IF ANOTHER PERSON:

- ↓ Makes homophobic jokes
- ↓ Treats you offensively because of your sexual orientation or gender identity
- ↓ Assigns you academic tasks based on prejudices and with less public visibility
- ↓ Assaults you physically or psychologically
- ↓ Refuses to call you using the pronoun you identify yourself with
- ↓ Does not address you by your chosen name
- ↓ Makes transphobic or interphobic comments

What can I do if I find myself in any of the aforementioned situations or if I know someone in such situations?

You can make use of the USC action protocol against harassment on the basis of gender.

Since July 2016 the USC has made this protocol available for the University to become a safe space. The aims of the protocol are the following:

- INFORM, EDUCATE AND RAISE AWARENESS IN THE UNIVERSITY COMMUNITY.
- ESTABLISH AN AGILE AND EFFECTIVE PROCEDURE AGAINST CASES OF HARASSMENT.

Who does this protocol protect and what is its scope of action?

This protocol covers cases of harassment suffered by any member of the following groups:

- ↓ Students
- ↓ Teaching and research staff
- ↓ Early career researchers
- ↓ Staff hired to carry out scientific or technical research activities
- ↓ Administrative staff
- ↓ Any person working at the USC (be it self-employed or employed by the institution)

This protocol will be applied when harassment takes place in any faculty or school belonging to the USC or in any physical or virtual environment within its organizational and functional domain.

Who can report?

- The harassed person or their representative (holding a power of attorney).
- A third person can also report without being considered an involved party in the procedure.

How can I file a complaint?

The complaint should be filed in writing and should include a description of the reported incident and the identification of the complainant and the defendant. It should be submitted through an official registry, be it the Electronic Portal of the USC or any other means recognized by the current administrative procedure legislation.

Does the complaint ensure confidentiality and privacy?

The complaint ensures the confidentiality and privacy of the parties. Anyone with competence in the various stages of the procedure is obliged to maintain secrecy and protect the processed files. Similarly, anyone with competence in the various stages of the procedure is obliged to act while respecting the dignity, honour, and other fundamental rights of the parties.

What happens after the submission of the complaint?

The complaint will be forwarded to the Protocol Committee, which, within a period of seven days, will assess the facts and decide whether the complaint is admitted as harassment or not.

Who is part of the Committee?

The Committee consists of 5 individuals nominated by the Rector and appointed by the Governing Council. The members of the Committee will belong to the teaching staff, administrative and services staff, or students. They should possess expertise in the field of sexual harassment on the basis gender, sexual orientation, or gender identity.

What happens if the complaint is not admitted as harassment?

The Committee can declare the absence of harassment due to lack of sufficient evidence or because the facts do not qualify as sexual harassment or harassment on the basis of gender, sexual orientation, or gender identity. In this case, the statement from the

Committee will be accompanied by a proposal to close the proceedings which will be sent to the Rector, who will issue a resolution that exhausts the administrative procedure, except for optional recourse for reinstatement.

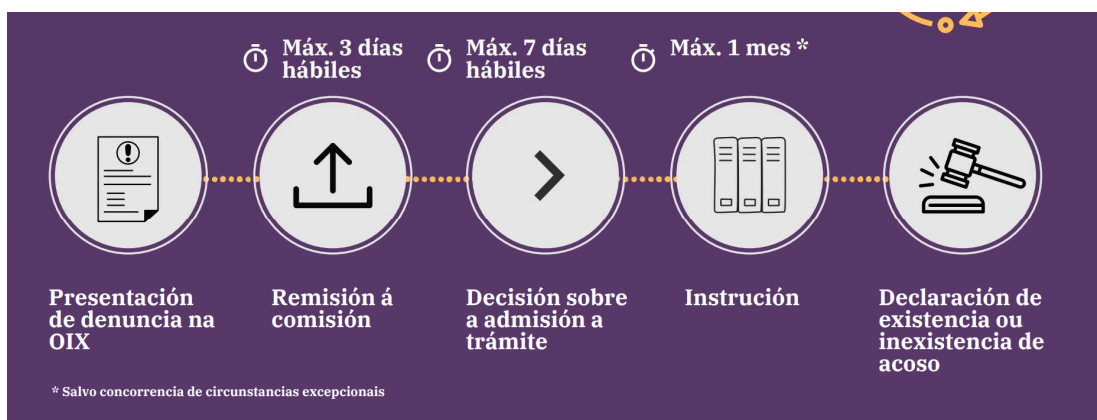
If the complaint is admitted as harassment, how will the Protocol protect me?

