

PREVENTION, DETECTION AND
ACTION IN THE FACE OF SEXUAL HARASSMENT,
REASON OF SEX, SEXUAL ORIENTATION,
GENDER EXPRESSION OR IDENTITY IN THE
UNIVERSITY OF ZARAGOZA

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INDEX OF ACRONYMS

BOUZ	Official Gazette of the University of Zaragoza
IGS	General Service Inspection
LO	Organic Law
OPRA	Office of Prevention and Response to Harassment
PAS	Administration and Services Personnel
PDI	Teaching and Research Staff
POUZ	University Guidance Plan
GFR	End of Degree Work
TFM	Master's End Job
UZ	University of Zaragoza

PREAMBLE

Respect for the dignity and privacy of individuals, the fight against all forms of discrimination, the promotion of effective equality of women and men, the guarantee of safety and health and physical and moral integrity are fundamental rights enshrined in the Spanish Constitution, of the entire University Community that the University of Zaragoza, as a public institution, has an obligation to guarantee.

To preserve these rights, the University of Zaragoza, through the Vice-Rectorate for Culture and Social Projection, the Secretariat for Social Projection and Equality and the Gender Equality Observatory, proactively undertakes the mission of promoting an academic and work environment free of sexual harassment, based on sex, sexual orientation and gender expression or identity, as well as to sanction any conduct that leads to such situations. In any case, the University of Zaragoza will ensure that the assistance and protection of victims will be carried out by applying the principles of stealth, confidentiality, respect, professionalism, speed, objectivity and impartiality.

It should be recalled that behaviours or behaviours of sexual harassment and harassment based on sex, sexual orientation and expression or gender identity constitute an attack on the dignity of persons, classified as very serious misconduct and that activate the protection measures established for this type of conduct by Royal Legislative Decree 5/2015 of 30 October 2015 approving the revised text of the Basic Statute of Public Employees Act and Royal Decree 1791/2010 of 30 December 2010 approving the Statute of the University Student.

For this reason, the purpose of this protocol is to define, implement and communicate to the entire university community the framework of action to be accepted when they consider that their right to privacy, sexual orientation and expression and gender identity, their own image and dignity is perceived as being violated.

In implementing this policy, it is essential to recognise the role of trade union representation in the prevention, reporting of situations of sexual harassment and harassment based on sex, sexual orientation, expression or gender identity and monitoring compliance with labour regulations and the representation of staff who expressly request it.

CHAPTER I: GENERAL PROVISIONS

1.1. — OBJECT OF THIS PROTOCOL

1.1.1. — Objectives

The purpose of this protocol is the prevention of possible situations of sexual harassment and harassment based on sex, sexual orientation, expression or gender identity within the University of Zaragoza, as well as designing the set of actions to follow in case these occur, without prejudice to the legal actions to which you may have the right and exercise freely.

So is the speedy resolution of complaints and complaints concerning harassment based on sex, sexual orientation, expression or gender identity that will be dealt with and where appropriate resolved with due guarantees.

1.1.2. — Specific objectives

1. Inform, train and sensitise the members of the community of the University of Zaragoza on sexual harassment and harassment based on sex, sexual orientation and expression or gender identity, establishing guidelines to identify such situations and prevent them from occurring.
2. Have the specific organisation and the necessary measures to deal with and resolve the cases that materialise.
3. Guarantee the safety, integrity and dignity of the persons concerned, as well as recommend the application of the provisional and precautionary measures that may be appropriate in each case to guarantee the protection of the alleged victims at all times.

1.2. — SCOPE

This protocol shall apply to the entire university community, i.e.: students who complete any study offered by the University, teaching and research, administrative and services personnel, including collaborating entities and contracted and subcontracted companies linked to it. It will also apply to anyone who has any other type of relationship with the University such as collaborators, internship tutors, co-directors of TFG, TFM or doctoral theses, members of courts, lecturers, own study staff, researchers with a university office.

1.3. — DEFINITIONS

Sexual harassment: any behavior, verbal or physical, of a sexual nature that has the purpose or has the effect of undermining the dignity of a person, in particular when creating an intimidating, degrading or offensive environment.

7777" UniversidadZaragoza **Harassment based on sex: any behavior performed based on a person's sex with the purpose or effect of undermining his dignity and creating an intimidating, degrading or offensive environment.**

Harassment based on sexual orientation, expression or gender identity: any behavior by action or omission that, for reasons of sexual orientation, gender expression or identity or belonging to an LGTBIQ+ family group, is performed with the purpose or effect of violating dignity and creating an intimidating, hostile, degrading, offensive or segregating environment.

The conditioning of a right or expectation of the right to accept a situation constituting sexual harassment or harassment on grounds of sex shall also be considered as an act of discrimination based on sex, sexual orientation, expression or gender identity.

Any unfavourable treatment related to pregnancy, maternity, paternity or other family care shall also be covered by the application of this protocol when the requirements defined in the previous section are met.

Cyberbullying: also called **virtual harassment**, is the use of social networks to annoy or harass a person or group of people, through personal attacks, disclosure of confidential or false information among other means. Cyber-aggression acts have specific characteristics that are the anonymity of the aggressor, its speed and its scope.

Indemnity against retaliation: any adverse treatment or negative effect on a person as a result of his or her filing of a complaint, complaint, claim or remedy, of any kind, intended to prevent discrimination and to demand effective compliance with the principle of equal treatment between women and men.

Any staff of **the University (academic positions, administrative staff, confidential advisers and experts who may participate in the investigation or care of the victim) who have knowledge of the facts will be considered persons involved in the procedure**, being at all times obliged to guarantee the principles of action in good faith, respect for the dignity of persons, impartiality in treatment, stealth and speed.

The alleged victim(s), the person(s) subject to the complaint or complaint and the person(s) filing the complaint or complaint shall be considered as **affected persons** if it is different from the victim.

Duties **of responsibility** in the University are all those who have staff in charge and academic authorities (Rector, members of the Board of Directors, Directors of Secretariat, Deans/as, members of deanal teams, department directors, vice-managers, heads of service, service directors)

Sexual harassment and harassment on grounds of sex, sexual orientation, expression or identity shall be deemed to be in any case discriminatory and therefore strictly prohibited.

gender, as well as any order to discriminate directly or indirectly on the basis of sex, sexual orientation, expression or gender identity.

