

**AZERBAIJAN STATE
UNIVERSITY OF
ECONOMICS (UNEC)**

**ANTI-DISCRIMINATION AND/OR
ANTI-HARASSMENT POLICY**

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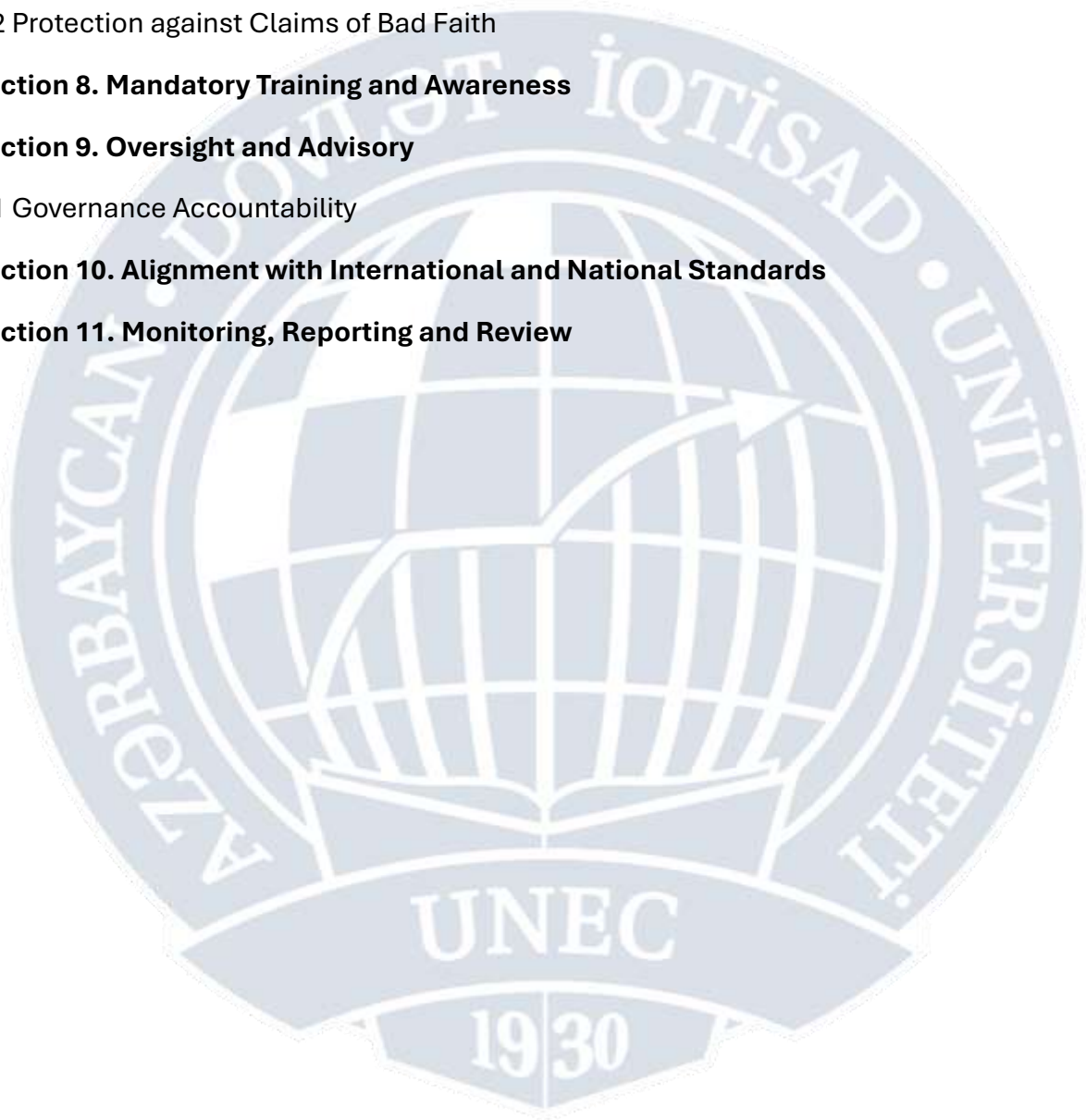
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Section 1. Definitions

1.1 Protected Characteristics

Personal traits, characteristics, and/or beliefs that are protected against discrimination and/or harassment under applicable law are referred to as protected characteristics. Race, creed, color, sex, pregnancy/childbirth, gender identity or expression, age, national origin, ancestry, religion, physical or mental disability, veteran status, marital or domestic partnership status, affectional or sexual orientation, and/or other characteristics protected by applicable law are examples of protected characteristics.