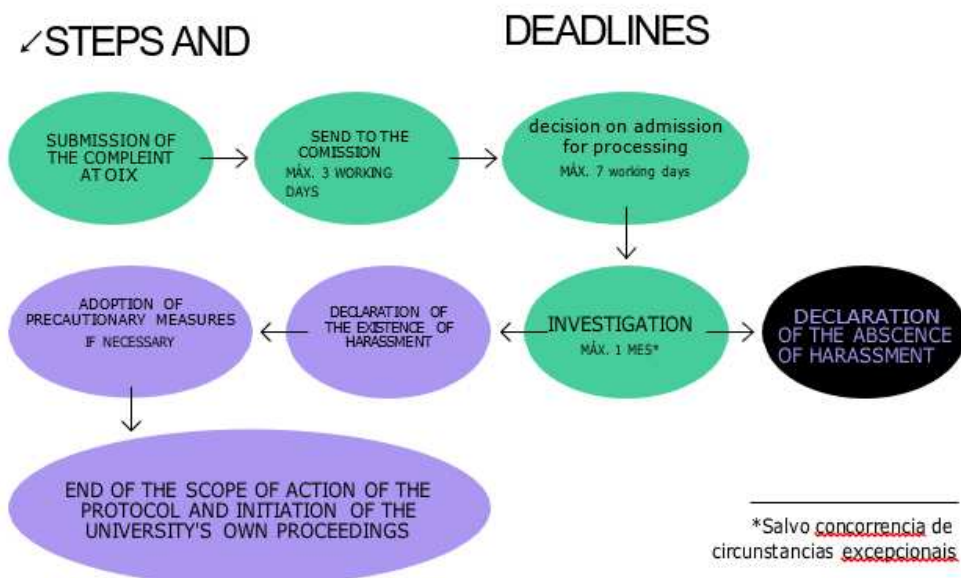
The Gender Equality Office and, if applicable, the Committee may propose the adoption of precautionary measures if they consider that the physical or mental integrity of the victim is at serious and immediate risk. These measures will be processed urgently.

EXAMPLES OF PRECAUTIONARY MEASURES:

- Temporary relocation in the workplace
- Modification and adaptation of the teaching assignment
- Change of class-group
- Exemption from class attendance for the person who filed a harassment complaint, as long as they consider it more suitable for their health

What are the steps and the deadlines of the Protocol and what is its scope of action?





Submission of the complaint at the Gender Equality Office (OIX)
Referral to the Committee (maximum 3 working days)

OJO: cambiar Máx por maximum...en varios sitios, e traducir mes
End the action protocol and initiation of the University's own procedures

* Except in extraordinary circumstances

In the case of a declaration of absence of harassment, the next step will be the closure of the complaint, which concludes the procedure. The declaration of the existence or absence of harassment is the final step of the Protocol; from here, the University's own mechanisms are set in motion. As quickly as possible, the Rector will decide on the possible initiation of a disciplinary procedure or on the referral of the case to the Public Prosecutor.

- If a disciplinary procedure is initiated, it will be processed in accordance with the applicable regulations depending on the status of the accused person as a student, administrative staff, or teaching and research staff. If the commission of the offense is determined, the procedure will conclude with the imposition of the corresponding penalty by Rector's resolution.
- If the case is referred to the Public Prosecutor, no decision regarding the initiation of a disciplinary procedure can be made until the end of the judicial process.