

Protocol for the prevention and intervention against harassment in the workplace

Written by	Reviewed by	Approved by
Sandra Vial (Health and Safety Department)	Health and Safety Commission	Vanesa Nogales (Management)
Laia Rabal (Talent and Training Unit)	Equality Commission	
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1. INTRODUCTION

The IMIM Foundation, in line with its values, recognizes equal treatment and opportunities between women and men as a fundamental legal value of human rights. Likewise, it expresses its firm commitment to achieve safe work environments, labour relations based on freedom and respect between people and, consequently, free from all types of harassment and offensive, discriminatory and/or abusive behaviours.

In this context, the IMIM Foundation continues to develop policies and actions on equality and prevention of harassment, training and awareness, health and safety or conciliation, among others, aimed at making this commitment effective, in the day-to-day life of all the people who are part of the Institution. Thus, the adhesion to the Charter of Hypatia of Alexandria, with twelve commitments to end gender inequality in the research system in Catalonia, the adhesion to the *European Charter & Code for Researchers* of the European Commission and its HR Excellence in Research seal, the Equal Opportunities Plan for women and men (2013 and 2018), the improvements of the Labour Regulations of the IMIM Foundation, the assessments of Health and Safety, The *Guide for non-sexist language* (2015), the work carried out in the Equality Commission of the IMIM, the PRBB Equality, Diversity and Inclusion Committee and the Committee of Health and Safety, and this protocol, which updates and improves its previous versions (2010 and 2016), are just some of the examples of this commitment.

This protocol, updated from the previous versions of 2010 and 2016, brings together in a single document the actions to prevent and resolve situations of workplace harassment that may occur in our Institution and, therefore, affects the two fundamental dimensions: prevention and action.

It has been prepared jointly by the Health and Safety Department and the Talent and Training Unit (Department of Excellence), has been reviewed by the Equality Commission and the Health and Safety Committee and finally approved by the Management of the centre.

2. OBJECTIVES

The objectives of this protocol are:

- Make all staff aware of the values of our Institution; zero tolerance for situations of harassment and discrimination.
- Inform and create awareness amongst all staff regarding workplace harassment.
- Identify the constitutive situations of workplace harassment.
- Have a procedure of action and accompaniment to attend and resolve situations of harassment as quickly as possible and in accordance with the deadlines established in the Protocol.
- Establish the necessary preventive measures to avoid situations of harassment from occurring.
- Ensure a work environment where people respect each other's integrity and dignity.
- Ensure resources in order to guarantee the rights of the people affected.

3. PRINCIPLES AND GUARANTEES

The principles and guarantees of the IMIM Foundation in relation to the process of prevention and intervention against workplace harassment are:

Respect and privacy:

- The actions will be carried out with respect and discretion to protect the privacy and dignity of the people affected.
- The people involved will be able to be accompanied by someone they trust throughout the process.

Confidentiality:

- The information generated and provided by the actions will be confidential.
- The data collected will not be used for purposes other than those established in this document.

Right to information:

- All the people involved have the right to receive information about the procedure, their rights and duties, about what phase is being developed, and according to their role in the process, of the result of the phases.

Urgency and celerity:

- This protocol details the deadlines for resolving the phases, in order to achieve a quick resolution of the situation.

Fair treatment:

- Impartiality and fair treatment are guaranteed for all the people involved.
- All persons involved in the procedure will act in good faith and with the aim of clarifying the facts reported.

Protection against possible retaliation:

- Nobody involved should be retaliated for participating in the process of communicating or reporting a situation of harassment.

Collaboration:

- All persons who are summoned during a procedure have the duty to get involved and to collaborate.

Precautionary measures:

- If during the procedure and until the closure there are indications of harassment, the people in charge of the different phases of intervention can propose to the management of the company to adopt precautionary measures (examples: change of place of work, reordering of working time, paid leave...). Under no circumstances should these measures lead to an undermining of working and/or wage conditions and must be accepted.