1.2 Discrimination

Discrimination is defined as unfavorable treatment of an individual based on a protected feature rather than on individual merit. **Examples of discriminatory behavior based on an individual's protected feature include, but are not limited to:**

- Individuals who are singled out or targeted for different or less favorable treatment (e.g., harsher discipline, lesser wage rise) because of a protected feature
- Failure or refusal to recruit or accept a person because of a protected feature
- Terminating a person's employment or educational program because of a protected trait

1.3 Harassment

Harassment is defined as unwanted verbal or physical behavior directed at a person based on a protected characteristic, when these behaviors are severe and/or pervasive enough to interfere with an individual's educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment. **Examples of harassment that can occur based on an individual's protected characteristic include, but are not limited to:**

- Unacceptable jokes or remarks about a legally protected attribute (for example, racial or ethnic jokes).
- Disparaging statements about a legally protected trait made to a person (e.g., unpleasant or insulting remarks or jokes about a person's religion or religious clothes).
- Negative or insulting posters or images depicting a constitutionally protected feature.
- All communications that violate this Policy, including those sent electronically, such as via e-mail, phone or voicemail, text messaging, social media, or other internet use.

1.4 Sexual Harassment

Sexual Harassment: Any unwelcome sexual advances, requests for sexual favors, or other verbal, physical, or digital conduct of a sexual nature.

1.5 Bullying

Bullying: Repeated aggressive behavior that intimidates, threatens, or harms the individual, including cyberbullying.

1.6 Victimization

Victimization: Protection for individuals who report misconduct or provide evidence in investigations.

1.7 Scope of Application

This Policy applies to all members of the University community, including faculty, staff, administrators, researchers, students, alumni, contractors, vendors, visitors, applicants, and third parties participating in university-related activities. It covers conduct occurring on campus, online, during university-sponsored events, fieldwork, internships, and international programs.

1.8 Digital Misconduct

Digital misconduct refers to harassment or discrimination conducted through electronic means, including email, messaging platforms, social media, learning management systems, or any digital communication channel affiliated with the University.

1.9 Anonymous Reporting

Anonymous reporting refers to the submission of complaints without disclosure of the complainant's identity through a secure reporting channel established by the University.

Section 2. General Prohibition of Retaliation

The University expressly prohibits retaliation against any member of the University community who, in good faith:

- 1) files a report, complaint, or grievance under this policy (or with an external entity).
- 2) opposes an action believed to be a violation of university policy in a reasonable manner.

- 3) participates in university investigations, compliance reviews, or discipline proceedings.
- 4) files a request for accommodation under a university policy. (For the purposes of this policy, "retaliatory action" is defined as intimidation, threat, coercion, discrimination, or adverse educational or job action; Minor interpersonal conflicts that do not result in material harm generally do not constitute retaliation).

Retaliation is strictly prohibited. Detailed definitions, protections, and procedures regarding retaliation are outlined in Section 7 of this Policy. Retaliation is considered a serious violation of university policy and will result in disciplinary action independent of the outcome of the original complaint.

Section 3. Options for dealing with discrimination and/or harassment

3.1 UNEC Leadership

The University urges any occurrences of discrimination and/or harassment to be reported. Individuals who believe they have been subjected to discrimination and/or harassment, or who have seen discrimination or harassment of others, have several choices, including speaking with a Confidential Resource or submitting a formal complaint. The University understands that choosing between these options can be difficult. Individuals are recommended to obtain advice from a Confidential Resource before making any decisions.

