

Prevention of bullying and harassment at the University of Oulu

**UNIVERSITY
OF OULU**



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The Occupational Safety and Health Act requires the University of Oulu, as an employer, to take care of occupational health and safety and obligates supervisors to intervene in any instances of inappropriate treatment in workplaces.

As far as students are concerned, the university's obligation to secure a safe and healthy study environment is based on the Universities Act and the Health Care Act.

The University of Oulu requires normal good conduct of all members of the university community and does not accept inappropriate treatment, bullying or sexual or gender-related harassment of any kind. The basis here is mutual respect: all members of the university community must be able to feel respected by others.

The University of Oulu has zero tolerance for bullying and harassment. However, it is important to remember that nobody should be labelled a workplace bully on the basis of mere allegations. Fraudulent and groundless allegations of workplace bullying are as serious a violation as bullying itself and they may result in sanctions similar to those for bullying.

Any references to workplace or employer / member of the workplace community shall also refer to the study environment, studying and students. Those working on a grant are equated with students.

Prevention of and intervention in workplace bullying

What is not bullying?

The borderline between bullying and everyday situations in the workplace community is not always clear. Major differences of opinion and conflicts, even outright problems, may occur in the collaboration, human relationships and interactions within the workplace community without this being a case of workplace bullying.

The following situations do not entail bullying per se:

- › conflict arising from work-related issues, decisions or interpretations and the persons involved feeling insecure and anxious
- › work-related problems being discussed in the workplace, although some members of the workplace community may find this distressing
- › supervisors giving orders and instructions which are within his or her powers or acting in the manner required by the early-support model
- › employees being referred for a work capacity assessment pursuant to the Occupational Health Care Act after a discussion of work-related problems
- › a justified sanction or notice being imposed on the employee
- › work duties or the organisational structure being changed for justified reasons after a discussion with the employee.

What is bullying?

Bullying is recurrent adverse treatment of another individual, in other words action and conduct that are against the law or generally accepted practice. Bullying is, thus, always a serious matter.

Bullying can take different forms, which may make it difficult to recognise and observe. In extreme cases, it may be purposeful, continual and systematic unfair conduct against which the victim is defenceless. Bullying, if continued for a prolonged period of time, may even endanger the health of the victim.

Workplace bullying may take the following forms:

Individual's possibilities of success are limited in work:

- › work assignments are not given to the individual concerned or, if given, they are inappropriate
- › the individual concerned is given work assignments that are below the level of his or her knowledge and skills
- › the individual concerned is given work assignments which are too difficult and criticised for not being able to complete them properly
- › the qualifications and competence of the individual concerned are constantly questioned
- › the career development of the individual concerned is systematically hampered.

Restrictions are inflicted on the individual's social relations:

- › the individual's presence is ignored, he or she is not talked to or greeted
- › he or she is moved to isolated premises.

The individual's reputation or social position is insulted:

- › the individual is maligned and gossip is spread about him or her at meetings, for example, or through

various media (e.g. Twitter, Facebook, letters to the editor sections in newspapers, etc.)

- › the individual and his or her religious or political conviction, sexual orientation or ethnic background, for example, are ridiculed
- › the individual is insulted because of his or her appearance, gender, or characteristics
- › the individual is harassed or sexual approaches are made against his or her will.

The individual is not allowed to express his or her opinions:

- › the individual's opportunities to express his or her opinions are restricted by his or her supervisor or colleagues
- › his or her speech is frequently interrupted
- › he or she is often shouted at and insulted
- › oral and written threats are presented to him or her
- › opinions, ideas and work presented by the individual are disdained or rejected repeatedly.

The health of the individual concerned is jeopardised through threats of physical violation.

Workplace bullying may be carried out by any member of the university community, irrespective of his or her position. As the borderline between bullying and normal conflicts in the workplace community may also be unclear, anyone may at some point be required to defend themselves against allegations of bullying. Such allegations must always be taken seriously. Even though the individual concerned may not consider him- or herself guilty of bullying, the feelings of the other person may not be belittled; any conduct that has been experienced as inappropriate by the other person must be stopped immediately. The matter should be settled immediately, in the presence of the supervisor where necessary.