Regardless of the foregoing, article 184 of the current Criminal Code criminalises sexual harassment in the following terms:

1. *Anyone who requests favors of a sexual nature, for himself or for a third party, in the context of an employment, teaching or service-providing relationship, whether continuous or habitual, and with such behaviour causes the victim an objective and gravely intimidating, hostile or humiliating situation, shall be punished, as the perpetrator of sexual harassment, by a term of imprisonment of three to five months or a fine of between six and ten months.*
2. *If the person guilty of sexual harassment has committed the act by taking advantage of a situation of superiority at work, teaching or hierarchical, or with the express or tacit announcement of causing the victim an evil related to the legitimate expectations that the victim may have in the scope of the aforementioned relationship, the penalty shall be of imprisonment of five to seven months or a fine of 10 to 14 months.*
3. *Where the victim is particularly vulnerable, on account of his age, illness or situation, the penalty shall be imprisonment of five to seven months or a fine of 10 to 14 months in the cases provided for in paragraph 1, and imprisonment from six months to one year in the cases provided for in paragraph 2 of this article.*

1.3.1. — Place of harassment

The prohibition of harassment at work, sexual or on the basis of sex, sexual orientation, expression or gender identity, or any other type of harassment described herein and of inappropriate behaviors, includes both the behaviors developed at the University of Zaragoza and those that take place in social functions linked to the academic field, during trips or any work carried out outside the university campus.

The place of harassment will be extended to the circumstances and contexts derived from the use of new technologies and their instrumentalisation to exercise cyberbullying.

1.3.2. — Circumstances related to harassment cases

The diversity of behaviors, scenarios, circumstances and types of harassment requires consideration of a series of references to these elements.

1.3.2.1. — Elements implying a greater gravity of the facts

For the purpose of having a series of references on the severity of the harassment and its possible impact on the victim, and without prejudice to what is disciplinarily considered when determining the penalties that may be imposed, a greater gravity of the facts will be considered in those situations where:

- The person complained of is a repeat offender in the commission of acts of harassment.
- There are two or more victims.

- The victim suffers from some kind of physical or mental disability or is a minor.
- The psychological or physical condition of the victim has suffered serious alterations, medically accredited.
- Intimidating behavior or retaliation by the aggressor is demonstrated regardless of the person's connection with the University of Zaragoza.
- The aggressor has a power relationship over the victim, whatever the victim's relationship with the University.
- Pressure or coercion is exerted on the victim, witnesses or persons in his or her work or family environment, in order to avoid or hinder the successful completion of the investigation.
- The situation of temporary or probationary recruitment and even as a trainee of the victim will always be an aggravating factor.

Similarly, article 22.4 of the Criminal Code considers it aggravating when it is done on racist, anti-Semitic or other grounds of discrimination concerning the victim's ideology, religion or belief, ethnicity, race or nation to which he or she belongs, his sex, sexual orientation or identity, gender, illness or disability.

1.4.- RESPONSIBLE BODIES AND UNITS

The bodies responsible for the prevention and handling of situations of sexual harassment based on sex, sexual orientation and gender expression or identity shall be as follows:

- The initiation of the administrative procedure corresponds to the Rector of the University or person to whom it delegates.
- The body responsible for the coordination of the actions is the Office of PREVENTION AND RESPUEST BEFORE ACOSO (OPRA), within the Observatory of Gender Equality under the Vice-Rectorate for Culture and Social Projection, with the aim of developing and coordinating all actions to deal with harassment at the University of Zaragoza. OPRA will organise its activity around two main lines of action, one aimed at prevention and the other at developing the response to known harassment cases. This administrative body shall centralise and coordinate all procedures.
- The carrying out, if appropriate, of a psychosocial risk assessment or a medical evaluation respecting, in any case, the confidentiality of personal and medical data shall be the responsibility of the Occupational Risk Prevention Unit of the University of Zaragoza, provided that the complainant is a public employee of the university.
- Where the person subject to the psychosocial risk assessment falls within the subjective scope of application of this protocol, but is not an employee, he/she shall be a professional of recognised competence in the field designated for that purpose;

the person in charge of carrying out the aforementioned evaluation, also respecting, in any case, the confidentiality of personal and medical data.

- The University of Zaragoza will have a list, collected by open and public call, of internal professionals of the university community, of recognised competence in matters of gender, LGTBIQ+, occupational health or resolution of interpersonal conflicts, who will carry out the function of expert on complaints or complaints of possible cases of sexual harassment and harassment based on sex, sexual orientation, expression or gender identity. People who are part of this list will be called Confidential Advisors. These Confidential Advisors may count on the support of a person belonging to the PAS of the University of Zaragoza to assist them in their expert work.

1.5.- PRINCIPLES OF ACTION AND COMMITMENTS

The University of Zaragoza, all its centers, departments, units and services, especially through the Vice-Rectorate for Culture and Social Projection, must prevent and not tolerate sexual harassment and harassment based on sex, sexual orientation, expression or gender identity in the manner set forth herein.

In accordance with Article 62 of Organic Law 3/2007 of 22 March 2007 for the effective equality of women and men; law 18/2018 of 20 December 2018 on equality and comprehensive protection against discrimination based on sexual orientation, expression and gender identity in the Autonomous Community of Aragon; and Law 4/2018 of 19 April 2018 on Gender Identity and Expression and Social Equality and Non-Discrimination of the Autonomous Community of Aragon, this Protocol is based on the following commitments:

1. Prevent and not tolerate sexual harassment and harassment based on sex, sexual orientation, expression or gender identity.
2. Promote a culture of prevention against harassment through training and information actions through awareness-raising and awareness campaigns for the entire university community.
3. Inform all staff of their duty to ensure respect for the dignity of individuals and their right to privacy, as well as equality and non-discrimination based on sex, sexual orientation, expression or gender identity.
4. Safeguard the confidentiality of complaints or complaints of facts that may constitute sexual harassment or harassment based on sex, sexual orientation, expression or gender identity, without prejudice to the provisions of the disciplinary regulations.
5. Take the necessary protective and mediation measures to protect the victim, regardless of formal presumptions.
6. Attend and advise the victims of harassment, giving them access to the corresponding services, through the Occupational Risk Prevention Unit in the case of employees and public employees -PAS and PDI- and, in the rest of the cases, through professionals of recognised prestige of the University or the Psychological or Sexological Advices.
7. Prevent any adverse treatment or negative effect that occurs on a person as a result of his or her filing of a complaint, claim, complaint, lawsuit or remedy, of any kind, aimed at preventing discrimination on grounds of sexual harassment or harassment based on sex, sexual orientation, gender expression or identity, or that of another person.
8. Report, investigate, mediate and, where appropriate, punish in accordance with the

provisions of current regulations any conduct that may constitute sexual harassment or harassment based on sex, sexual orientation, expression or gender identity, applying the specific procedure in accordance with the rules of this Protocol.