Health surveillance:

- People who perceive a situation of harassment with effects on health can request attention, guidance and medical report of health surveillance through the Health and Safety Department. If there is a damage to health that generates a medical leave and the link between harassment and medical leave of the affected person is confirmed, this medical leave must be considered through the Mutual Society for Work-related Injuries and Occupational Diseases.

4. SCOPE OF APPLICATION

This Protocol applies to all situations arising from any activity that takes place in the work environment of the IMIM Foundation, whether physical or virtual space.

It is applicable to all personnel regardless of their function, hierarchical level or employment relationship and also applies to any person who, even if they are under the dependence of a third person, carries out activities or provides services to our Institution.

Therefore, the scope of this Protocol is not limited to the Institution itself, but also applies to third parties associated with the Institution due to their work or profession, and also to the situations (regardless of time and place) in which the workers are located for professional and work reasons (including travel, training days, meetings, etc.)

In application of the obligations established by the coordination of business activities required by Law 31/1995, of November 8, of the prevention of occupational risks, the following aspects will be considered:

- External contracted companies as well as institutions that host IMIM Foundation staff will be informed of the existence of this procedure.
- When there is a case of harassment between workers of the IMIM Foundation and staff of an external company, the mechanisms of business coordination will be applied. Therefore, there will be reciprocal communication of the case, so that each of the parties apply the respective procedure and executes the corrective measures it deems appropriate.

5. DEFINITION AND TYPE OF HARASSMENT

In order to apply this protocol to all those situations of harassment that occur within the defined scope of application, it is necessary to determine what are the typified behaviours.

In this sense, the following descriptions are generic and are not exclusive of conduct or actions not specifically included.

Harassment can be horizontal (between workmates) or vertical (between different hierarchical levels).

5.1 Psychological harassment at work or *mobbing*

Conduct or set of aggressive, threatening, humiliating, intimidating and abusive verbal or physical behaviours directed, repeatedly and prolongedly over time, towards one or more people, by other people acting from a position of power, not necessarily hierarchical, with the purpose or effect of creating an intimidating environment that disturbs the victim's working life. This violence, framed in an employment relationship, implies both an attack on the dignity of the person and a risk to their health.

As an example, and without exclusionary or limiting aim, the following behaviours are considered to be evidence of the existence of workplace harassment behaviour:

- Restrict people's chances of speaking.
- Forcing someone to do tasks against their conscience.
- Judge a person's performance offensively.
- Questioning a person's decisions.
- Assign degrading tasks
- Assign tasks with erroneous data or insufficient data to successfully carry out the work.
- Refuse communication with the victim through looks and gestures.
- Refuse communication with a person by denying them the possibility of communicating directly with them.
- Treat a person as if they did not exist.
- Permanently criticize a person's private life.
- Telephone harassment (unwanted, hostile, obscene or offensive phone calls) or use of other technologies (e.g., email).
- Make a person look stupid.
- Imitate gestures, voices... of a person.
- Establishment of rumours (speaking badly about the person behind their back, making them believe that a person has psychological problems...).
- Make jeers of nationality, sexual orientation, religion, disability... of a person.
- Discriminate against a person based on their personal characteristics (racial or ethnic origin, religion or convictions, disability, age, language, opinion, place of birth or neighbourhood or any personal or social circumstance).
- Sexual repeat offers, sexual violence.
- Physical abuse or use of violence.
- Screams.
- Insults.
- Disrespect.
- Permanent and bad-tempered criticism of the person's work.
- Verbal threats.
- Non-communication (not directing the word, ignoring their opinions, ignoring their presence).

Excluded from the concept of psychological harassment are those interpersonal conflicts that are passangers and located at a specific time that have neither the consequences nor the purpose of affecting the parties involved personally or professionally. Nor is psychological harassment considered an open conflict, whether individual or collective, stress, working in poor conditions, or *burnout* or “being burned” syndrome, for example.

5.2. Sexual harassment

Verbal, non-verbal or physical behaviour, of a sexual nature, unwanted by the recipient, which is exercised for the purpose of threatening the dignity of the person or creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment or that produces this effect.