Prevention of bullying

The best way to reduce bullying and inappropriate treatment in workplaces is to see to the effective functioning of and openness of discussion in the workplace community. When the early support model is complied with in the workplace community, the supervisor takes up any issues observed or concerns brought to his or her attention on a timely basis. However, conflicts in workplaces may originate from structural aspects of the organisation. Such aspects may relate to leadership, work organisation, common rules, dissemination of information, assignment of duties, induction of new people and equal treatment of all members of the workplace community.

Effective means for the prevention of workplace conflicts include:

- › every member of the workplace community being aware of the goals of their community and their own work
- › the members of the community learning to jointly discuss their work and the division of duties
- › meetings being held on a regular basis and the members of the workplace community being well informed on common matters
- › performance appraisals being conducted on a regular basis
- › new employees being provided with a proper induction
- › the principles for the division of duties and responsibilities being clear and fair.

Every workplace community consists of a number of different kinds of individuals. Irrespective of the differences, every member of the workplace community must be capable of collaborating with others and complying with the norms of proper conduct in their dealings with others. All members of the workplace community are, for their own part, responsible for the workplace atmosphere and wellbeing. It is a good idea to discuss the code of practice and ground rules and to agree upon any necessary improvements and changes during common meetings of the unit.

Prevention of and intervention in sexual and gender-related harassment

Pursuant to the Act on Equality between Women and Men, hereinafter the Equality Act (609/1986), the employer is obliged to ensure that no one encounters sexual or gender-related harassment in the workplace. At the University, this is applicable not only the staff but also the students. Moreover, the Non-Discrimination Act (1325/2014) forbids discrimination based on sexual orientation.

What are sexual harassment and gender-related harassment?

Sexual and gender-related harassment is unwelcome and one-sided sexually-toned physical or verbal behaviour which is involuntary on the victim's part and invokes negative feelings. Rape and attempted rape are criminal offences.

Sexual harassment may take the form of:

- › sexually suggestive gestures or facial expressions
- › obscene comments, indecent jokes, or comments or questions relating to the body, manner of dressing, or private life of the victim
- › sexually-toned contact through letters, e-mails, phone calls, or other media or use of pornographic materials
- › physical touching
- › attempts at or requests for sexual contact or sexual intercourse and related comments

Gender-related harassment is undesirable behaviour that involves gender but is not sexual in nature.

Gender-related harassment may take the form of:

- › derogatory remarks about members of the other sex
- › gender-based workplace bullying

Harassment deprives the victims of the peace needed to work and study and violates their individual freedom and self-determination. Gender-related attention becomes harassment if it is continued even though the victim tells the harasser that he or she finds the behaviour insulting or objectionable. The harasser may be a man or a woman: a colleague, supervisor, employee, student or customer. Depending on the individual concerned, the situation, the relationship between the victim and harasser and previous experiences, any type of behaviour is experienced in different ways by different people.

Prevention of sexual and gender-related harassment

The University of Oulu has committed itself to taking precautions against sexual and gender-related harassment such as the following:

- › Personnel and students are made aware of the values of the University of Oulu and related appropriate behaviour.
- › Guidelines for the identification of sexual and gender-related harassment are available to all on the Internet.
- › The consequences of and sanctions resulting from sexual and gender-related harassment are made known to everyone.
- › Incidences of harassment are followed up by means of surveys, documentation, statistical analyses and dissemination of information to the workplace community about changes in the incidence of harassment.
- › Members of the university community are encouraged to intervene in any instances of harassment they observe.
- › The subject is openly discussed to increase awareness of it and to eliminate the taboo nature of the phenomenon.

Actions in the event of sexual or gender-related harassment

No one has to tolerate insulting or inappropriate behaviour; there is no need for the victims of sexual or gender-related harassment to try to find fault in themselves. Problems in a workplace community should preferably be solved within the community concerned. Supervisors play a crucial role in preventing and eliminating inappropriate behaviour

1 What can the victims of bullying and/or harassment do?

The harasser carries primary liability for the harassment. Besides the responsibility the University has for its employees pursuant to the Equality Act and the Non-Discrimination Act, the University is also responsible for the instruction and supervision provided for the students.