9. Disseminate and extend this Protocol to the entire university community by all means at its disposal.

CHAPTER II: INTERVENTION IN THE FACE OF SEXUAL HARASSMENT, BASED ON SEX, SEXUAL ORIENTATION AND GENDER EXPRESSION OR IDENTITY AT THE UNIVERSITY OF ZARAGOZA

2.1. — PRIMARY INTERVENTION: PREVENTION THROUGH AWARENESS RAISING AND TRAINING

The objective of these measures is to prevent the occurrence of any type of harassment through awareness-raising, training and promotion of a culture of respect for gender equality and sexual affective diversity.

2.1.1. — Primary Intervention Measures

2.1.1.1. — Dissemination of the Protocol

- This protocol will be disseminated through the appropriate means so that it is known to all members of the university community. For this purpose, information sessions will be held in the different centers and campuses of the University. The text will also be made known to the collaborating companies, as well as to the entities in which the students carry out their external internships and they will be urged that their workers receive information and training in the field of harassment, which may be this proven practice, valued positively within the award criteria to be considered by the contracting authority in the documents governing the administrative procedure that is processed for the award of a service contract.
- A campaign will be carried out for the dissemination of this protocol through signage, information leaflets in which a summary and outline of the different phases of the protocol will be included in clear and accessible language, as well as multimedia material for use in social networks.
- The protocol will be included on the University's website, as well as information regarding public resources and the University itself for the attention of this problem.
- The following will be included in the entire Human Resources policy: reception, selection, collective bargaining, working environment, training and internal communication.
- Reception manuals will be developed and distributed to all PAS and PDI students.

2.1.1.2. — Training and awareness-raising

- It will promote the conduct of talks, debates, workshops, seminars and other activities for the different groups of the university community, aimed at sensitising and demystifying patterns and stereotypes that promote harassment and discrimination.
- A code of good practice on the prevention of sexual harassment based on sex, sexual orientation and gender expression or identity will be developed and disseminated.
- A guide to university and external resources against gender-based violence will be developed and disseminated, including tools aimed at preventing and detecting situations of discrimination or harassment early.
- General and specific training programs will be developed, aimed at all the groups of the University: students, PAS, PDI and research staff. In particular, training will be provided to persons holding positions of responsibility and tutors of the University Guidance Plan (POUZ). These training modules will involve the granting of credits.
- In particular, a specific training programme will be developed for the Board of Directors, single-person bodies, decanal teams, departmental directors, directorates of research institutes and directorates of colleges or university residences, as well as Heads of Unit, which will be compulsory.

2.1.1.3. — Organisation and management

- A confidential internal register of all actions shall be drawn up.
- An annual report on the number of interventions and their consequences shall be drawn up and published.
- It will be recognised and facilitated, whenever educational or work needs allow, through the available mechanisms, the dedication of the PDI and PAS that participate in the actions and activities provided for in this protocol.

2.2. — SECONDARY INTERVENTION: DETECTION AND INTERVENTION IN HIDDEN HARASSMENT

The objective of this intervention is to detect by means of specific actions or as a consequence of the primary intervention measures possible cases of harassment, especially those situations in which the harassment takes place with invisibility and impunity, and where appropriate, implement the appropriate measures to resolve the situation and provide the necessary support to the victim.

After the detection of the case, proactive conduct will be adopted by offering victims the information, advice and care necessary to continue the procedure, informing them of the rights they are entitled to and legal actions that may proceed outside the university setting.

2.2.1. — Secondary Intervention Measures

- Psychosocial risk assessments will be carried out to identify possible situations or behaviours of harassment and thereby prevent them.
- Questions to detect possible situations or behaviors of harassment and gender-based violence will be included in the work climate questionnaires.
- The commissions created by the quality system of the University of Zaragoza and the Technical Evaluation Commission will inform OPRA of any indication of possible harassment cases that can be detected through the teacher evaluation surveys.
- A virtual mailbox will be enabled in which the students and the staff employed can raise, anonymously, both situations of harassment or discrimination and proposals for improvement. However, in no case will complaints sent through this mailbox be processed, although they will be investigated.
- Specific tests and questionnaires for health surveillance and psychosocial risk assessment will be included, urging medical services to inform OPRA of any evidence of harassment that may be detected.
- Studies will be carried out to know the incidence of harassment situations or behaviors in the organisation, characteristics they present, and look for identifiers of the problem and its impact on people's health and on the effectiveness of the organisation.

2.3. — TERTIARY INTERVENTION: ACTION, RESPONSE AND FOLLOW-UP TO HARASSMENT CASES

This intervention is intended to act in those cases in which a complaint or complaint has previously been filed.

The aim of this intervention is twofold: on the one hand, to assist and accompany the victim in order to minimise the consequences that may arise from the harassment, or from the submission of the complaint or complaint, through guidance and advice on their situation and, if requested, to provide specialised psychological support; and on the other hand, act on the person allegedly responsible for the behaviour related to the harassment in order to avoid its continuity over time and to take the disciplinary measures that may arise from the facts if these are shown to be indicative of a situation of harassment.

2.3.1. — General criteria of the procedure

This protocol is part of the framework of protection and prevention of risk without prejudice to the powers and functions that may correspond to the academic authorities in application of the current legislation on responsibilities in relation to harassment, as well as the legal actions that may correspond to the affected persons or to the University.

The university community has the obligation to act in the following terms:

- Any member of the university community has the obligation to inform academic or administrative officials of possible sexual harassment or harassment on the basis of sex, sexual orientation, expression or gender identity that they know.
- Complaints or complaints of persons affected by behavior likely to be constitutive of sexual harassment or harassment on grounds of sex shall be made through the Office of Prevention and Response to Harassment (OPRA), or alternatively through the competent bodies that will communicate it to the OPRA. The University undertakes to respond to this complaint or complaint.
- Any person with a position of responsibility at the University of Zaragoza is obliged to pay attention and to process, within the scope of his or her competence, complaints received about alleged sexual harassment or harassment based on sex, sexual orientation, expression or gender identity.
- Both the persons involved in the proceedings and the persons concerned in the case of harassment must seek in good faith the clarification of the facts reported.
- The application of this protocol will not prevent, in any case, the use, by the persons involved or of the University if it suspects that the facts may constitute a crime, of the administrative or judicial actions provided for in the legislation in force.