It is understood as “unwanted” when the person does not request or initiate such an action and considers this fact undesirable and/or offensive.

Unlike psychological harassment at work, these behaviours are considered sexual harassment even if they have not occurred repeatedly or systematically.

Conduct of a sexual nature or with sexual connotations includes a very wide range of behaviours and ranges from seemingly innocuous actions to actions that are manifestly serious and constitute a criminal offense in themselves.

As an example, and without exclusionary or limiting aim, the following behaviours are considered to be evidenced by the existence of sexual harassment behaviour:

- Spread rumours, ask or explain details about a person’s sex life and sexual preferences.
- Make obscene sexual comments or jokes.
- Make rude comments about body or physical appearance.
- Offer or press for committed appointments or to participate in unwanted recreational activities.
- Make demands for sexual favours.
- Make lascivious looks at the body.
- Make obscene gestures.
- Make use of graphics, vignettes, drawings, photographs or images from the Internet of sexually explicit content.
- Send notes or emails of sexual content of an offensive nature.
- Make an excessive physical approach.
- Corner; deliberately seek to be left alone unnecessarily with a person.
- Impose deliberate and unsolicited physical contact (pinching, touching, massaging unwanted).
- Forcing the harassed person to choose between submitting to sexual requirements or losing certain benefits or working conditions (sexual blackmail).
- Create an intimidating, hostile or offensive environment through sexual comments, jokes, etc., with insistence and repetition.

5.3. Harassment based on sex and/or sexual orientation

Repeated behaviour carried out on the grounds of a person's sex, sexual orientation and/or gender identity, with the purpose or effect of undermining their dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment.

Unlike sexual harassment, harassment based on sex always requires a pattern of repetition and systematic accumulation of offensive behaviours. Actions must be carried out continuously and systematically.

As an example, and without exclusionary or limiting aim, behaviours susceptible to harassment based on sex, among others, are considered:

- Have condescending or paternalistic attitudes.
- Say insults based on the sex and/or sexual orientation of the worker.
- Have discriminatory behaviours based on sex.
- Use offensive ways of addressing the person.
- Ridicule, underestimate a person's capabilities, abilities and intellectual potential on the grounds of sex.
- Use sexist humour.
- Sexist jokes or insults or against sexual diversity.
- Isolating, ignoring a person's contributions, comments or actions based on sex.
- Make discriminatory comments that they despise.
- Engage in environmental harassment based on sex by creating an intimidating, hostile and offensive environment.

This type of harassment also includes attitudes or behaviours made about reasons or circumstances that have to do with sex, such as that which occurs to a worker only because she is a woman, to a worker because she is pregnant or because of her motherhood, to a worker for the reason of his/her gender (because he/she does not play the role that has been culturally attributed to his/her sex), to a worker in the exercise of some labour right provided for the reconciliation of personal and work life.

6. RESPONSIBILITIES

To implement this Protocol, the involvement of all people, collectively and individually, and each one is necessary from the responsibility and role that it occupies and that is developed in this section:

6.1. Management

- Unequivocally state that it will not allow or tolerate harassment in the workplace under any circumstances and that it will apply sanctions to people who fail to comply.
- Act with the aim of avoiding the appearance of cases of harassment in the workplace.
- Constitute the Standing Committee of Inquiry.
- Apply, where appropriate, the proposals of the Standing Committee of Inquiry.
- Order the opening of the information file.
- Order the opening of disciplinary proceedings.

- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.2. Program Directors, Group Coordinators and Service Managers

- Act with the aim of avoiding the appearance of cases of harassment in the workplace.
- Participate, providing the information available, in the investigation of the facts, if it is not a party involved.
- Ensure that the established preventive and corrective measures are implemented.
- Ensure that working conditions and that relations between workers are maintained respect for their privacy, equality and dignity.
- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.3. Human Resources Management

- Observe the signs of workplace harassment that may occur and encourage reporting of these situations using the established channels and processes.
- Communicate to the Person of Reference (Specialist Technician in Applied Psychosociology linked to the Health and Safety Department) the possible situations of harassment in the workplace that are detected.
- Ensure the application of the preventive and corrective measures that are established.
- Guarantee information to workers of the rights they have, of the existing procedures for making queries, complaints and/or reports.
- Ensure the effective application of sanctions.
- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.4. Person of Reference (Specialist Technician in Applied Psychosociology linked to the Health and Safety Department)

- Support the person who presents a problematic situation to identify whether or not the behaviour they describe may or may not constitute harassment.
- Provide information on the different options to resolve this situation and how to proceed.
- Advising the workers involved, the Management, as well as the Standing Committee of Inquiry.
- Provide information on support and reference channels (medical, psychological, legal, etc.).
- Collect information, conducting personal interviews with the workers involved and issue a technical report.
- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.5. Prevention Delegates

- Communicate to the Person of Reference (Specialist Technician in Applied Psychosociology linked to the Health and Safety Department) the possible situations of harassment in the workplace that are detected.
- Propose dissemination and awareness-raising measures to the Institution.
- Ensure the application of the preventive and corrective measures that are established.
- Guarantee information to workers of the rights that have, of the existing procedures for making queries, complaints and/or reports.
- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.6. Staff of the Institution

- Ensure that the relationships between colleagues, managers, suppliers, or any person with whom they relate for professional and work reasons, are respectful and avoid those actions that may be offensive, discriminatory or abusive.
- Observe the signs of harassment in the workplace that may occur and encourage reporting of these situations using the established channels and processes.
- Contribute to creating a greater culture and sensitivity on this matter.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

6.7. Permanent Commission of Inquiry

- Investigate situations that come to you with the utmost seriousness, speed and confidentiality and monitor them.
- Conduct a personal interview with the workers involved.
- Collect detailed information (documentary and testimony) regarding the events.
- Issuing a resolution report and submitting it to the Management of the centre.
- Ensure compliance with this Protocol.
- Guarantee the confidentiality of the entire process.

In those cases, in which it is considered appropriate, advice may be requested from an expert external to the Institution who may:

- Carry out the investigation of the notified cases.
- Issuing the relevant reports requested.
- Advising the personnel involved, the Management, as well as the Standing Committee of Inquiry.

7. PREVENTIVE MEASURES

In the field of prevention, we must emphasize proactive actions, acting before the existence of a case of harassment. Thus, the Management of the IMIM Foundation will continue to promote preventive actions within the framework of its competences and will enable the necessary resources, such as:

- Express indisputably, on the part of the Management, that this type of behaviour and attitudes is rejected in all its professionals.
- Disseminate this Protocol to all workers, concurrent centres, institutions that host staff and subcontracted external companies.
- Provide training and information on the existence of this protocol to all workers to make them aware of their rights, responsibilities and procedures to follow.
- Provide communication channels where consultations can be made and receive advice.
- Evaluate psychosocial risks and carry out work environment studies to minimize situations of personal conflict that may end up leading to a situation of harassment.
- Facilitate styles of participatory management and leadership, that stimulate group cohesion and favour the flow of information between workers.
- Provide training/information for the early identification of conflicts and mediation to Program Directors, Group Coordinators and Service Managers.
- Define equality policies and a work organization that help prevent workplace harassment.
- Ensure the non-existence of retaliation against workers who report cases of harassment.

8. INTERVENTION PROCEDURE

When a situation of harassment occurs, there are two ways of resolution: internal (Institution) and external (Work Inspection, labour and criminal jurisdiction). When, due to the same facts, an external procedure is being processed, the Management will agree to suspend the processing of the file, pending a judicial decision that puts an end to the criminal procedure. The facts declared proved in criminal proceedings are binding to resolve the case.

The procedure can be initiated by a communication of the facts or directly by report (the latter can only be filed by the person concerned).

The Reference Person will be responsible for the management and custody of the documentation, in all phases of the process, guaranteeing the confidentiality of the set of documents and information that are generated.