- › If the behaviour of another person starts to bother you, act immediately!
- › Tell the individual concerned you that you don't like his or her behaviour and ask him or her to stop it. A person who uses crude humour and engages in teasing or banter may not necessarily understand that he or she is guilty of workplace bullying or harassment.
- › You may take up the issue of the bullying either verbally or in writing. Verbal notice is often sufficient to end inappropriate behaviour. The benefit of a written notice is that it involves documentation of the matter.

- › If you cannot or do not want to contact the individual concerned or if the improper behaviour continues, report it to someone you trust:
 - › **Employer:** immediate supervisor, occupational safety and health representative, human resources manager
 - › **Student:** service manager for academic affairs, harassment contact person(s) at the University of Oulu student union, your tutor teacher, study psychologist
- › For serious threats directed at life or property, see the separate guideline available in Notio: [Operating instructions in case of accidents and emergencies](#)
 - › If you suspect that a criminal offence has taken place, contact the police.
- › The responsibility of the employer/University starts when an instance of harassment is brought to its attention.
- › The bullying and harassment handling processes are based on voluntariness. If the victim of bullying or harassment does not want to be involved in the handling of the matter, it is nevertheless the duty of the supervisor of the individual concerned to discuss the matter with the individual the report on inappropriate behaviour pertains to.
- › The progress of the handling process in accordance with the model set up by the University requires that all parties participate in the handling of the matter.
- › However, absence from the hearing will not always preclude a decision on the matter (e.g. actions prescribed by labour law).

[Announcement from experienced bullying/harassment](#)

2 A Handling process in cases of bullying and harassment between students

- › The victim of bullying and/or harassment, or the individual informed thereof (see the guidelines), escalates the matter to the faculty's **service manager for academic affairs**, who serves as the harassment contact person of his/her faculty cluster.
- › The service manager for academic affairs assesses the situation and initiates the handling process. The service manager for academic affairs may also consult his or her supervisor, the study psychologist or other experts about the case.
- › The service manager for academic affairs is responsible for initiating and coordinating the actual handling process. The student is allowed to bring one support person with him or her at all stages of the process:
 1. The service manager for academic affairs contacts all the parties involved and invites them for hearing, one by one if necessary. The subject matter will be specified in the invitation, allowing the individual concerned sufficient time to prepare for the hearing.
 2. After the hearing, a joint discussion will be arranged between the all the parties involved, in which the experiences of the different parties will be briefly discussed, seeking mediation in the incident, and the further steps to be taken in the matter will be agreed upon.
 3. A memo will be prepared of the meeting, and the time and manner of potential follow-up will be agreed upon.

2 B Handling process in cases of bullying and harassment between a student and an employee

- › In cases of bullying and harassment between a student and an employee, **the service manager for academic affairs and the supervisor of the employee** will act as work partners.
 - › A student who has been a victim of bullying and/or harassment, or other individual informed thereof, should primarily contact the faculty's service manager for academic affairs.
 - › An employee who has been a victim of bullying and/or harassment should primarily contact his or her supervisor.
 - › If the individual concerned feels that he or she cannot contact the aforementioned contact persons, he or she may contact the faculty's human resources manager.
 - › A student and employee is allowed to bring a support person with him or her at every stage of the process.
- › The supervisor's line management, human resources manager, study psychologist or other experts may also be consulted where necessary.
- › The service manager for academic affairs and the supervisor will agree upon their roles in the handling process and, as a work pair, assume responsibility for its initiation, coordination and follow-up:
 1. The parties involved are contacted and invited for hearing, one by one if necessary. The subject matter will be specified in the invitation, allowing the individual concerned sufficient time to prepare for the hearing.
 2. After the hearing, a joint discussion will be arranged between the all the parties involved, in which the

experiences of the different parties will be briefly discussed, the situation will be mediated, and the further steps to be taken in the matter will be agreed upon.