The Scientific Council will oversee the implementation of this policy and monitor compliance. Confidential resources and mentors are available to advise students and staff before filing complaints.

3.2 Informal Resolution Options

Before initiating a formal investigation, individuals may choose voluntary informal resolution options such as mediation, facilitated dialogue, or advisory consultation, where appropriate and agreed upon by all parties. Informal resolution is not permitted in cases involving sexual violence or serious misconduct.

Section 4. Reporting, investigating, and resolving complaints against academic or staff members

4.1 Reporting Complaints

When requesting disciplinary action against a faculty or staff member for violating University harassment or discrimination policies, the individual may file a complaint with the Director for Center for Diversity, Inclusion and Equality. The written complaint should identify the people involved; describe the harassing or discriminatory behavior, including the protected characteristic that was involved, as well as when and where it occurred; and identify any witnesses and/or proof by name or description. Written complaints shall be treated as confidential and delivered immediately to the above-mentioned designated individual.

4.2 Interim Measures

Prior to or during the inquiry, the university may take reasonable and appropriate interim steps to preserve the safety and well-being of university community members, maintain the integrity of the investigative and/or resolution process, and deter retaliation.

4.3 Investigation Process

To initiate the investigation, the Designated Equity Officer who overlooks matters related to equal opportunities and diversity within the academic institution under the Designated Equity Officer's jurisdiction will undertake an initial analysis of all relevant variables mentioned in relation to this specific grievance. The analysis will appraise whether the alleged behavior, when backed by a greater weight of evidence, possibly amounts to prohibited conduct as per the University's Policy on Anti-Discrimination and/or Anti-Harassment. If so, the Designated Equity Officer for institutional equity and diversity will determine that the complaint may proceed with investigation. Should it be considered fitting, Designated Equity Officer has the authority to forward the complaint to another office with governing powers in relation to this subject. If the alleged conduct does not meet the criteria for prohibited conduct under this Policy, the Designated Equity Officer may dismiss the complaint. If the alleged conduct involves faculty members or staff as respondents, the University's Investigations Unit will handle the investigation. The purpose behind conducting this investigation is to accumulate information concerning the incidents specified in the written complaint. The objective is to determine, employing the preponderance of evidence standard, in case there is a stronger possibility that the alleged behavior occurred and, if indeed true, whether it can be categorized as discrimination or harassment. The investigator (or co-investigators, as necessary) will conduct an inquiry to uncover facts. The possibilities for inclusion are written statements, interviews, or any other relevant sources of evidence as determined by the investigator. While her investigation is ongoing, the investigator(s) may

receive counsel from the Center for Diversity, Inclusion and Equality, or another relevant department, if necessary.

4.4 Complaint Resolution

The investigator(s) will compile a written report at the end of the investigation.

The report will detail the range of the inquiry to determine if any accusations made in the complaint have been proven true or valid. The appropriate Dean will receive the submitted written report (typically, this refers to the Faculty's Dean) a different choice could involve submitting it directly to a Vice Rector (VR) or their designee. The submission will also be made to the Center for Diversity, Inclusion and Equality.

The Dean/VR who receives the report may accept the report, and requests to review additional information, including summaries of party/witness statements or other information. For further investigation, they might also choose to return the report. The authorized individual assigned by the Dean/VR must, regarding both parties implicated (the person who filed the written complaint as well as the person whose behavior is being investigated), summarize the findings.

If it is found after thorough investigation that a breach of university policy has taken place, suitable steps will be employed with the purpose of halting the discriminatory actions and/or harassment. The University's response, which may involve implementing appropriate steps, is contingent on the specific details and situations at hand.

If it is determined that the reported conduct did not violate this Policy, both parties will be notified accordingly.