2.3.2. — Guarantees

- **Objectivity:** All the persons who intervene will act in good faith seeking the reality of a work and study environment without harassment and, in the case of disciplinary proceedings, the clarification and disciplinary sanction of the facts. The procedure will be processed by giving fair treatment to all persons involved in the case of harassment.
- **Confidentiality.** The dignity of individuals and their right to privacy must be guaranteed throughout the procedure. The persons involved in the procedures provided for are obliged to keep strict confidentiality and reservation on the content of complaints or complaints submitted, pending or resolved of which they are aware, as well as the investigation process itself. From the moment the complaint is made, the person or persons responsible for its processing shall assign numerical identification codes both for the parties involved and for potential witnesses thus preserving their identity.

- **Impartiality.** The procedure should ensure an impartial hearing and fair treatment for all persons concerned and involved in the case of harassment regardless of their social position, socio-economic status or professional category.
- **Speed.** The investigation and termination of the proceeding, including the imposition of provisional measures and sanctions, which may arise from it, shall be carried out as quickly as possible.
- **Indemnity.** It is ensured that there will be no reprisals against persons who make a complaint or complaint, appear as witnesses or otherwise participate in the proceedings.
- **Respect and protection of people.** It is necessary to proceed with the necessary discretion to protect the privacy and dignity of the persons concerned. The actions or proceedings must be carried out with the utmost prudence and with due respect for the dignity and rights of all the persons involved. The persons concerned may be assisted by a representative or any other accompanying person of their choice throughout the procedure.

2.3.3. — Procedure for action

Persons belonging to the university community or who are within the scope of this protocol, who consider that they suffer or have suffered a situation of harassment must follow the following protocol of action:

1. Contact OPRA (Edificio Interfacultades, 3 rd floor, offices 3.11 and 3.12, opra@unizar.es , 876 55 30 12 <mailto:opra@unizar.es>) or communicate to the academic manager (Vicerrector of Students, Vice-Rector of Teachers) or administrative (Manager, Director of Department, Head of Unit, Head of Unit) or representative (Delegate for Prevention, Trade Union Representative, Representative of Students) who will transfer the case to OPRA.
2. It is advisable to keep all documentary evidence related to the alleged harassment (messages, call logs, emails, etc.)
3. At any time, the person allegedly harassed may request the suspension or closure of the actions taken in application of the protocol, justifying his decision. These applications will not link the university that may proceed ex officio with the procedure.
4. At any time during the proceedings, the person allegedly harassed may use any of the legal channels offered by the legal system. Yeah

there is a criminal prosecution, the procedure will be suspended until the Courts ruling on a decision. However, according to the person allegedly harassed, from the Confidential Advisory Office or the OPRA, the adoption of preventive measures of a psychological, administrative or organisational type may be proposed. Of such measures, in any case, will be transferred to the Rector, so that, according to him/her, the University adopts those deemed most appropriate. In the event that these measures conflict with other organizational measures in the centre, department or service, to which the persons concerned belong, the proposed precautionary measures will take precedence.

6. The declaration of non-harassment by the Courts shall not determine the requirement of liability against the reporting person or potential witnesses.
7. When there is a case of harassment between members of the university community and staff of an external entity contracted or subcontracted by the University of Zaragoza, the business coordination mechanisms required by Law 31/1995 of 8 November 1995 on the Prevention of Occupational Risks shall apply. Therefore, there will be reciprocal communication of the case in order to reach an agreement on how to deal with it, without prejudice to transfer to the Labour and Social Security Inspectorate when legal or regulatory, applying where appropriate the measures and penalties that may be provided for in the contracting regulations or in the corresponding contract or agreement.

2.3.4. — Lodging complaints or complaints

1. The procedure shall begin with the filing of a written or verbal complaint or complaint, which may be carried out by the person allegedly harassed or by his or her legal representative.
2. The complaint or complaint may also be filed by the representatives of the working staff, the student and, where appropriate, any person belonging to the university community who has knowledge of situations that could constitute sexual harassment or harassment on the basis of sex, sexual orientation, expression or gender identity.
3. In any case, if the complaint is made orally, always, in order for the procedure to be initiated, it will be necessary to ratify it in writing, which contains a list of incidents and persons involved as detailed as possible. Priority will be given to the submission of documentation by telematics registration.
4. If the person allegedly harassed so requests, the OPRA staff will advise and accompany them in carrying out these procedures in order to safeguard their privacy and the confidentiality of the facts.

2.3.5. — Procedure for action.

1. The request to initiate the action procedure will lead to the opening of an investigation by an expert appointed for this purpose from the list of Confidential Advisers, aimed at the investigation of the facts, giving a hearing to witnesses or other personnel of interest.
2. The Confidential Advisor, after carrying out a first objective analysis of the data, in view of the assessment of psychosocial or medical risks, will issue a report in which he/she must assess whether it is necessary and, where appropriate, recommend the adoption of urgent precautionary measures for the protection of the person who is inditarily harassed.
3. Throughout the proceedings, both the complainant and the person complained of may be assisted, if expressly requested, by a trade union representative or other accompanying person of his/her choice.
4. The Confidential Adviser shall take written statements from the parties (including expert reports or other documentation they wish to provide) and, where appropriate, from witnesses or other relevant personnel. You may also invite other experts to participate, hold hearings or request reports, taking into account respect for privacy without forgetting the emotional costs and other risks on the people concerned.
5. If it is apparent from the analysis of the case by the confidential adviser that there is no harassment, but certain behaviours, indications or inappropriate circumstances are detected, it will be acted as follows:
 - The person responsible for OPRA shall inform the person on whom the complaint or complaint has been lodged of the existence of the complaint made against him or her and of the consequences arising from the conduct contained therein, as well as of its continuity and repetition over time. It will also be reported that this action is not a disciplinary sanction, nor does it imply a finding of the facts reported in the complaint. Similarly, you will be informed that you can remain silent about the complaint, give any explanation you deem appropriate or you can express your opposition.
 - It will not be necessary to identify the victim with the person on whom the complaint or complaint has been filed, unless there is a circumstance that required it. In that case, such a possibility would be communicated to the victim so that she could decide how to proceed.
 - After the action, from OPRA, the result will be communicated to the person who has filed the complaint. Even after the procedure has been completed, attention to those affected by the reported behaviors may continue until their recovery.
 - At the end of the action, a “confidential report of conclusions” will be issued to the Rector, which will record in a summary the actions carried out on the persons involved, the facts