3. A memo will be prepared of the meeting, and the time and manner of potential follow-up will be agreed upon.

2 C Handling process in cases of bullying and harassment between employees

- › Any cases of bullying and harassment between employees will be handled by their supervisor. In cases involving doctoral students, the matter will be handled by the head of the doctoral programme concerned.
 - › An employee who has been a victim of bullying and/or harassment, or other individual informed thereof, shall contact the supervisor of the individual suspected of bullying.
 - › If the bullying suspect is a supervisor, the matter shall be discussed with his or her supervisor.
 - › If the individual doesn't want to contact the aforementioned contact persons, he or she may contact the faculty's human resources manager.
- › The supervisor's manager, human resources manager or other experts may also be consulted where necessary.
- › The supervisor is responsible for the initiation, coordination and follow-up of the handling process:
 1. The parties involved are contacted and invited for hearing, one by one if necessary. The subject matter will be specified in the invitation, allowing the individual

concerned sufficient time to prepare for the hearing. The employee may have the occupational safety and health representative as his or her support person.

2. After the hearing, a joint discussion will be arranged between the all the parties involved, in which the experiences of the different parties will be briefly discussed, the situation will be mediated, and the further steps to be taken in the matter will be agreed upon.
3. A memo will be prepared of the meeting, and the time and manner of potential follow-up will be agreed upon.

Mediation at the University of Oulu

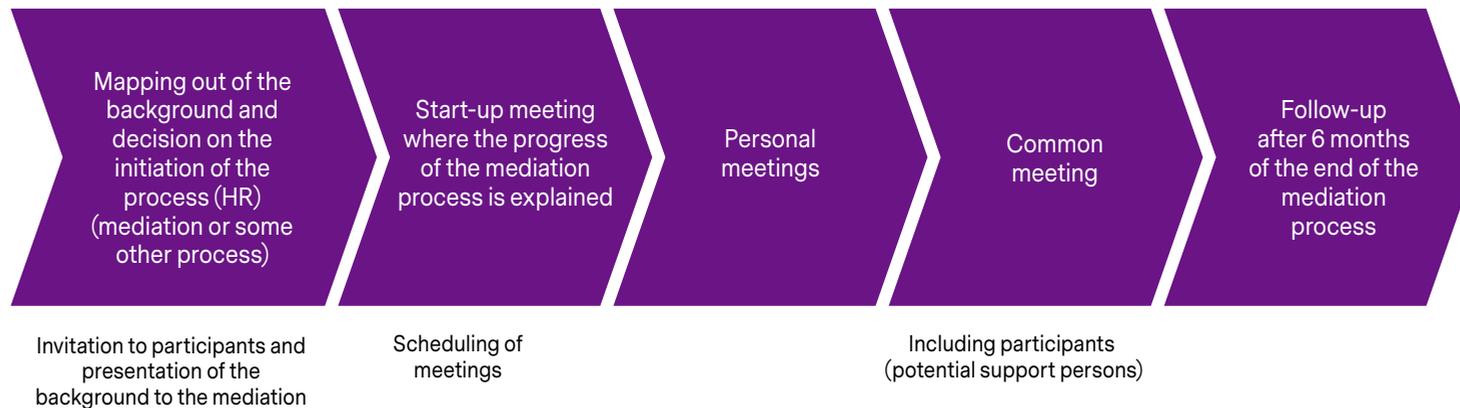
If the situation cannot be resolved, it is possible to agree upon mediation with an outside expert. This will be a case of workplace mediation (Note! Different matter than mediation of criminal offences). The process may be initiated by the service manager for academic affairs, supervisor or human resources manager who was involved in the handling of the bullying or harassment process. The initiator convenes a common meeting where the opportunities for mediation will be mapped out.

1. The initiation of a mediation process is agreed upon in a common meeting attended by an external mediator, human resources manager/service manager for academic affairs, dean or head of unit and, where necessary, the supervisor.
 - a. The measures previously taken, the further measures needed and the need for mediation are assessed, e.g. mediation in situations that involve a complex conflict situation or concern a large number or group of people or where the handling of the conflict has failed.

- b. The principal subject matter of the mediation and the progress and schedule of the process as a whole, along with the individuals who will participate in the process, are recorded.
 - c. The workplace mediation is commissioned by human resources services and, in processes between students, Academic Affairs.
2. Invitation to the info session, specifying the matter to be addressed, is sent well on time.
 3. The info session is held simultaneously for all the participants, explaining the subject matter and schedule

of the mediation process as well as the meetings that will be included as part of the process. Additionally, the basic principles of mediation will be explained.

