

APPROVED BY
Order No. A-636 of the Rector of
Kaunas University of Technology of
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EQUALITY AND DIVERSITY POLICY AT KAUNAS UNIVERSITY OF TECHNOLOGY AND GUIDELINES OF ITS IMPLEMENTATION

CHAPTER I PURPOSE AND APPLICATION OF THE GUIDELINES

1. Equality and Diversity Policy at Kaunas University of Technology (hereinafter – University) and Guidelines of its Implementation (hereinafter – Guidelines) establish the principles of equal opportunities and diversity at the University, and measures and procedure of their implementation.

2. The University's Equality and Diversity Policy includes the following dimensions – gender equality, diversity, discrimination, harassment.

3. The objective of these Guidelines is to ensure the equal position of all the University's employees, students and the persons applying to the University regardless of their gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children) and application of the equal opportunities and diversity principle in all the areas related to the University's functions.

4. These Guidelines are applied to all the University's employees and students.

5. The Guidelines are approved after consultations with the University's works council.

6. The diagram for the procedure of the University's Equality and Diversity Policy and Guidelines of its Implementation is prepared according to these Guidelines; it is provided in the Appendix to the Guidelines.

CHAPTER II DEFINITIONS

7. **Discrimination** – direct and indirect discrimination, harassment, instruction to discriminate persons on the basis of their gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children).

8. **Diversity** – cultural practice of accepting, respecting and appreciating the individual differences.

9. **Equal opportunities** – implementation of the human rights established in the international documents of human and citizen rights, and the legislation of the Republic of Lithuania regardless of the persons' gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children). Equal opportunities at work mean an equal approach to the employees regardless of their gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children).

10. **Violation of equal opportunities** – direct and indirect discrimination, instruction to discriminate, harassment.

11. **Indirect discrimination** – act or omission, standard of the law or evaluation criterion, apparently neutral provision or practice that are formally equal, but their implementation causes or may cause the occurrence of actual restriction of the use of rights and privileges, priority or advantage

given on the basis of gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children), except for the cases when such act or omission, standard of the law or evaluation criterion, provision or practice is justified by a legitimate aim, and this aim is achieved by appropriate and necessary measures.

12. **Harassment** – unwanted conduct, when someone offends or aims to offend a person's dignity on the basis of the person's gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children), or someone aims to create or creates an intimidating, hostile, humiliating or offensive environment.

13. **Direct discrimination** – treatment of the person providing him/her with less favourable conditions on the basis of the person's gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children) in comparison to the conditions that are, were or would be provided to another person, except for the cases stipulated by Article 2 part 9 of the Law on Equal Opportunities of the Republic of Lithuania and paragraph 20 of these Guidelines.

14. **Sexual harassment** – unwanted offensive conduct of sexual nature expressed orally, in writing or by physical action in regards to the person, when such behaviour is caused by an aim or impact to undermine the person's dignity, particularly by creating an intimidating, hostile, humiliating or offensive environment.

15. **Social status** – natural person's acquired education, qualification or studies at educational and academic institutions, the person's property, received income, the need of support stipulated by the legislation and/or other factors related to the person's financial/economic status.

CHAPTER III

KEY PRINCIPLES OF THE IMPLEMENTATION OF EQUALITY AND DIVERSITY POLICY

16. The direct and indirect forms of discrimination, as well as instruction to discriminate persons on the basis of their gender, sexual orientation, disability, age, race, ethnic origin, nationality, religion, belief, language, background, social status, views or opinions, citizenship, family status, intentions to have a child (children) are not tolerated and prohibited at the University.

17. Harassment expressed in any form, sexual harassment, psychological violence, bullying, persecution or use of the person's position are also not tolerated and prohibited at the University.

18. The University takes measures and guarantees that its employees and students are protected from the hostile behaviour or negative consequences if they submit a complaint or are a party in the proceedings regarding the violation of equal opportunities, and they are not persecuted.