- and the most relevant circumstances and proposals for action and recommendations in relation to the case.
- This procedure will be resolved within 20 days of receipt of the complaint at OPRA. Exceptionally, when the complexity of the case so requires, this period may be exceeded the minimum necessary to achieve a satisfactory resolution.
 - In any circumstance, the OPRA will carry out the victim's attention to help them recover from the possible consequences of the behaviors they may have suffered, inform them about the situation of the process, accompany them during the process and advise them on those issues related to the different alternatives that may arise.
6. Upon completion of the proceedings, the Confidential Advisor will issue a valuation report that will forward to OPRA that will propose one of the following alternatives:
 - a) Closure of the complaint or complaint, for lack of object or inadequacy of evidence.
 - b) Agreement reached between the parties, which must comply with the legal order and be respectful of the rights of the parties involved.
 - c) If the analysis of the case shows the commission of any other misconduct other than sexual harassment and harassment based on sex, sexual orientation, expression or gender identity and defined in the current regulations, the case will be transferred to the IGS.
 - d) If the report finds the existence of sexual harassment or harassment on grounds of sex, the Rector or Rector shall be proposed to take the appropriate measures to remedy the situation and to protect the victim and to file the corresponding complaint with the court.
 7. The report shall be forwarded to the person who is the victim of harassment and to the person complained of so that, in the event of disagreement with it, within five calendar days, they may submit arguments, and may at that time be interested in the intervention of the COMMITTEE DE ASESORAMIENTO (see point 2.3.7, pp. 21) designated for that purpose.
 8. After the deadline for submitting the arguments or, if applicable, after hearing the Advisory Committee, the report shall be forwarded to the Rector, together with the arguments and other documentation relating to the proceedings taken, so that, where appropriate, it may adopt the appropriate resolution.
 9. In any case, if the harassment has resulted in a deterioration of the working or training conditions of the victim, it must be restored in the conditions closest to his or her situation of origin. In the same way, appropriate measures shall be taken to guarantee the right to the protection of the health of the persons concerned.
 10. In case the complaint of sexual harassment, on grounds of sex, sexual orientation or gender expression or identity is filed directly with the ISM, the ISM

it shall communicate, if it deems necessary, to OPRA, which shall make available to the victim all the guarantees and measures contained in this protocol. Similarly, OPRA will maintain constant communication and coordination with the ISM in order to ensure that the actions carried out are in line with the law.

2.3.6. — Considerations in the Processing of the Disciplinary Procedure.

- 1 .- OPRA will send the report of the Confidential Advisor to the Rector, who will resolve what is appropriate.
- 2 .- When disciplinary proceedings are initiated, the appointment of the person in charge of the investigation shall fall to a person with knowledge of sexual harassment and harassment on grounds of sex.
- 3 .- During the processing, it is advisable to coordinate between the General Service Inspectorate and OPRA in their respective actions. Specifically, it is recommended to inform OPRA of the existence of the case to initiate measures of care and protection of the victim, avoiding the multiplicity of actions in the same sense and secondary victimisation.

2.3.7. — On Confidential Advice and Advisory Committee

1. The University of Zaragoza will have a list of internal professionals of the university community who will be able to perform the expert function. The Rector or Rector or person to whom you delegate will be responsible for the appointment of the persons on this list. Persons on this list must have proven training or demonstrable experience in gender, LGTBIQ+, occupational health or conflict resolution. Previously, an open call will be made, which will be updated periodically, to gather personnel willing to carry out this type of expertise.
2. Once the complaint is known by the Rector or person to whom he delegates, within a period not exceeding 5 days he will order, if applicable, the practice of the reserved information with the appointment of the Confidential Advisor.
3. The university community and any staff serving at the University of Zaragoza will have the obligation to collaborate in the performance of the Confidential Advisory throughout the entire research process. In particular, the collaboration of OPRA, the Equality Observatory, the University Office for Diversity and the Occupational Risk Prevention Unit may be required to provide suggestions according to their respective areas of competence.
4. The Advisory Committee is a collegiate body of a technical nature and specialised in prevention, research, arbitration and proposals for solutions. it will consist of five people from the list of professionals that compose

- the Confidential Advice who has not previously participated in the process and who do not have a direct or indirect relationship with the persons affected in the process. Its composition will ensure a balanced presence between men and women.
5. The request for intervention by the Advisory Committee shall state reasons for its establishment within a period of not more than five working days.
 6. The Advisory Committee, after examining the existing file, the new documentation provided and, if it deems it appropriate, to rehearse the parties and witnesses involved, shall issue a report within five working days of its establishment.
 7. The provisions on abstention and recusal provided for in general terms in Articles 23 and 24 of Law 40/2015 on the legal regime of the public sector shall apply to persons specialising in these assessments.

2.3.8. — Victim care and follow-up of harassment cases

The commitment of the University of Zaragoza in its fight against sexual harassment, on the basis of sex, sexual orientation and expression or gender identity, obliges to respond comprehensively to cases of harassment, guaranteeing the attention and protection of victims and the effective follow-up of harassment cases to prevent and act against problems that may arise long after the events occur.

OPRA, the University Ombudsman and the Occupational Risk Prevention Unit are the bodies responsible for coordinating the support and follow-up of harassment cases.

2.3.9. — Victim protection and support

1. Without prejudice to the right to the presumption of innocence and other guarantees in respect of the person under investigation, protective measures shall be taken in accordance with the individual circumstances of each case so that the victim does not suffer negative consequences after reporting a harassment situation. In any case, their protection will be guaranteed when there is a hierarchical relationship between alleged harasser and victim. The presumption of innocence in the person who was able to carry out the harassment should not be understood as inaction with respect to the victim, nor the protective measures taken as guilt.
2. At all times, the person making the complaint will be informed of the evolution of the Protocol, and will be offered attention, protection, psychological accompaniment or specialised accompaniment to any negative consequences they may suffer. The University will bear the costs of these measures if they occur.
3. Regardless of what is deemed necessary through the initiation and investigation of disciplinary proceedings, OPRA may propose to the competent bodies the adoption of protective measures taking into account the situation of the victims and the presence of risk factors.
4. Having found the existence of harassment by a criminal judgment of the competent body or by administrative penalty as a result of the corresponding disciplinary proceedings, the University through the coordinated action of the

OPRA and the relevant centres and services in each case will ensure the reparation and recovery of the victim, including by adopting the following support measures:

- Examine all requests relating to your personal and professional situation as quickly as necessary.
- Propose any measures deemed appropriate to guarantee the right to comprehensive protection of the health of the person concerned until its complete restoration, in particular with regard to the psychological aspect.
- Advise the victim in relation to the provision of health care, in particular psychological and social care.

2.3.10. — Follow-up of cases

1. The OPRA will monitor the process in time until the victim is recovered from the consequences caused by the harassment.
2. Such follow-up will be based on comprehensive care to prevent and act on problems that may arise long after the events occur, a frequent circumstance in this type of violence.
3. The follow-up, in agreement with the victim, will be carried out regardless of the formal situation of the procedure.

