

Code of conduct on psychosocial workload TU/e

See article 1.12 of the collective labor agreement for Dutch universities (CAO Nederlandse Universiteiten)

Preamble

Psychosocial workload

Psychosocial workload refers to factors in the work situation that can cause stress. These include sexual intimidation, aggression and violence, bullying, discrimination and pressure of work.

This code of conduct on psychosocial workload is an outcome of the objective of the parties to the collective labor agreement (CAO) to guarantee a good and stimulating work climate at Dutch universities. In such a climate, collegiality, respect, and attention to others are normal behavior, and inappropriate behavior and signs of work-related stress require a prompt response. It calls for an active contribution from everyone who works at the university: not only in terms of their own behavior, but also by being alert to all forms of inappropriate behavior and signs of work-related stress observed in their own work situation. Inappropriate behavior and signs of work-related stress should always be addressed; either by directly confronting those involved, or by calling in third parties. The aim of this code of conduct is to bring these basic principles explicitly to the attention of all branches of the university community.

Adoption

This code of conduct was adopted by the Executive Board on October 4th, 2000, in accordance with the university consultation body (IGO).

Scope

This code of conduct is applicable to all employees of the university, regarding their behavior towards:

- other employees of the university;
- others working for the university, including guest lecturers, trainees and temporary agency employees;
- external employees and other third parties working on the university site;
- students and visitors to the university.

Definitions

Sexual intimidation: Inappropriate sexual advances in the form of requests for sexual favors or other verbal or non-verbal or physical behavior (including sending unsolicited pornographic images or texts or consciously looking at or reading such images or texts, e.g. via the internet).

Aggression and violence: Psychologically or physically harassing, threatening or attacking others in circumstances that are directly related to the performance of their work. This can include verbal violence (verbal abuse, provocation, or making jokes at another's expense), psychological violence (threats, intimidation, or placing others under pressure) and destroying another employee's property.

Bullying: Bullying embraces all kinds of intimidating behavior of a structural nature by people in the workplace (colleagues, superiors, clients or pupils) against an employee who cannot defend him/herself against this behavior. Bullying is typically recurrent and is often committed by the same person or persons against the same person or group.

Discrimination: Discrimination means treating people differently with no good reason, on the basis of their religious faith or other beliefs, political persuasion, race, gender, nationality, sexual preference, handicap, chronic illness or age.

Pressure of work: Pressure of work is a problem if an employee cannot fulfill the qualitative and quantitative requirements for his or her work through being under consistent pressure of time and having to work too fast. Pressure of work is a health hazard for employees, especially when combined with limited scope to regulate their own work. In other words, if they have only a limited say in how their work is organized and what it entails. Besides the job requirements, excessive pressure of work can also be caused by various aspects of the organization and the immediate surroundings, such as communication patterns, the organization of work, technology and the external social and economic environment.

Sexual intimidation, aggression, violence, bullying and discrimination can be used in various ways:

- subjecting someone to inappropriate behavior may be used explicitly or implicitly as a condition for employing the victim of the behavior;
- subjecting someone to or their rejection of inappropriate behavior may be used as a basis for making decisions regarding the work or study of the victim of the behavior;
- the aim of the inappropriate behavior is either to force a change in the work or study performance of the victim of the behavior and/or to create an intimidating, hostile or unpleasant working or study environment.

Preventive policy

This code of conduct has been drawn up as a form of preventive policy. Preventive policy on sexual intimidation, aggression, violence, bullying, discrimination and pressure of work is part of the university's wider personnel policy. It must take concrete form in a number of ways, including:

- ensuring that people are sufficiently aware of the code;
- providing adequate information on the policy and the risks of sexual intimidation, aggression, violence, bullying, discrimination and pressure of work at the university;
- systematically mapping the risks relating to inappropriate behavior in the context of risk survey and evaluation under the Working Conditions Act;
- reducing and removing risks of inappropriate behavior and pressure of work;
- monitoring compliance with the code of conduct;
- training managers within the university; embedding the code of conduct in policy on performance and assessment interviews.

Confidential advisers

The university has confidential advisers. The confidential advisers have an independent position, which is protected by the employer. The tasks of the confidential advisers include:

- providing information on inappropriate behavior and pressure of work;
- ensuring an adequate response to complaints about inappropriate behavior and pressure of work;
- ensuring confidential treatment of information;
- seeking informal solutions;
- supporting victims in submitting a formal complaint and, if necessary, in the formal procedure to investigate it.

Complaints procedure

The university has a procedure for complaints relating to psychosocial workload. The main issues covered by the procedure are:

1. **Sanctions.** The procedure specifies the sanctions that apply under the law or the CAO.
2. **Confidentiality.** The procedure contains an article ensuring that complaints are dealt with confidentially.
3. **Complaints committee.** The procedure contains an article specifying the composition of an independent, qualified complaints committee.
4. **Complaints period.** The procedure specifies the period within which a complaint must be submitted to be accepted for further investigation.

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