

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.

The University of Oulu requires normal good conduct of all members of the workplace 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 guidelines for the prevention of and intervention in workplace bullying have been created to emphasise the importance of a good working and study atmosphere, enhanced by good manners and respect for all those who make up the university community. The guidelines provide a code of practice for addressing bullying for units, supervisors and those who have become victims of bullying.

The guidelines for the prevention of and intervention in sexual and gender-related harassment have been drafted not only for victims of sexual and gender-related harassment, but also for heads of departments and all supervisors, who are always required to immediately intervene in any cases of harassment observed.

In these guidelines, any references to workplace or employer / member of the workplace community shall also refer to the study environment and students.

Guidelines for the prevention of and intervention in workplace bullying

Disagreements and differences in opinion are part of everyday life in workplace communities

The borderline between bullying and everyday situations in the workplace community is not always clear. Bullying is 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. However, 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 defined as recurrent adverse treatment that, if continued for a prolonged period of time, may even endanger the health of the victim. 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.

Workplace bullying may take the following forms:

- › **The unjust treatment is directed at an individual's life or work situation:**
 - › 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 and rejected systematically.
- › **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.

How should interventions in situations of bullying be carried out?

Prevention

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 mem-

ber 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.

What can the victim of bullying do?

Problems in a workplace community should preferably be solved within the community concerned. Supervisors play a crucial role in preventing and eliminating inappropriate behaviour.

If you consider yourself to be a victim of bullying, you can take the following measures:

- › If the behaviour of another person starts to interfere with your concentration at work, act immediately!
- › Tell the person who is bullying 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.
- › You may take up the issue of the bullying with the individual concerned 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.
- › Do not dwell on the matter alone, instead discuss it with someone you trust. It is important to talk about the issues and to seek support.
- › For serious threats directed at life or property, see the separate guideline available in Notio at: [Turvallisuus, työterveys ja hyvinvointi](#) > [Fyysinen turvallisuus](#) > [ohje: Toimintaohjeet onnettomuus- ja vaaratilanteissa](#)

Employees and postgraduate students

- › If broaching the matter with the person you feel is bullying you does not help, inform your supervisor of the bullying. He or she is obligated to intervene. If the bully is your immediate supervisor, you may discuss the matter with his or her supervisor. You may also contact the chief administrator or dean of your faculty. It is advisable to collect concrete evidence (what, where, when) of the bullying.
- › If the bullying cannot be addressed within your faculty/unit, seek help from outside of it. For such purposes you may contact the occupational health and safety representative, occupational health and safety manager, HR Director or union representative of your workplace, or the chair of the Research Ethics Committee.
- › Moreover, one of the purposes of the faculties' postgraduate studies committees is to support postgraduate students and their supervisors by helping them to resolve problems and settle conflicts. The Research Ethics Committee may also address problem situations of this kind (e.g. a conflict between a supervisor and a postgraduate student).

Student

- › You may contact the student union's harassment contact persons, the small group tutor, your student association, the student union's social affairs representative, your instructor, your tutor teacher, the training planner or manager, the head of the unit, or the dean. It is advisable to collect concrete evidence (what, where, when) of the bullying.
- › You may also contact the study psychologist and/or nurses and physicians at the Finnish Student Health Service.

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.

What measures must the supervisor take?

It is the supervisor's duty to intervene immediately as soon as he or she notices or is made aware of the occurrence of bullying in the workplace community.

After becoming aware of bullying, the supervisor shall:

1. **invite** the parties involved to discuss the matter as soon as possible;
2. **hear** the parties involved to clarify the course of events;
3. **agree** with the parties on future behaviour and how it will be monitored;
4. **monitor** conduct;
5. **convene a follow-up meeting** where necessary.

To clarify the shared ground rules, the supervisor may inform the workplace community of the problem and how it was resolved if deemed necessary.

The supervisor and the parties concerned may also contact the occupational safety and health personnel or the occupational health care authorities to get expert advice. If any of the parties involved so wishes, the occupational safety and health representative, the occupational safety ombudsman or the union representative may be invited to join the discussions. If the dispute cannot be settled within the workplace, help may be sought from an external expert (Occupational Safety and Health Act 738/2002, Sections 25 and 18).

If the measures agreed upon do not result in a favourable development and the bullying continues, the employer is required to take the actions prescribed by labour law in respect of the bullying party. Such actions can include a reprimand, written warning, and even termination of employment as the ultimate sanction.

Guidelines for the 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, harassment is experienced in different ways by different people.

Prevention

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.

What can the victims of sexual or gender-related harassment do?

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.

- › Tell the harasser how you feel about his or her behaviour and ask him or her to stop.
- › If you cannot or do not want to contact the harasser or the harassment continues in spite of any verbal or written notice, bring the matter to the attention of your supervisor or contact person. It is advisable to keep a record of recurrent instances of harassment, where you record the dates and locations of harassment and give an account of what happened and who was present. The record may turn out to be useful if further measures are taken.
- › You may also contact the occupational health and safety manager, the chief administrator of your faculty, the contact persons appointed by the University and the student union or the study psychologist. You may discuss the measures to be taken to stop the harassment with the contact person. Union representatives and occupational safety and health representatives may also provide you with support and advice.

The employer's responsibility starts when an instance of harassment is brought to the employer's attention.

Liabilities and sanctions

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.

1. Intervention

The departments and units must see to it that students do not encounter harassment in situations relating to instruction and supervision. University personnel are required to intervene immediately in any harassing behaviour noticed between students in the aforementioned situations.

2. Discussion

Cases of sexual or gender-related harassment must primarily be addressed within the unit concerned. The most natural way of dealing with the problem is through discussion, to which a contact person appointed by the University or the student union may be invited to join where necessary. The discussions conducted between the supervisor or contact person and the victim of harassment and between the contact person and the harasser are confidential.

3. Investigation and measures to be taken

If the discussions do not result in the desired outcome, the employer has the power and means to start an investigation into the matter. The employer must take action against persons who are guilty of harassment. The statutory sanctions include an oral reprimand, a written warning and even termination of employment as the ultimate sanction depending on the seriousness and frequency of the harassing behaviour. Encounters of harassment among students are dealt with in collaboration with the contact persons of the University and the student union. Decisions on the use of statutory sanctions are made on a case-by-case basis.

4. Criminal liability

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 at [Turvallisuus, työterveys ja hyvinvointi > Fyysinen turvallisuus > ohje: Toimintaohjeet onnettomuus- ja vaaratilanteissa](#)

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, Faculty of Science, Oulu Mining School and
Oulu School of Architecture

Timo Bräysy, timo.braysy@oulu.fi

Faculty of Humanities, Faculty of Education and
Oulu Business School

Jorma Mikola, jorma.mikola@oulu.fi

Equality 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 at www.oyy.fi/en/for-students/everyday-well-being/bullying-and-harassment-2/

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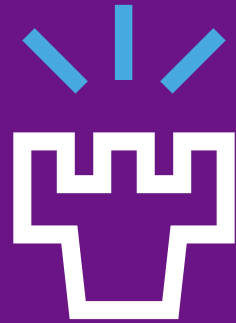
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Research integrity and ethics

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Occupational Safety and Health Act (Section 28)



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