Phase 1. Communication and Advice

The objective of this phase is to inform, advise and accompany the people involved and prepare phase 2 of internal reporting and investigation, if applicable. This begins with the communication of the perception or suspicion of harassment and will have a maximum duration of 3 working days.

Who can communicate a possible situation of harassment?

- The affected person.
- Any person or persons who warn of harassing behaviour.
- The Prevention Delegates.

- Others such as a lawyer, the Labor Inspection or a legal entity.

Who should be notified?

The communication will be presented to the Reference Person:

- Specialist Technician in Applied Psychosociology linked to the Health and Safety Department (Sandra Vial (svial@imim.es), 676808391, ext.1609).

The Reference Person who receives the communication will inform the people involved about their rights, about this protocol and the actions they can take, and about the procedure to follow.

How should it be notified?

Primarily in writing using the *Communication of facts* document (annex 1). If the communication is made verbally, the Reference Person who receives it will complete the same Document of *Communication of facts*.

In the event that the *Communication of facts* is presented by a third party, the affected person must give their express consent by signing the document presented, so that the reference person can start the procedure.

There are three possible results of this phase:

1. That the affected person decides to file a report. In this case, the Reference Person must inform the Management, respecting the right to confidentiality of the people involved, in order to proceed with in the *Opening of the information file* (annex 2).
2. That the affected person decides not to file a report and the Reference Person, based on the information received, considers that there is some evidence of the existence of a situation of harassment. In this case, it must inform the Management, respecting the right to confidentiality of the people involved, so that the Institution adopts preventive measures, awareness and/or training, or the actions it deems necessary to deal with the perceived indication.
3. That the affected person decides not to file a report and the Reference Person, based on the information received, considers that there is no evidence of the existence of a situation of harassment. In this case, it must inform the Management, the Human Resources Department and the prevention delegates, respecting the right to confidentiality of the people involved, and close the file without taking any other action.

Phase 2: Report and Intervention

The objective of this phase is to exhaustively investigate the facts in order to issue a binding report on the existence or not of a situation of harassment, as well as to propose intervention measures if necessary.

The investigation will begin based on the report made by the affected person who will fill in the *Report and Application for Action* document (annex 3) and may provide the documentation they deem appropriate.

Two possible ways of intervention can be used:

- 1) Mediation: mediation requires both parties (person allegedly harassed and harasser) to agree to undergo mediation outside the institution. Once the mediation has been agreed, experts will be contacted who will carry it out in order to reach a solution agreed between the parties.

The mediation will end with the issuance of a written report containing a summary of the facts, the people interviewed, what conclusions have been reached and the measures proposed.

The resolution involves:

- Ensure that the situation that motivated the report has ended.
- Communicate in writing to both parties, the conclusions of the report issued, and the measures proposed.
- Submit the report to the Reference Person, the Human Resources Department and the Management of the centre.

The means of mediation, from the presentation of the complaint to the issuance of the report, may not exceed 30 working days.

- 2) Investigation: when due to the nature of the facts reported, or because the two parties involved have not agreed to undergo mediation or, because the mediation process does not conclude favourably by the parties involved, an internal investigation process must be initiated.

For these purposes, and within a maximum period of 4 working days, the Management of the centre will constitute the Standing Committee of Inquiry. It will be made up, at least, of:

- Person of Reference.
- HR Director.
- Prevention Officer.
- Responsible for the affected person, as long as they are not the party involved and, in this case, their superior.
- In those cases, in which it is considered appropriate, advice may be requested from an external expert.

The Management will communicate in writing to the allegedly harassed worker the names of the members of the Commission at the time of its constitution and before any action. Whenever possible, a commission with gender parity will be ensured. If the worker does not agree with the participation of a member, the Management will communicate this circumstance to the Commission, which must replace, whenever possible, the unaccepted member(s). This recusal may occur as long as there are justifiable reasons.

The Standing Committee of Inquiry will proceed to analyse the report and the attached documentation, will carry out the appropriate actions for the clarification of the facts reported, will interview the people involved as well as the possible witnesses and will assess whether it is necessary to apply precautionary measures.

