
Approved with EBS Management Board decision on 30 June 2023

EBS Harassment Policy

1. Purpose

EBS is dedicated to maintaining an academic and work environment free of discrimination and harassment and committed to providing equality and protection against harassment for everyone, regardless of their sex, sexual orientation, ethnicity (including race, colour and nationality), religion or belief, age or disability (including mental and physical illness). All members of EBS are prohibited from engaging in discrimination and harassment and are expected to report any case of discrimination or harassment that comes to their attention. This policy is designed to give EBS employees and students the opportunity to raise concerns and receive protection.

This policy applies to EBS employees, students and EBS contractors.

2. Definition

The Equal Treatment Act includes the following definition of harassment:

Harassment occurs when a person engages in unwanted conduct that has the purpose or effect of violating your dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

Harassment is also defined as unwanted conduct related to relevant protected characteristics that have the purpose or effect of violating your dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for you.

3. Sexual Harassment

Sexual harassment is a particular type of discrimination which is defined as unwelcomed sexual advances or other verbal, physical or non-physical conduct of a sexual nature in the organization. This could be used as a factor in decisions affecting some aspect of employment or studies or substantially interferes with an individual's employment or studies by creating an intimidating or hostile work or study environment. Unwelcome sexual advances, requests for sexual favours and other verbal, physical or non-physical conduct of a sexual nature that could constitute sexual harassment when:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or studies;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or studies related decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or study performance or creating an intimidating, hostile or offensive environment or otherwise adversely affects an individual's employment or study related opportunities.

In addition, "romantic" or "consensual" relationships, dating or even isolated sexual encounters between senior and junior personnel or between staff and students may constitute or lead to sexual harassment because the junior person involved may not be a willing participant notwithstanding the perception of the senior person or statements of the junior person.

Examples of harassment behaviors include, but is not limited to:

- Rape, molestation, assault or attempts to do any of these actions
- Physical assaults of a sexual nature such as touching, pinching, patting, grabbing or brushing against another person's body.
- Making unwanted sexual advances or propositions
- Sexually orientated gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experiences
- Making a hostile work environment
- Putting people down or deliberately embarrassing them
- Making insulting or offensive comments or jokes
- Using insulting words or threatening body language
- Leaving offensive or discriminatory displays anywhere in the workplace, such as posters, graffiti, screensavers or other materials which may be demeaning or pornographic.
- Spreading malicious rumours
- Treating someone unfairly
- Picking on or regularly undermining someone
- Denying someone's training or promotion opportunities
- Making threats or comments about job security without foundation
- Deliberately undermining a competent worker by overloading and constant criticism

4. Harassment through Bullying

Bullying is offensive, malicious or insulting behavior. It is an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure you. Bullying tactics can include hostile verbal or nonverbal communication, sabotage, exclusion, manipulation, and psychological or physical abuse.

5. Procedure

The following procedure provides a mechanism through which EBS can identify and respond to cases of discrimination or harassment in a transparent, fair and discreet manner. The University takes full responsibility for processing all received complaints, permitting investigation and resolution of problems. The procedure ensures that the appropriate disciplinary action is taken against an individual found to have engaged in discrimination or harassment.

All complaints regarding discrimination or harassment must be filed to the Head of Academic Affairs or HR Manager. The complaint can be made verbally or in writing, but the latter is encouraged. In case the complaint is verbal, the receiver of the complaint must write it as a report according to the statement of the victim ("Complainant"). A complaint should be as detailed as possible in describing the Complainant's experience, including the names of the persons involved and their direct quotes, names of the witnesses and where and when the conduct in question occurred. All supporting evidence, such as e-mails, letters, notes and/or pictures should be submitted with the complaint. The Complainant is asked if they would like to request confidentiality and if so, they are granted confidentiality throughout the process. The

complaint must be filed during the 12 consecutive months after the occurrence of the event.

The member of EBS staff who receives the complaint must preliminarily decide if the complaint falls in the scope of discrimination or harassment as defined above. If not, alternative measures are taken to solve the case in an appropriate manner. If the event includes discrimination or harassment, the receiver of the complaint presents the complaint promptly to the EBS Management Board which selects an investigator of the complaint. The investigator takes separate statements from the involved and witnessed parties, reviews the documents provided by the Complainant and collects more information about the occurrence in any other appropriate format. After the investigation the EBS Management Board decides upon the disciplinary action that is taken against the discriminating party. The disciplinary action may vary from a verbal warning to legal action depending on the severity of the case. The Complainant and the accused are informed about the outcome of the complaint promptly after the decision has been made. The complaint and all related documents are preserved physically and electronically for 10 years.

To minimise the negative consequences for the Complainant for making the complaint the procedure is conducted in a supportive, respectful and discreet manner. If as a result of making the complaint, the Complainant is subject to negative action, appropriate disciplinary actions are taken by the EBS Management Board.

The Complainant and the accused may file a written appeal to the Rector within seven calendar days after receiving the official decision. The appeal can be based on the finding that there were insufficient evidence supporting the final decision, substantial procedural error, a conflict of interest that may have affected the investigation, or the disciplinary measure taken against the accused is inadequate or excessive.

6. Consequences of breaching this policy

Those using the procedure outlined in this policy to raise a concern are assured that they will not suffer any form of retribution or detrimental treatment. To ensure the protection of all our employees and students, those who maliciously make a false allegation will be liable to disciplinary action.

7. Further information

If you have any questions or require any clarifications regarding our harassment policy, please turn to our HR Manager.

Necessary contacts:

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