19. The decisions related to the recruitment or admission, dismissal or expulsion from the University, evaluation of work and students, training, compensations, education, remuneration and other payments, promotion, vacations, behaviour during work and studies at the University and other relevant issues are made based on the principles of equal opportunities of men and women, equal remuneration for equivalent or equally valued work, and equal treatment of men and women, as well as taking into consideration the objective criteria and factors, in a non-discriminatory manner.

20. The University takes measures to provide conditions to the disabled persons to apply to the University's vacancies, work, advance their career, learn and study, according to the possibilities (with regards to the specifics of the provided services) and financial resources available at the University.

21. The University organises its activities while creating an open environment where individual differences, potential and contribution of all its employees and students are acknowledged and appreciated. Each employee and student has a right to work and study in the environment that encourages respect to everyone's dignity.

22. It should be noted that not all kinds of behaviour with employees and students is considered discrimination or violation of equal opportunities. The following cases are not considered discrimination:

- 22.1. Special protection for women during pregnancy, childbirth and breastfeeding;
- 22.2. Requirements of occupational safety only applied to women, aiming for preservation of their health with regards to the women's physiological characteristics;
- 22.3. Specific work that can be performed only by the person of specific gender;
- 22.4. Age restrictions stipulated by the law when they are justified by a legitimate aim and the means of achieving that aim are appropriate and necessary;
- 22.5. Requirement for knowledge of the official language stipulated by the law;
- 22.6. Different rights with regards to the citizenship applied in the cases stipulated by the law;
- 22.7. Special measures stipulated by the law, applied in the areas of health protection, occupational safety, employment and labour market aiming to create and apply the conditions and possibilities guaranteeing and promoting the integration of disabled persons in work or academic environment.
- 22.8. Special provisional measures stipulated by the law that are applied for the insurance of equality and prevention of the violation of equal opportunities based on gender, sexual orientation, disability, race or ethnic origin, religion or beliefs;
- 22.9. The cases when a certain personal characteristic is usual and crucial professional requirement due to the nature of specific professional activities or their performance conditions; when this aim is legitimate and requirement is proportional.

CHAPTER IV RECRUITMENT AND DISMISSAL OF THE EMPLOYEES

23. Recruitment is conducted according to the job position's criteria, taking into consideration the candidate's skills, competence, qualification and knowledge.

24. The vacancies are announced publicly on the University's website, specialised search portals and databases, press publications and other chosen measures taking into consideration the nature of the selection. The job offers specify the requirements related to the competences, experience and skills required for the performance of the job functions. The job offers are prepared in a manner preventing the possibility to apply only for the candidates of a certain gender, race, nationality, language, background, social status, belief, views or opinions, age, sexual orientation, disability, ethnic origin or religion.

25. All the requirements/questions in the job offer and during the work interview are related only to the candidate's suitability for the performance of the job function, the candidate's competence, professionalism, experience and similar criteria.

26. All the questions provided to the candidates to vacancies are related to the selection criteria. It is prohibited to demand from the candidate to provide the information related to the candidate's health condition, qualification or other circumstances unrelated to the direct performance of the job function. The employees present at the interview cannot provide any questions related to the candidate's gender, age, sexual orientation, social status, disability, race or ethnic origin, religion, views or beliefs, candidate's role at home or in family, except for the cases when it is directly related to the proper performance of the job function.

27. After conclusion of the employment contract with the candidate, the employees of the University's Human Resources Administration Office inform the employee on the information related to the family status that is required to be provided for the insurance of the guarantees stipulated by the legislation and collective agreement. If an employee refuses to provide such information, the employees of the Human Resources Administration Office may notify that without the provision of the specified information or documents, the University cannot ensure the application of the guarantees stipulated by the legislation and collective agreement to the employee.

28. The criteria of the dismissal applied at the University are related only to the employee's qualification, improper performance of the work duties or other circumstances stipulated by the law. While making decision regarding the employee's dismissal, equal dismissal criteria are applied to all employees, taking into consideration the objective criteria.

