



Guideline

ACTION AGAINST SEXUALISED HARASSMENT AND VIOLENCE.

**Guideline for Action Against Sexualised (Sexual) Harassment and Violence
at the IU International University of Applied Sciences.**

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APPLIED SCIENCES

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WHAT IS SEXUALISED (SEXUAL) HARASSMENT AND SEXUALISED VIOLENCE, AND WHAT DOES IT MEAN? A DEFINITION.

The General Equal Treatment Act (AGG) Section 3 para. 4 states that:

"Sexual harassment shall be deemed to be discrimination [...] when an unwanted conduct of a sexual nature, including unwanted sexual acts and requests to carry out sexual acts, physical contact of a sexual nature, comments of a sexual nature, as well as the unwanted showing or public exhibition of pornographic images, takes place with the purpose or effect of violating the dignity of the person concerned, in particular where it creates an intimidating, hostile, degrading, humiliating or offensive environment."

The main characteristics of sexual harassment are the abuse of power and violence through sexual acts (physical) or sexual remarks (verbal or written).

This constitutes a violation of the personal rights of those affected and an attack on their dignity.

Sexual harassment and violence up to and including rape are all forms of discrimination. Furthermore, it does not "just happen"; it is deliberately used to consciously enforce or shift power balances.

Sexual harassment is, thus, any behaviour with sexual connotations that is unwelcome or unwanted by one side.

All genders are affected by sexual violence and harassment, although women are more frequently affected.



TYPES OF SEXUAL (SEXUALISED) HARASSMENT.

The term "sexualised harassment" is becoming more and more widespread. This is due to the fact that sexual harassment is often not based on sexual interest in the other person but in an attempt to exert power over them. This harassment can be **verbal, non-verbal, and physical.**

EXAMPLES OF RESPECTFUL BEHAVIOUR.

- ✓ If a student/staff member rejects a flirtation attempt, it should be discontinued and should not occur again.
- ✓ All participants should actively pursue advances and/or sexual activities, and there should be no relationship of dependency.
- ✓ Scientific/professional discussion on topics concerning sexuality, e.g., in teaching.

FLIRTING REQUIRES MUTUAL CONSENT, HARASSING BEHAVIOUR IS PERPETUATED BY A SINGLE PERSON

EXAMPLES OF SEXUAL HARASSMENT.

Sexual harassment can take the following forms:

Type	Example
Verbal	Lewd and/or obscene remarks, comments, or jokes.
	Continued pushy invitations to go on dates.
	Inappropriate questions about private life or privacy.
	(Repeated) unwanted compliments, especially about the person's appearance or physical attributes.
Non-verbal	Intrusive sexualised propositions and requests for sexual acts and/or favours.
	Intrusive glances or staring.
	Intrusive invitations to go on dates via email, WhatsApp, text message, etc.
	Inappropriate questions about private life or privacy via email, WhatsApp, text message, etc.
	Stalking via email, WhatsApp, text message, etc.
	Intrusive sexualised propositions and requests for sexual acts and/or favours via email, WhatsApp, text message, etc.
Physical	Stalking.
	Sexual coercion or rape.
	Fondling, patting, grabbing, unwanted kissing – even at Carnival!

Exploiting a relationship of dependency is a severe type of sexual harassment (for example, at work or university).

(CASE) EXAMPLES OF UNACCEPTABLE BEHAVIOUR.