If conduct is determined to be inappropriate but does not constitute a violation, the University may still impose corrective or disciplinary measures consistent with institutional standards. Such inappropriate behavior may merit discipline, Continuous monitoring, coaching, or additional appropriate actions might be required. Both parties are barred from appealing to this discovery. If retaliatory behavior occurs after the issuance of this determination, either party may bring a complaint under this Policy. Discovering a "violation" of the university's policy regarding discrimination and/or harassment If there is a determination that the behavior did violate this Policy, the Dean/VR, after consulting with the suitable manager or department head, will ascertain which corrective actions need to be implemented. Moreover, if it is deemed fitting, the Dean/VR/Designated Equity Officer has the power to implement strategies that guarantee no further discrimination or harassment occurring towards the complainant. To address any potential effects of discrimination or harassment, they can also implement appropriate measures. The University has the authority to decide on suitable measures which might involve offering counseling or training

for those affected by the situation, potentially enforcing a physical separation between them if necessary and imposing disciplinary actions on the accused party, for instance through means like delivering a formal written notice which highlights observed wrongdoing based on established policies. As part of consequences there's disciplinary sanctions consistent with institutional regulations. Alternatively, individuals may be temporarily banned from participating in any university related activities alongside facing potential job position downgrade or even severe measures like being dismissed according to guidelines set forth by higher education institutions. The University's ability to discipline an individual who is not an employee or student (such as a vendor or contractor) is restricted by how much influence, if any, does the University have on that specific person. Still, the University maintains its prerogative to deal with any cases of misconduct or policy violations in a suitable manner. Nonetheless, the University will seek to take appropriate action in response to violations of this Policy.

All reports will undergo preliminary review within 10 working days.

During investigations, interim measures such as temporary separation, paid leave, or suspension may be applied to protect complainants and prevent conflicts.

Students and staff can consult designated mentors or confidential advisors for guidance before submitting formal complaints.

All complaints will be logged in a centralized confidential case management system for monitoring, trend analysis, and institutional learning purposes.

Both parties have the right to appeal the outcome within 10 working days on procedural or evidentiary grounds. Appeals will be reviewed by an independent panel not previously involved in the investigation.

Section 5. Complaint reporting, investigation, and resolution including student complaints

5.1 Complaint Reporting

In case of someone wanting the University to pursue disciplinary action against a graduate or undergraduate student who has breached the institution's harassment or discrimination guidelines, there is also an avenue for them to officially report their grievance by submitting a complaint to be handled by Center for Diversity, Inclusion and Equality. In addition, they have the alternative of using the complaint form.

The written complaint should identify the parties involved. It should describe the harassing or discriminatory behavior, including the protected characteristic that was implicated, and when and where it occurred. Additionally, it should identify by name or description any witnesses and/or evidence. Written complaints need to be handled with confidentiality, and the provision of complaints should be made solely and directly to the specified individual mentioned previously.

5.2 Interim Steps

If deemed necessary, before or during the investigation, there are circumstances where the University can enforce logical and fitting provisional actions to ensure a secure environment for everyone involved. This includes maintaining the integrity of the investigative and/or resolution process and deterring retaliation.

5.3 Investigation Process

As a primary measure in beginning the inquiry, the first appraisal of complaint information will be performed by a Designated Equity Officer specializing in Center for Diversity, Inclusion and Equality. This assessment will consider whether the alleged conduct, if substantiated by a preponderance of the evidence, could constitute prohibited conduct under the University's Policy on Discrimination and/or Harassment.

If so, the Designated Equity Officer determines that the complaint may proceed with an investigation. Should it be considered appropriate, the Designated Equity Officer can also send the complaint for further review to an alternative office with proper jurisdiction to handle this matter. If the purported actions do not, even with evidence, qualify as prohibited behavior violating this, Policy. The Designated Equity Officer may dismiss the complaint without any additional assessment. The complainant may request a procedural review of the dismissal within 5 working days.

The University will provide reasonable academic accommodation and support measures to students involved in complaint processes to ensure that their educational progress is not adversely affected.