CHAPTER V EMPLOYEES' WORKING CONDITIONS, QUALIFICATION IMPROVEMENT, REMUNERATION AND PROMOTION

29. The University undertakes to provide equal conditions for all the employees with regards to the improvement of their qualification, professional development, retraining and acquisition of practical work experience. The composition of the employee's remuneration, procedure of its determining and processing are stipulated by the Regulations on Employee Remuneration of Kaunas University of Technology. The amount of remuneration of a potential or present employee is determined in accordance with the Regulations on Employee Remuneration of Kaunas University of Technology, objective criteria related to the employee's skills, competence, qualification, experience and knowledge.

30. The supplements, payment and premiums are allocated to the employees in accordance with the Regulations on Employee Remuneration of Kaunas University of Technology. The University allocates such payments or motivational measures based on the key principals of equal opportunities, honesty and rationality.

31. The employee's promotion possibilities at the University depend on the objective criteria and circumstances: the employee's competence, qualification, experience and knowledge, achieved work results, quality of the work, University's strategy, goals and possibilities to provide a higher position to the employee.

32. The evaluation of the employees' work at the University is organised in accordance with the Guidelines for the Planning of Annual Activities and Evaluation of Employees of Kaunas University of Technology.

CHAPTER VI PROTECTION OF EMPLOYEES AND STUDENTS IN CASE OF THE VIOLATION OF EQUAL OPPORTUNITIES AND PERSECUTION

33. All the University's employees and students, as well as candidates to the vacancies who think they have not been provided with equal opportunities or they feel they have been in the situation of the violation of equal opportunities have a right to submit a reasonable complaint to the University.

34. The cases of discrimination, harassment, violations of equal opportunities and persecution at the University, as well as reports (complaints) regarding the violation of equal opportunities and persecution submitted by the employees and students are examined and decisions are made by the Equality Committee of Kaunas University of Technology (hereinafter – Committee) assembled by the Rector's order. The formation of the Committee and organisation of its activities are stipulated by the Committee's regulations.

35. Employee or student reports the alleged case of the violation of equal opportunities or persecution in the electronic system pranesk.ktu.edu or by email pranesk@ktu.lt. The employee's or student's report (complaint) is considered confidential information and cannot be disclosed to the persons unrelated to the alleged violation or its examination, except for the cases when this information has already been disclosed by the reporting person.

36. Employee or student may also report the alleged case of the violation of equal opportunities or persecution anonymously, submitting a written report (complaint) addressed to the Committee. Such a report (complaint) is delivered to the Document Management and Administration Office under the general procedure. An anonymous complaint is examined by the Committee in case

it specifies the University's employee violating equal opportunities, date / period of violation, place, other actual circumstances and arguments.

37. Each employee or student who notices an alleged violation of equal opportunities or receives information about it can report about it in the system pranesk.ktu.edu or by email pranesk@ktu.lt.

38. All the reports (complaints) regarding the violation of equal opportunities received from the employees and students are examined under the procedure stipulated by the Committee's regulations.

39. The University takes measures to guarantee that its employees and students do not experience harassment, sexual harassment at the place of work and studies, nobody is given instructions to discriminate, employees and students are not persecuted and are protected against the hostile behaviour or negative consequences in case employees or students submit a complaint, or are a party in the proceedings regarding the violation of equal opportunities against the University, its employee, student or other person related to the University.

40. Any persecution or hostile behaviour against the employee, student or candidate to the vacancy who has submitted a complaint regarding the violation of equal opportunities is prohibited and considered a serious violation of work duties and academic ethics.

41. In case it is determined that the University's employee or student committed a violation of equal opportunities, responsibility stipulated in the Labour Code and other legislations of the Republic of Lithuania may be applied depending on the nature of the committed violation. In case it is determined that a submitted complaint or report regarding the violation of equal opportunities is unjustified, it aims to intentionally damage the reputation of other employee or student, such a behaviour is considered a serious and intolerable violation of work duties and academic ethics; responsibility stipulated in the Labour Code and other legislations of the Republic of Lithuania may be applied with regards of such violation.