- X** Continuing to flirt with someone despite them giving obvious signals that the behaviour is unwanted.
- X** Students or staff members are afraid to take action against advances by teachers or supervisors as they fear possible negative consequences in the form of bad grades, exclusion from the team, or even the loss of their job.
- X** Designing teaching materials with sexually discriminatory content (for example, homophobic content) unrelated to the subject matter.
- X** Distributing pornographic or sexually discriminatory material in publicly accessible spaces.
- X** Making derogatory remarks or jokes about a person's private life, for example, because of their same-sex, bisexual, or asexual orientation.
- X** A team leader is in charge of training new staff. He is currently training a new, young female employee. He regularly brings her along to his appointments at partner companies. He frequently tells her that he enjoys being in the company of such a "sensual beauty". The new employee feels insecure and is afraid to say anything back to him. As the weather gets warmer, he tells her that he is looking forward to seeing her sit next to him in the passenger seat of his car in a short skirt and to finally see her beautiful legs.
- X** A staff member tells her colleagues about her recent holiday and enthusiastically shows everyone the nude photos of her and her husband that she took on a nudist beach. One of these naked pictures of her husband is displayed on the staff member's phone screen each time he calls.
- X** A staff member slaps his female colleague on the butt on the way to the kitchen.
- X** A staff member continuously stares at his female colleague's cleavage and licks his lips suggestively.
- X** A female staff member approaches several colleagues on the dance floor in a generally frisky manner while at a company party and even touches them physically. Although some colleagues clearly distance themselves from her, she continues to approach them and even touches their butts.
- X** A student sends their lecturer a clear signal that she would like to meet with him in her free time in order to convince him to give her good grades in her exams. The lecturer agrees and reciprocates physical contact to the point of sexual activity. Later, the lecturer refuses to give her good grades, and the student tries to blackmail him. *In this example, the student takes the initiative. Still, the lecturer must ward off the advances early and effectively because the student is in a relationship of dependency.*

CHECKLIST FOR ASSESSING THE SITUATION.

-
- ✓ Does everyone involved want the behaviour, and has the behaviour/situation been agreed to?
-
- ✓ Are boundaries respected, and are any attempts to communicate/signal rejection or refusal respected?
-
- ✓ Was consent freely given without exerting pressure, force or coercion, or exploiting a dependency relationship?
-
- ✓ Are all participants able to defend themselves, reject the unwanted behaviour, and protect themselves?
-

IU RECOMMENDATIONS FOR ACTION.

FOR AFFECTED PERSONS.

Sexual harassment and violence can have far-reaching and lasting physical, psychological, and economic effects. Both mental and physical health is at risk. The victim's performance can decline, which is usually accompanied by a lack of motivation and drive. These situations can seriously affect studies, work, and private life.

- ✓ **Take your feelings seriously!**
- ✓ **It's not your fault!**
- ✓ Clearly say **NO** and tell that person where your limits are.
E.g., "That comment was completely inappropriate," or "Don't touch me," or "Don't stare at me."
- ✓ Say that you will complain if they repeat the comment.
- ✓ Talk to colleagues or fellow students and raise the issue.
- ✓ Contact **trusted people or internal university contact persons** as soon as possible and complain!
- ✓ **Document** the incidents with name, date, time, place, and witnesses if any.
Also, save emails, chat histories, and text messages.
- ✓ Call the **police** if you are being or have been subjected to severe harassment or violence!

Ideally, your first counselling session will lead to a mutually agreed way to confront the harasser about their misconduct and avoid future harassment.

**NO
MEANS
NO!**

**YOU DECIDE WHEN,
AT WHAT TIME, AND
WITH WHOM YOU WISH
TO SPEAK, AND HOW
ANONYMOUS YOU WISH
TO REMAIN.**

DO NOT LOOK THE OTHER WAY!



FOR COLLEAGUES OR FELLOW STUDENTS.

Do not look the other way if you witness sexual harassment or violence. It can be difficult for people to talk about it and take further action. Support the affected person as a witness.

- ✓ **Listen** to the affected person and point out that it is the harasser who is to blame!
- ✓ **Encourage** the person to act proactively and seek support from counselling services (internal or external)!
- ✓ Do not take any steps by yourself **without consulting** the person affected!

FOR MANAGEMENT OR TEACHING STAFF.

- ✓ Create a trusting environment to ensure that the integrity of all employees/students is respected and sexual harassment is avoided!
- ✓ Take advantage of confidential counselling at one of the internal contact points!
To discuss different courses of action, for example.
- ✓ If the person affected approaches you directly, **speak to them privately** and clarify whether they would like to involve another trusted person in the conversation.
 - Find out whether the person is in **immediate danger**.
 - Listen attentively to the affected person and **do not judge** their statements.
 - Are there any **witnesses**?
 - Agree on how to **proceed**.
 - *E.g., Does the affected person wish to clarify the situation with the harasser? Who should be involved in such a conversation? Should a written request for a statement be made instead? Who should write this request?*
 - **Document** the entire conversation.
- ✓ Keep in touch with the affected person and regularly update them about the situation.
- ✓ You must inform one of the IU contact persons even if you find out about harassment from a third party.