Section 6. Confidentiality

Complaints regarding discrimination or harassment will be handled with strict confidentiality in accordance with institutional and legal standards. Conducting investigations will prioritize confidentiality as extensively as can be managed. Nevertheless,

to gather relevant information, disclosing may be necessary to both the accused person and other witnesses involved. To the extent feasible, disclosures will be kept to a minimum in this situation. To protect the fairness of the process and avoid any notion of revenge, individuals participating in investigations or disciplinary procedures according to this policy are recommended to exercise caution while disseminating information. Exercising caution when sharing information and with whom is crucial. While discretion regarding the process is important, Individuals filing complaints and those responding are allowed to talk and exchange information with people who can back them up or help in presenting their case. Nonetheless, it is vital to uphold confidentiality and demonstrate respect for the privacy of everyone involved. Privileged and confidential documents, including medical and counseling records, Parties are not obligated to disclose such information.

All investigations will maintain discretion; disclosure is limited to those necessary for fact-finding.

Confidentiality obligations extend to all parties involved, including witnesses, advisors, investigators, and decision-makers. Breach of confidentiality may constitute misconduct and may result in disciplinary action.

Section 7. Safeguards and Good Faith Protections

7.1 Retaliation Protection (Good Faith)

The University expressly prohibits retaliatory action against any member of the University community who in good faith: (1) files a report, complaint or grievance under this policy (or with an external entity); (2) If someone reasonably opposes an action they believe violates university policies, it is protected and supported by the university (3) participates in University investigations, compliance reviews, or discipline proceedings; (4) files a request for an accommodation under a University Policy. With respect to this policy, by "retaliatory action", we mean behaviors like intimidation, threats, coercion, discrimination, or negative consequences regarding education or employment. Minor interpersonal conflicts that do not result in material harm generally do not constitute retaliation. **Depending on the circumstances referenced above, retaliatory acts may include (but are not limited to):**

- Adverse employment action.
- Negative consequence pertaining to involvement in an academic or professional program.

- Unreasonably interfering with the academic or professional career of another individual.
- Engaging in conduct which constitutes stalking, harassment, or assault.
- Engaging in efforts to have others engage in retaliatory actions on one's behalf.

Unless there are a resolution and confirmation from the investigation, a report or allegation alone does not constitute proof of misconduct unless substantiated through formal investigation procedures. Participation in a complaint process will not adversely affect reappointment, tenure, promotion, evaluation, or merit decisions unless a policy violation is formally established.

Violations of this Policy should be reported as complaints of retaliation. Engaging in retaliation may lead to significant consequences from the disciplinary board.

Good faith reports that are not substantiated after investigation shall not result in disciplinary action against the reporting party.

7.2 Protection against Claims of Bad Faith

The University is tasked with achieving a proper equilibrium in the rights of all involved. Therefore, if the University's investigation reveals that the complaint is malicious or knowingly false, the charges of the accused will not hold any weight. The one who submitted the complaint may incur disciplinary consequences.

Section 8. Mandatory Training and Awareness

All staff, faculty, and students must undergo mandatory anti-discrimination and anti-harassment training. Annual refresher workshops and awareness campaigns will be conducted. Relevant content will be included in onboarding programs for new students and employees.

The University will maintain records of training completion rates and publish annual participation statistics as part of institutional transparency and accountability reporting.

Section 9. Oversight and Advisory

The Scientific Council monitors compliance with this policy. Designated mentors and confidential advisors are available to guide staff and students regarding incidents of discrimination or harassment.

9.1 Governance Accountability

Senior leadership and unit heads are responsible for ensuring compliance with this Policy within their respective areas and will be evaluated on their performance in maintaining inclusive and discrimination-free environments.

Section 10. Alignment with International and National Standards

This policy aligns with:

- UN SDG 5: Gender Equality
- UN SDG 10: Reduced Inequalities
- UN SDG 16: Peace, Justice, and Strong Institutions
- ILO Convention on Discrimination (Employment and Occupation) - National labor and anti-discrimination laws of Azerbaijan

This policy is also guided by international best practices in higher education governance, human rights protection, and institutional equity frameworks.

Section 11. Monitoring, Reporting and Review

The University will monitor the implementation of this policy through periodic assessments, climate surveys, and institutional data analysis. An annual anonymized report summarizing complaint statistics, actions taken, and preventive initiatives will be published. This policy will be formally reviewed every two years or earlier if required by legal, institutional, or regulatory developments. Implementation of this policy is subject to periodic independent audit or internal compliance review.