4. Everyone books a personal appointment with the mediator in accordance with the agreed-upon schedule.
5. In the common meeting, a shared resolution will be sought for, of which an agreement will be recorded and signed in connection with the meeting.
6. Follow-up meeting after 6 months (to be recorded in the calendar at the start-up meeting), which will be attended by all.



Liabilities and sanctions

Besides the responsibility the University has for its employees pursuant to the Equality Act and the Non-Discrimination Act, the University is also responsible for the instruction and supervision provided for the students. The harasser carries primary liability for the harassment.

If the measures agreed upon do not result in a favourable development and the bullying or harassment continues, the employer is required to take the actions prescribed by labour law in respect of the bullying or harassing party. Such actions can include a reprimand, written warning, and even termination of employment as the ultimate sanction. Under the Universities Act, a student may be issued with a written warning by a decision of the rector and suspended by a decision of the board of the University.

If sexual or gender-related harassment involves a deliberate violation of physical integrity, assault and sexual offence-related provisions of the Criminal Code of Finland may be applied and the perpetrator will be subject to criminal liability. When an issue provided for in the law is dealt with by a court or competent authority, the defendant must prove that gender equality has not been violated. Sexual and gender-related harassment may result in liability for damages.

For serious threats directed at life or property, see the separate university guideline available in Notio : [Operating instructions in case of accidents and emergencies](#).

Contact information

University of Oulu Occupational Health and Safety Manager
Human Resources Specialist Emilia Vuoti, emilia.vuoti@oulu.fi

Study Psychologist

Pia Partanen, opintopsykologi@oulu.fi

Equality contact persons at the University of Oulu

Equality and Diversity Committee
Secretary: Human Resources Specialist
Tanja Mikkonen, tanja.mikkonen@oulu.fi

Equality and Diversity Working Groups

Faculty of Medicine and
Faculty of Biochemistry and Molecular Medicine
Ritva-Leena Heljasvaara, ritva-leena.heljasvaara@oulu.fi

Faculty of Information Technology and Electrical Engineering,
Faculty of Technology and Faculty of Science
Timo Bräysy, timo.braysy@oulu.fi

Faculty of Humanities, Faculty of Education and
Oulu Business School
Jorma Mikola, jorma.mikola@oulu.fi

Equality, diversity and harassment contact persons at the student union

Student Union of the University of Oulu Specialist in Social Affairs
tel. +358 (0)40 526 5821 or sopoasiantuntija@oyy.fi

All harassment contact persons at the student union may be contacted collectively by email at hairinta@oyy.fi or individually. Up-to-date contact details of harassment contact persons are available on the student union website www.oyy.fi

**Service Managers for Academic Affairs
and Human resources managers:**

Faculty of Education, Faculty of Humanities and
Oulu Business School

Service Manager for Academic Affairs:

Merja Peurasaari merja.peurasaari@oulu.fi

Human resources manager:

Kimmo Spets kimmo.spets@oulu.fi

Faculty of Technology, Faculty of Science

Service Manager for Academic Affairs:

Tero Vedenjuoksu tero.vedenjuoksu@oulu.fi

Human resources manager:

Tiina Pääkkönen tiina.paakkonen@oulu.fi

Faculty of Information Technology and Electrical Engineering

Service Manager for Academic Affairs:

Annu Perttunen annu.perttunen@oulu.fi

Human resources manager:

Laila Kuhalampi laila.kuhalampi@oulu.fi

Faculty of Medicine and

Faculty of Biochemistry and Molecular Medicine

Service Manager for Academic Affairs:

Katja Pura katja.pura@oulu.fi

Human resources manager:

Tiina Hurskainen tiina.hurskainen@oulu.fi

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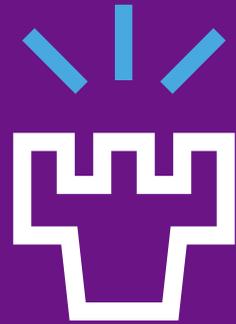
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Research integrity and ethics

Työpaikalla yhteishenkeä? ei kiusanhenkeä. The Finnish Work
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Professionals (STTK), Turku 1997.

Occupational Safety and Health Act (Section 28)



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