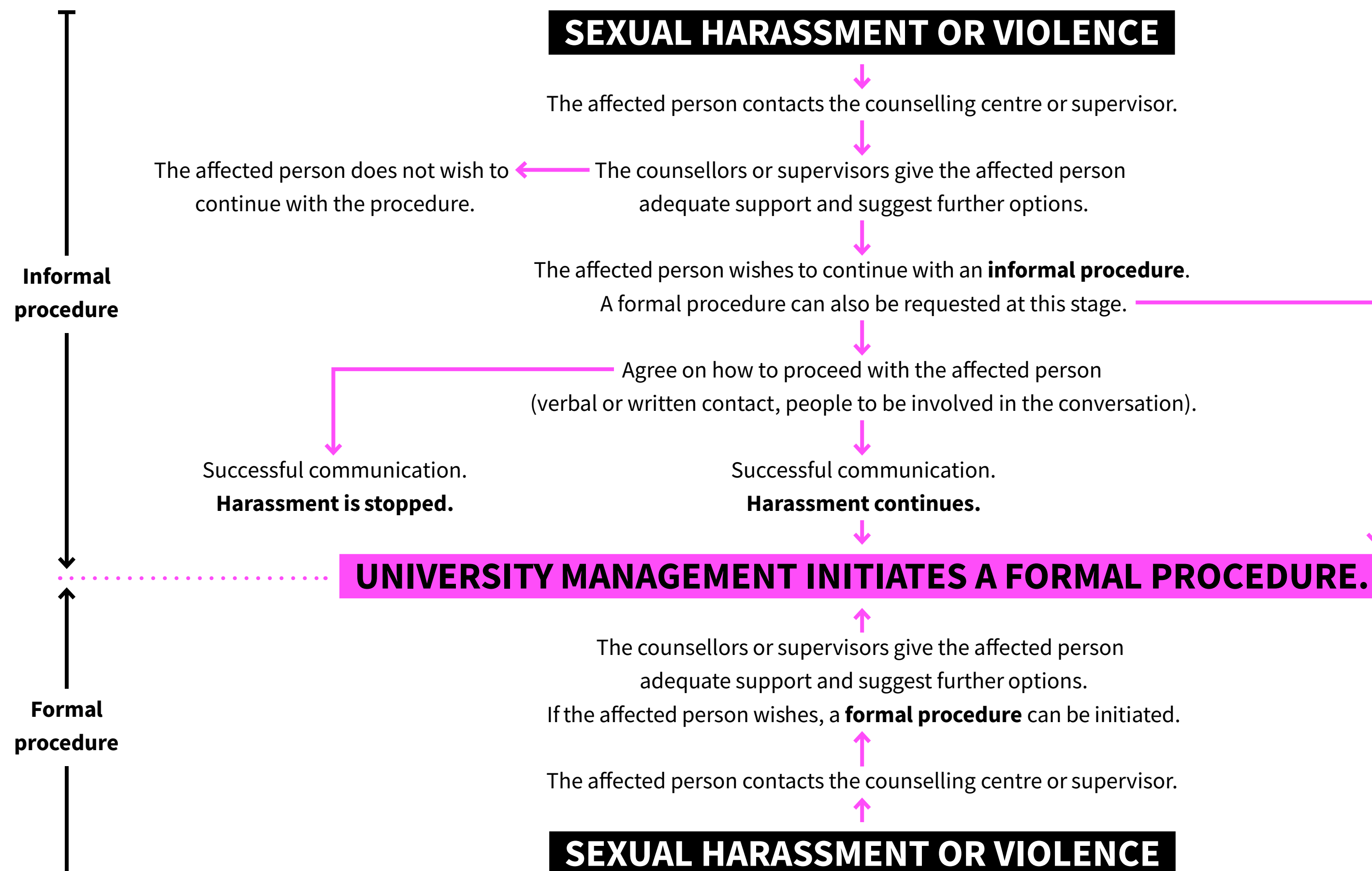
HOW DO I HANDLE AN ALLEGATION OR OBSERVATION OF SEXUAL HARASSMENT?