In the investigation of the case, observed aggravating circumstances will be taken into account such as recidivism in the conduct of harassment, the subordination of the victim to the aggressor, coercive behaviour on the victim with the intention of harming the investigation procedure, etc.

Within a maximum period of 30 working days from the start of the investigation, the Commission will issue a binding report including a description of the facts and actions taken, conclusions reached, and corrective measures deemed appropriate. This report will be submitted to the Management of the centre.

Phase 3: Resolution

According to the binding report prepared through mediation or by the Standing Committee of Inquiry, within a maximum period of 7 working days:

If there is sufficiently proven evidence of the existence of a harassment situation, the Management:

- Initiate a disciplinary proceeding proven situation of harassment and/or
- It will adopt the relevant corrective measures (of an organizational type, such as change of place or workplace, etc.).

If there is not sufficiently proven evidence of a harassment situation:

- The report will be filed.

In no case will false accusations be tolerated. The reference person will report the consequences that this may entail on the rights of the people affected and the possible responsibilities in case of the false report.

Regarding misdemeanours and sanctions, the provisions of current legislation on infractions and sanctions in the social order will be applied.

Phase 4. Tracking

The Reference Person (Technician specialized in Applied Psychosociology linked to the Health and Safety Department) will monitor each case in order to verify the absence of the behaviour that motivated the initiation of the file and will evaluate the suitability of the measures adopted, if applicable.

The parties involved in the events will be interviewed every 6 months, from the date of resolution, at least during the first year, ending the process once it has been verified that the situation has been resolved.

If it is detected that a situation of harassment continues to occur or an anomalous situation derived from the procedure, the case will be properly reviewed and, where appropriate, propose the adoption of appropriate corrective measures.

9. TRACKING AND EVALUATION OF THE PROTOCOL

This protocol may be reviewed and modified, provided that its operation derives from this need or by legal imperative.

Annually, the Health and Safety Department will issue a monitoring and evaluation report that will include the following indicators:

- 1) List of preventive measures and hours of awareness/training that have been carried out at the Institution.
- 2) Number and gender of workers who have communicated facts for harassment.
- 3) Number and gender of workers who have made a report of harassment.
- 4) Number of corrective measures that have been carried out
- 5) Number of disciplinary proceedings that have been carried out.

The results of this report will be sent to the Human Resources Department, the Prevention Delegates, the Equality Commission and the Management of the centre.