CHAPTER VII IMPLEMENTATION AND ENFORCEMENT MEASURES FOR THE EQUALITY AND DIVERSITY POLICY

42. The following measures may be implemented at the University for the implementation of the Equality and Diversity Policy and its enforcement:

42.1. Survey of the employees and students – a tool to analyse the situation of equality (or lack thereof) at the University. The questions are formulated in a manner helping to reveal the needs, well-being of the employees and microclimate. Surveys can be conducted at the level of a team, office, division, department or the entire University. Surveys are conducted by the Human Resources Management Office and Student Services at least once per year;

42.2. Labour flexibility – flexible organisation of working time facilitates balancing of professional and family life, reduce stress and improve microclimate. Information and consultations regarding the examples (patterns) or flexible working hours are provided by the direct manager and employees of the Human Resources Administration Office;

43. Individual timetable of studies – Due to the important reasons stipulated by the University (disability, chronic diseases, long-term nursing of the close relatives, etc.) and with a consent of the module's lecturer, the faculty's Dean can allow the student to attend classes during the semester, perform tasks and have their assessment in an individual timetable;

43.1. Groups, clubs, teams of the employees and students – employees and students form groups united by a common goal (for example, group of women, group of employees of certain age, etc.). The purpose of such groups is representation of the group's interests in the organisation's management and policy making;

43.2. Equality Committee of Kaunas University of Technology – permanent Committee formed by the Rector's order; employees and students can safely inform the Committee about the problems related to the violation of equal opportunities at work. At the employee's or student's

request, the Committee can anonymise a situation and raise a question which is solved at the level of the University's management;

43.3. Training and consultation – employees and students are educated on the topic of equal opportunities; they are enabled, provided with the knowledge helping to understand the meaning and essence of equal opportunities, and their benefits. Training and consultation perform the functions of education and information;

43.4. Set of regulations – the regulations prepared by the University informing the employees and students how they have to behave to avoid harassment or sexual harassment at work. The regulations are published in the Document Management System, distributed with the University's newsletters and in the specially prepared guides. All employees and students have to read these regulations;

43.5. Adapted conditions of work and studies – the University's infrastructure is adapted to the disabled employees and students, older people and other employees who face various challenges at work because of their disability. The University creates a culture of work, studies and administration that is free of harassment and bullying, and decisions are made with regards to their impact on various social groups;

43.6. Adaptation of the parents who are returning to the labour market – if needed and under the employee's request, special training and seminars are organised for the employees who are returning from the parental leave; they are informed about the latest work methods, changes and innovations at the University. Human Resources Management Office is responsible for the organisation of these training and seminars;

43.7. Adaptation of the students who are returning to studies – if needed and under the students' request, special training and seminars are organised for the employees who are returning to studies after their academic leave; they are informed about the changes in the study process, other innovations and changes. Student Services is responsible for the organisation of these training and seminars.

44. The enforcement of the Equality and Diversity Policy at the University is conducted by preparation of the annual action plans specifying goals, tasks and indicators that are constantly monitored and controlled.

45. At the time of the deadline of the action plan, the Committee evaluates the impact of the action plan and prepares a report provided to all the University's employees and students.

46. The Committee prepares and provides recommendations regarding the application of the principle of equal opportunities and diversity, its implementation and prevention in various processes, procedures and regulations of the University.

CHAPTER VIII FINAL PROVISIONS

47. Human Resources Management Office and Student Services are responsible for the supervision of the implementation of these Guidelines.

48. These Guidelines are binding to the University's employees and students; all employees and students have to comply with the established obligations and follow the principles established in these Guidelines while performing the functions of their work and studies. Employees and students individually familiarise with these Guidelines at the Document Management System and Student Information System. Employees and students are notified regarding the Guidelines' entry into force by email.

49. The Guidelines are reviewed and, if needed, updated at least once per year or in case the imperative regulatory legislation in the area of this policy are amended.

50. The Guidelines can be amended or repealed by the order of the University's Rector.