- ✓ When someone points out that your behaviour is being perceived as harassment, **take it seriously!**
- ✓ **Speak to colleagues/students** about their (sexually) discriminatory behaviour and clearly state that you will not tolerate it! Do not feel pressured by misconceptions of solidarity. Homophobic statements should not be tolerated either.
- ✓ Clearly **object** to discriminatory jokes or remarks!
- ✓ **React sensitively and avoid insinuating remarks** against team members or students! Things you consider funny may be perceived as degrading or harassing by the person you are talking to.

**! THAT IS
● INAPPROPRIATE!**



COMPLAINT PROCESS AND PROCEDURE – FORMAL/INFORMAL.



Should the affected person request it, the university management or a person appointed by it will initiate a **formal complaint procedure**. Both the person affected and the accused will be heard in order to clarify the matter. If necessary, appropriate measures will be taken to end or sanction the assaultive behaviour. This can be given in writing or verbally in the form of a warning, termination of employment, or expulsion from the university. The person affected and the accused may be represented or have a trusted person present.

POSSIBLE CONSEQUENCES OF SEXUAL HARASSMENT FOR THE HARASSER.

Type	For employees	For students
Verbal or written warning	X	X
Banned from the premises		X
Excluded from courses		X
Expulsion		X
Warning	X	
Transfer	X	
Termination with notice	X	
Termination without notice	X	



CONTACT POINTS WITHIN THE UNIVERSITY.

FOR ALL STATUS GROUPS AT IU INTERNATIONAL UNIVERSITY.

All IU status groups, including students, staff, and lecturers, can contact the following offices or representatives in the event of sexual harassment:

- Equal Opportunities Officer Nicola Schmidt-Geheb in the Equal Opportunities Office (diversity@iu.org).
- For dual campuses, please contact the respective site management.

FOR STAFF AND LECTURERS.

In addition to the above options, staff members at the IU International University can contact the following offices/persons:

- Representative Jan Wurdak (jan.wurdak@iu.org).
- Compliance Officer Benedikt Iller (benedikt.iller@iu.org)
- People Director Tim Kaltenborn (tim.kaltenborn@iu.org).
- The respective site management at each site.

ADDITIONAL INFORMATION.

ADDITIONAL COUNSELLING CENTRES FOR STUDENTS AND STAFF OUTSIDE THE UNIVERSITY.

- Advice from the Federal Anti-Discrimination Agency
[Anti-Discrimination Agency – We can advise you](#)
- Nationwide database with area search. Online database for people affected by crime.
[ODABS – Online database for people affected by crime](#)
- Hotline for Violence against Women – Website
[Hotline](#)
- Hotline for Violence against Men – Website
[Hotline](#)
- Search for counselling centres – Sexual Abuse Fund
[Counselling – Sexual Abuse Fund](#)

ADDITIONAL INFORMATION.

- Federal Anti-Discrimination Agency
www.antidiskriminierungsstelle.de
- Federal Office of Justice – Link to the General Equal Treatment Act (AGG)
www.gesetze-im-internet.de/agg
- Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
www.bmfsfj.de
- Sexual Abuse Fund (German Language)
www.fonds-missbrauch.de
- Guide for employees, employers and work councils from the Federal Anti-Discrimination Agency (German language) –
[What to do in case of sexual harassment at the workplace \(kuvb.de\)](#)
- Information by Prof. Dr Eva Kocher / Stefanie Porsche, European University Viadrina, Frankfurt (Oder) (German language) –
[Sexual Harassment in Higher Education Contexts – Gaps in Protection and Recommendations](#)

Please contact us!

Reach out with questions or comments
to us: diversity@iu.org

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