2.4. — KNOWLEDGE MANAGEMENT IN CASES OF HARASSMENT

The prevention of harassment cases requires expanding knowledge based on the experience obtained through the different actions developed by the UZ, both those aimed at Primary Prevention, as well as those that are part of Secondary and Tertiary Prevention. This situation requires the creation of the Protocol necessary to obtain this knowledge and to apply it in the improvement of prevention and response.

Each academic year will be prepared a report on the different actions and cases while maintaining the anonymity of the people involved. The information that appears will aim to improve the response and prevention of harassment. This report shall include at least the following information:

- Number of complaints or complaints received
- Number of complaints resolved without the need to initiate the procedure
- Number of complaints that ended in disciplinary proceedings
- Number of cases brought to the attention of the prosecution
- Number of cases in which precautionary measures were applied
- Number of cases discovered through secondary intervention
- Number of cases in which it was acted ex officio.
- Number of people with support and follow-up processes
- Training and awareness-raising measures

The reports for each academic year will be presented to the Governing Council and a summary thereof will be made public on the UZ transparency portal.

The management of the knowledge obtained through the actions of the OPRA will translate into proposals for improvement and modification of the established prevention and response processes.

TECHNICAL PROVISIONS

1. All actions carried out in the procedure for action in cases of harassment regulated in this Protocol will be documented with all the guarantees of confidentiality and data protection, as established in Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, 2016, on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation), and in Organic Law 3/2018, of 5 December, on the Protection of Personal Data and the Guarantee of Digital Rights.
2. This Protocol shall enter into force on the day following its publication in the BOUZ. It shall be reviewed, by the technical bureau set up for this purpose, no later than four years from the date on which it begins to apply. It shall remain in force for the duration of that review and until a new Protocol has been approved.

TRANSITIONAL PROVISION

1 .- TRAINING PLAN ON THE PREVENTION OF SEXUAL HARASSMENT, BASED ON SEX, SEXUAL ORIENTATION AND GENDER EXPRESSION OR IDENTITY OF THE UNIVERSITY OF ZARAGOZA

2 .- Learning objectives

Provide tools to members of the university community so that they can:

- Inform, train and sensitise on sexual harassment and harassment based on sex, sexual orientation and gender expression or identity.
- Know and identify situations that affect equality and non-discrimination.
- Prevent and detect possible situations of sexual harassment, harassment based on sex, sexual orientation and gender expression or identity.
- Inform and advise affected persons.
- Avoid secondary victimisation of victims and establish measures to prevent the reproduction or perpetuation of stereotypes about women, orientation and gender identity.
- To know the dynamics and particularities of sexual harassment and harassment based on sex, sexual orientation and gender expression or identity.
- Make known the different ways of protection against situations of harassment beyond the procedures set out in the protocols and preventive care related to the risk assessment and adaptation of the workplace.
- Know the content of the protocol, its implications and how to facilitate its implementation.

3 .- Competences

- Identification of possible injuries to the fundamental right to non-discrimination.
- Detection of possible conflict situations.
- Problem analysis and decision making.
- Initiative, autonomy and proactivity.
- Information management.
- Interpersonal communication: empathy and active listening.

4 .- Contents

First block: Structural Inequalities Framework: gender perspective and identity

- Reasons and origin of violence against women in society.
- Social perception of violence and sexual harassment suffered by women.
- Dynamics of violence: context, psychological violence and micromachisms.
- Characteristics of stalkers.

Second Block: Understanding sexual harassment and harassment based on sex, sexual orientation, and gender expression or identity.

- Definitions and characteristics of sexual harassment and harassment based on sex, sexual orientation and gender expression or identity.
- Types and manifestations.
- Sequence of sexual harassment and harassment based on sex, sexual orientation and gender expression or identity.
- Myths and realities about these types of harassment in the workplace
- Importance of knowledge and recognition of the social environment of these behaviors.
- Protection systems: Network, recognition and protection of victims.

Third block: Legal and regulatory framework

a. Basic constitutional and normative framework that frames the context

- Fundamental rights to equality and non-discrimination. Dignity.
- The different forms of discrimination in gender relations.
- Discrimination and harassment.
- Reference to the different norms of our legislation that regulate the prevention and punishment of sexual harassment, based on sex, sexual orientation, expression or gender identity.

b. Rights of workers in the face of harassment

- Fundamental rights injured.
- Two perspectives of analysis of the protection of harassment at work.
- Legal definitions of harassment.
- Legal definition of harassment based on sex and sexual harassment.
- Obligation of the employer to protect its workers from harassment at work from the LOIMH.
- Protocols for the Prevention of Sexual and Sex-Based Harassment and Occupational Health Perspective.
- Content of the protocols.

c. Legal protection against harassment at work

- The sanctioning guardianship: Workplace harassment as a disciplinary misconduct. Workplace harassment as an administrative wrongdoing.
- The benefit surcharge.
- Judicial protection.
- The possibility of termination of the employment contract.

d. Criminally relevant harassment behaviors

- Sexual harassment, sexual harassment, sex-based harassment, sexual orientation, gender expression or identity, workplace harassment and other criminally relevant manifestations of harassment.
- The protected legal asset, structure and typical conduct.
- Anti-legality and guilt.
- Consummation and imperfect forms of acting.
- Authorship and participation.
- The aggravating circumstances of criminal liability.
- Considerations on evidence in criminal proceedings.

Fourth block (for liability charges): The prevention of sexual harassment and harassment based on sex, sexual orientation and gender expression or identity from management and management positions at the University of Zaragoza

- Importance of training and awareness-raising
- The key role of centres, departments, units and services in prevention and eradication.
- People who hold university positions as prevention agents.
- Importance of the protocol of prevention of sexual harassment and by reason of sex, sexual orientation and expression or gender identity and of its knowledge by PDI, PAS and students.
- Relevance of adequate action and response to suspicion of the existence or expression of these behaviors and implementation of victim assistance systems

Fifth Block: PROTOCOL OF PREVENTION, DETECTION AND ACTION AGAINST SEXUAL HARASSMENT AT THE UNIVERSITY OF ZARAGOZA

- Objectives and scope.
- Bodies and Units of the University of Zaragoza responsible.
- Principles of action and commitments
- Preventive measures against sexual harassment
- Detection and intervention in hidden harassment
- Procedure for action, response and follow-up in cases of harassment.
- Victim protection and support.
- Monitoring
- Knowledge management in harassment cases
- Regulations
- Understanding the protocol and process by exemplifying cases.