10. REFERENCE DOCUMENTS

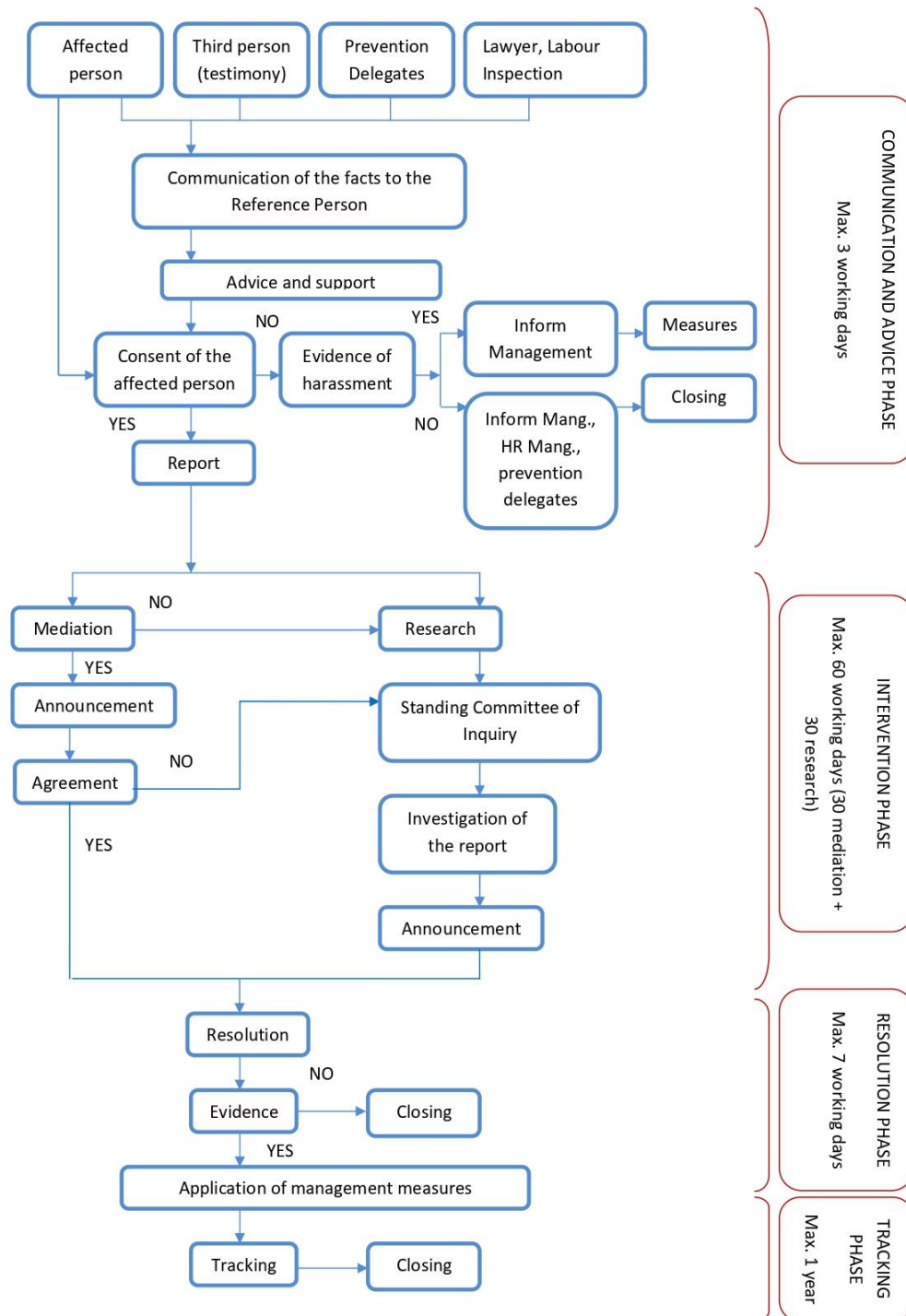
- Guia d'elaboració del protocol per a la prevenció i abordatge de l'assetjament sexual i per raó de sexe a l'empresa. Comissió d'Igualtat i del Temps de Treball del Consell de Relacions Laborals de Catalunya. Generalitat de Catalunya. (2017).
- Protocol per a la prevenció i abordatge de l'assetjament sexual i per raó de sexe a l'empresa. Comissió d'Igualtat i del Temps de Treball del Consell de Relacions Laborals de Catalunya. Generalitat de Catalunya. (2015).
- Recomanacions per a la negociació col·lectiva en matèria d'igualtat de tracte i d'oportunitats de dones i homes. Comissió d'Igualtat i del Temps de Treball del Consell de Relacions Laborals de Catalunya. Generalitat de Catalunya . (2008).
- Manual de referencia para la elaboración de procedimientos de actuación y prevención del acoso sexual y del acoso por razón de sexo en el trabajo. Instituto de la mujer y para la igualdad de oportunidades. (2015).
- *The European Charter for Researchers* i *The Code of Conduct for the Recruitment of Researchers*. Comissió Europea. (2005).
- Open, Transparent and Merit-based Recruitment of Researchers (OTM-R). Comissió Europea. (2015).

11. LEGAL FRAMEWORK

- Constitució espanyola (art. 9.2, 14, 15, 17, 35, 43).
- Estatut d'autonomia de Catalunya (art. 19, 41 i 45).
- Reial decret legislatiu 1/1995, de 24 de març, pel qual s'aprova el Text refós de la Llei de l'Estatut dels treballadors (art. 4, 5, 18, 19).
- Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal (art. 173, 184, 314).
- Llei orgànica 3/2007, de 22 de març, per a la igualtat efectiva de dones i homes.