4 Methodology and training activities

UniversidadZaragoza

In-person or online training sessions that consist of the exhibition of the basic theoretical concepts and practical exercises. Dialogue and participation of attendees will be encouraged.

5 .- Resources and teaching materials

Tools for the prevention and approach of sexual harassment, based on sex, sexual orientation and gender expression or identity.

- Protocol of prevention, detection and action against sexual harassment, based on sex, sexual orientation, expression or gender identity at the University of Zaragoza
- All those materials that are facilitated for the delivery of the sessions.

6 .- Persons to whom

The members of the university community.

The specific training programme addressed to the Board of Directors, single-person bodies, decanal teams, departmental directorates, directorates of research institutes and directorates of colleges or university residences, as well as Heads of Unit, will have the character of compulsory training.

ANNEXE S

ANNEX I: COMPLAINT OR COMPLAINT MODEL

This request must be accompanied by a closed envelope with the description of the facts that are intended to be brought to the attention of the competent bodies and how much related documentation you wish to provide.

ADDRESSED TO THE OFFICE OF CARE AND RESPONSE TO HARASSMENT (OPRA).

DETAILS OF THE PERSON REQUESTING:

NAME AND SURNAME:

ID CARD:

POSTAL ADDRESS:

EMAIL:

TELEPHONE NUMBER:

LINK WITH THE UZ:

PDI

PAS

Student

Other (specify)

I request the initiation of the Protocol on Prevention, Detection and Action against Sexual Harassment on the grounds of sex, sexual orientation and gender expression or identity.

Signature:

In _____ a ___ of ___ of 202_.

ANNEX II: BASIC REFERENCE REGULATIONS

State regulations

The Organic Law 3/2007 of 22 March 2007 on the Effective Equality of Women and Men took a major step in expressly prohibiting sexual harassment and harassment on the grounds of sex, sexual orientation, expression and gender identity, as well as defining these behaviours (arts. 7, 48 and 62). The law specifically establishes in its article 62 the commitment of the Public Administrations to negotiate with the legal representation of workers a protocol of action for the prevention of sexual harassment and harassment based on sex, sexual orientation, expression and gender identity. On the other hand, Article 51 of the Act, in application of the principle of equality between women and men, confers on public administrations a general duty to remove obstacles to the survival of any type of discrimination in order to obtain conditions of effective equality between women and men, establishing, within the scope of their competences, effective measures to protect against sexual harassment and harassment on grounds of sex, sexual orientation, expression and gender identity. This Act also includes infringements, sanctions and mechanisms for monitoring non-discrimination violations, strengthening the role of the Labour and Social Security Inspectorate.

For its part, **Royal Legislative Decree 5/2015 of 30 October 2015 approving the revised text of the Law on the Basic Statute of Public Employees**, applicable to public employees working at the University of Zaragoza, defines as very serious misconduct "any action involving discrimination on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation, language, opinion, place of birth or neighbourhood, sex, or any other personal or social condition or circumstance, as well as harassment on grounds of racial or ethnic origin, religion or belief, disability, age or sexual orientation, and moral, sexual and sexual harassment (art. 95(2)(b)).

Sexual harassment is also sanctioned by **Royal Legislative Decree 5/2000 of 4 August 2000 approving the consolidated text of the Law on Offences and Sanctions in the Social Order** (Article 8.13); legal standing for the defence of affected trade unions and associations is recognised in **Law 29/1998 of 13 July 1998 Regulating the Administrative Jurisdiction** (Article 19.1.i) and also in **Law 1/2000 of 7 January on Civil Procedure** (Article 11 bis); **Royal Legislative Decree 3/2015 of 23 October 2015 approving the consolidated text of the Workers' Statute Act** recognises protection against harassment based on sex or sexual orientation (Articles 4.2.e and 54.2.g); in **Law 36/2011 of 10 October 2011 Regulator of Social Jurisdiction** (Articles 177 on legitimation and 95 and 96 on proof and burden of proof); finally, article 184 of **Organic Law 10/1995 of 23 November 1995 on the Criminal Code**, which criminalises and punishes sexual harassment.

Autonomous Regulation

Law 7/2018, of 28 June, on Equal Opportunities between Women and Men in Aragon and Law 18/2018, of 20 December, on equality and comprehensive protection against discrimination on grounds of sexual orientation, expression and gender identity in the Autonomous Community of Aragon, give educational institutions in general and the University as an institution with a higher rank in higher education a fundamental role in the prevention and eradication of inequalities between women and men.

Community legislation

At Community level, **Commission Recommendation 92/131/EEC of 27 November on the protection of the dignity of women and men at work** already contains a Code of Conduct on Measures to Combat Sexual Harassment.

Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal treatment between men and women in matters of employment and occupation, which repeals, inter alia, Directive 76/207/EEC, as amended by Directive 2002/73/EC, sets out the definitions of sexual harassment, harassment on grounds of sex and other horizontal issues applicable to any conduct or discriminatory act in this area.

The Communication from the Commission to the Council and the European Parliament transmitting the European Framework Agreement on Harassment and Violence at Work (COM (2007) 686 final) signed by the European social partners speaks of different types of harassment depending on their projection and effects, their externalisation, the subjects involved and their materialisation.

International Standards

At the international level, the **Yogyakarta Principles** were signed in May 2007 on the basis of the Universal Declaration of Human Rights, which, in Principle No. 3, states that States shall take all necessary legislative, administrative and other measures to fully respect and legally recognise the right of each person to the gender identity that he or she defines for himself.

In this regard, **International Labour Organisation Convention 111 against Discrimination in Employment** considers sexual harassment in the workplace an important form of discrimination against working women, and proposes measures to combat it under Recommendation No. 19 of 29 January 1992 of the United Nations Human Rights Office on violence at the work.

ANNEX III: TYPES OF HARASSMENT: NON-EXHAUSTIVE LIST OF BEHAVIORS RELATED TO HARASSMENT

1 .- Sexual harassment

- Unnecessary physical contact, frictions, pats, hugs, kisses,...
- Suggestive and unpleasant observations, jokes or comments about the person's appearance, appearance or sexual condition, and deliberate verbal abuse.
- Unpunished or compromising or persistent invitations to participate in recreational social activities, despite the fact that the person concerned has made clear their refusal to participate.
- Use of pornographic images in workplaces.
- Obscene gestures.
- Clandestine observation of persons in reserved places, as would be the case with services.
- Demands for sexual favors.
- Physical assaults.
- Any manuscript, spoken or electronic messages of an offensive nature of sexual content.

Within sexual harassment, two contexts can occur with specific circumstances: sexual blackmail and environmental sexual harassment:

- Sexual blackmail. Sexual blackmail is spoken of when a person's refusal or submission to conduct is used, implicitly or explicitly, as the basis for a decision that affects the person's access to vocational training, work, continuity of work, professional promotion, salary, among others. Only those who have the power to decide on the employment relationship, that is, the hierarchically superior person, are active subjects of this type of harassment.
- Environmental sexual harassment. Its main characteristic is that active subjects maintain a behavior of a sexual nature, of any kind, which has as a consequence, whether sought or not, to produce an intimidating, hostile, offensive or humiliating context. The affected condition is the environment, the working environment. In this case, also active subjects may be co-workers or third parties, related in some way to the institution.

2 .- Harassment based on sex, sexual orientation and gender expression or identity

- Derogatory comments about women or values considered female, and, in general, sexist comments based on gender biases. They can also be produced against men.
- Undervaluation, contempt or isolation of those who do not behave according to the roles socially assigned to their sex

- Any of the above actions that have as cause or objective discrimination, abuse, harassment or humiliation due to gender difference, affective-sexual orientation or gender identity.
- Any action in the workplace against the dignity of a worker motivated by their sex, affective-sexual orientation or gender identity.
- Assign a person, because of his sex, affective-sexual orientation or gender identity, responsibilities inferior to his capacity or professional category.
- Ignore contributions, comments or actions (excluding, not take seriously).
- Use sexist or homophobic humor.
- Ridicule, belittle people's abilities, abilities and intellectual potential because of their sex, affective-sexual orientation or gender identity.
- Actions directed against the exercise of any labour rights provided for the reconciliation of personal, family and work life.
- Discriminatory conduct on the basis of pregnancy, maternity or paternity of workers or students or the exercise of rights to reconcile personal, family and professional life.
- The exclusion of women or men from entering jobs, where such a requirement is not an essential occupational characteristic.
- The unfavorable treatment of women by the mere fact of being.
- Unequal treatment based on homosexuality, bisexuality and transsexuality or perception of it.
- Having discriminatory behaviour on the basis of a person's sexual orientation or gender identity.

3 .- Cyberbullying

- Harassment: sending denigrating images or videos, tracking using spyware, remission of computer viruses and humiliation using video games.
- Denigration: distribution of information about another person in a derogatory and false tone through an advertisement on a website, sending emails, instant messaging or photographs of a digitally altered person. Online opinionbooks can also be included.
- Impersonation of personality: entry into an email account or a social network of another person to send or post compromising material about it, manipulating and usurping their identity.
- Defamation and *foul play or outing* and trickery: violation of privacy, deceiving the person to share and transmit secrets or confidential information about another in order to promote defamatory rumors.
- Cyberbullying or *cyberstalking*: repeated behavior of harassment or harassment with sending offensive, rude and insulting messages and cyber persecution. These include threats of harm or intimidation that cause the person to fear for their safety.

4 .- Other types of harassment (discriminatory moral harassment)

It includes racist comments or behaviour, contrary to religious freedom or the non-profession of religion or creed, degrading the personal or professional worth of disabled persons, pejoratives of mature or young persons, or homophobic or lesbophobic, including, in particular, behaviours of segregation or isolation of discriminated persons.

ANNEX IV: OVERVIEW OF THE PROCESS

If you belong to the university community or are within the scope of this protocol and consider that you are suffering or have suffered a situation of harassment you can file a complaint or complaint (oral or in writing) with the OPRA (Interfacultades Building, 3 rd floor, offices 3.11 and 3.12, opra@unizar.es , 876 55 30 12 <mailto:opra@unizar.es>) or inform the competent academic or administrative manager or representative of the situation, who will transfer the case to OPRA.

You can also file a complaint or complaint if you are a representative of the working staff, the student or anyone in the university community who has knowledge of the situation.

If the complaint has been made orally, in order for the procedure to be initiated, it must be ratified in writing. Priority will be given to the telematics submission of this complaint. If requested, OPRA staff will advise and accompany in carrying out these procedures in order to safeguard the privacy and confidentiality of the facts.

Once the complaint or complaint has been processed, the OPRA will designate an expert from the list of Confidential Advisors who, after carrying out a first analysis, will issue a report assessing the need to propose urgent precautionary measures for the protection of the harassed person.

The Confidential Adviser will take statements from the parties and, if applicable, witnesses. You can also invite experts to participate, hold hearings and request reports always taking into account the privacy of the affected people and the emotional costs.

Throughout the proceedings, both the complainant and the person complained of may be assisted, if expressly requested, by a trade union representative or other accompanying person of his/her choice.

If it follows from the analysis of the case by the Confidential Advisor that there is still no harassment but if certain behaviors, indications and circumstances that may be considered inappropriate are detected, the person responsible for OPRA will contact the alleged harasser to inform him of the existence of the complaint and the consequences that could result from these behaviors and its repetition and continuity in time. You will also be informed that this action does not imply a finding of the facts and is not a disciplinary sanction. In this case, it is not necessary to identify the person making the complaint to the person on whom the complaint is made. The result will be communicated to the person who has filed the complaint and a confidential report of conclusions will be issued to the Rector. In any case, the OPRA will carry out the attention to the victim and the accompaniment and advice throughout the process.

Upon completion of the proceedings, the Confidential Advisor will issue a valuation report that will forward to OPRA that will propose one of the following alternatives:

- a) Closure of the complaint or complaint, for lack of object or inadequacy of evidence.
- b) Finding of agreement reached between the parties.
- c) Fother than sexual harassment and harassment based on sex, sexual orientation, expression or gender identity. Transfer of the case to the IGS to initiate disciplinary proceedings.
- d) Sexual harassment or harassment based on sex, sexual orientation, expression or gender identity. Complaint before the court. Adoption of appropriate measures to remedy the situation and to protect the victim. Transfer of the case to the IGS.

The report will be forwarded to the victim of harassment and to the person complained of so that, in the event of disagreement with the same, within five calendar days, they can present arguments, and at that time may be interested in the intervention of the COMMITTEE OF ASSESSMENT.

After the deadline for submitting the arguments or, if applicable, after hearing the Advisory Committee, the report shall be forwarded to the Rector, together with the arguments and other documentation relating to the proceedings taken, so that, where appropriate, it may adopt the appropriate resolution.

If the harassment has resulted in a deterioration of the working or training conditions of the victim, it must be restored in the conditions closest to his or her situation of origin. In the same way, appropriate measures shall be taken to guarantee the right to the protection of the health of the persons concerned.

ANNEX V: PROCESS PHASE FLOWCHART