- Llei 17/2015, del 21 de juliol, d'igualtat efectiva de dones i homes.
- Llei 11/2014, del 10 d'octubre, per a garantir els drets de lesbianes, gais, bisexuals, transgènere i intersexuals i per a eradicar l'homofòbia, la bifòbia i la transfòbia.
- Llei 5/2008, de 24 d'abril, del dret de les dones a eradicar la violència masclista.
- Llei 31/1995 de prevenció de riscos laborals.
- Reial decret 171/2004, de 30 de gener, en matèria de coordinació d'activitats empresarials.
- Reial decret legislatiu 5/2000, de 4 d'agost, pel que s'aprova el Text refós de la Llei sobre infraccions i sancions en l'ordre social.

12. DIAGRAM



13. ANNEXES

Annex 1. Communication of the facts



File code:

COMMUNICATION OF THE FACTS

(Any data processing that is carried out during the processing of this communication of the facts, will be done respecting the current legal framework regarding the protection of personal data).

Details of the person communicating the facts

☐ Affected person

☐ Third person (testimony)

☐ Prevention delegate

☐ Lawyer, Labour Inspection

Name and surname

DNI/NIE/ID

Group/Service

In the event that the communication does not come from the affected person:

This person knows the existence of this communication: ☐ YES ☐ NO

This person gives consent to make this communication:: ☐ YES ☐ NO

Data of the affected person

Name and surname

DNI/NIE/ID

Group/Service

Details of the person allegedly harassing

Name and surname

DNI/NIE/ID

Group/Service

Description of the facts (What happened; When (period of time, days, time...); Frequency; Testimonials, etc.

Provides documentation

☐ YES (specify):

☐ NO

I have received, signature of the Reference Person

Signature of the person who
communicates the facts and the
person affected (if applicable)

Name:

Name:

Place and date:

Place and date:

Annex 2. Opening of information file



Opening of information file 00X/20XX

Faced with the possible situation, verbally described as workplace harassment, by Mr./Ms., with DNI/NIE, and the information available so far, Mr. **Joaquín Arribas López**, Director of this Institution, decides to proceed with the opening of an Information File and appoint Ms. Sandra Vial Mora, Technician specialized in Applied Psychosociology linked to the Occupational Risk Prevention Service, as a reference person in the file.


Joaquín Arribas López

Director

Barcelona, on the of of

Edifici PRBB
Doctor Aiguader, 88 | 08003 Barcelona
Tel. 933 160 400 | Fax 933 160 410
www.imim.es

Annex 3. Report and request for intervention

 **Fundació IMIM**

File code:

REPORT AND REQUEST FOR INTERVENTION
Any data processing that is carried out during the processing of this communication of the facts will be carried out respecting the current legal framework regarding the protection of personal data.

Details of the person reporting (affected person)
Name and surname DNI/NIE/ID
Group/Service

Details of the person reported
Name and surname DNI/NIE/ID
Group/Service

Description of the facts What happened; When (period of time, days, time...); Frequency; Name and surnames of witnesses; Description of the feelings caused by the situation, etc.

Provides documentation
☐ YES (specify): ☐ NO

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I request

I request the activation of the harassment protocol of the Institution.

Consent

I give my consent for the Reference Person and/or the Standing Committee of Inquiry to take the appropriate actions to investigate the situation and look for ways of solving it. I am aware that the Standing Committee of Inquiry has an obligation to inform the complainant of the content of the allegations.

I have received, signature Reference Person

Signature of the affected person

Name:

Place and date:

Name:

Place and date:

Annex 4. Closure of information file



Closure of information file 00X/20XX

On date of of, the closing of the file 00X/20XX is proceeded, once the relevant measures and/or actions have been carried out to deal with the situation expressed in this file and conveyed through Ms. Sandra Vial Mora, with DNI as a Reference Person.

Joaquín Arribas López

Director

Barcelona, on the of of

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