

Estonian Aviation Academy Guidelines and Strategy for Equal Treatment

I Introduction

The guidelines for equal treatment, including gender equality, contain the **principles and rules** which the Academy follows in addition to the obligations arising from the Gender Equality Act, the Equal Treatment Act, the Employment Contracts Act, the Occupational Health and Safety Act, and the Personal Data Protection Act of the Republic of Estonia.

The guidelines are a written statement of how a modern and supportive team of the Academy could function so that everyone experiences **more joy** at working or studying at the Academy and **less stress** in difficult situations. These principles help us to increase everyone's **satisfaction with their work or studies** and to build a friendlier society.

The guidelines for equal treatment apply within the Academy (workplace, study rooms) and outside it (during business trips, practical training base, partner university), but also at the Academy's events taking place outside work and study hours and places. The Academy encourages its employees and students to notice not only problems but also good things around us and acknowledge them.

Let us take care of our supportive team!

II Code of conduct of the supportive team of the Academy

1. Our values

- We create equal opportunities for all the employees and students of the Academy and ensure equal treatment, including gender equality.
- We aim at a better gender balance, where possible.
- We protect our employees and students from discrimination, harassment and bullying in all employment and study relations.
- Every employee and student of the Academy is valuable, regardless of their mother tongue, nationality or gender. Everyone has the right to peaceful work environment, security and dignity. Discrimination, harassment and bullying of our employees and students is prohibited.
- We care for the employees and students of the Academy and encourage them to inform us of their observations. By upholding our work and study organisation we can create a safe work and study environment for everyone.
- We are always respectful of others, both in our relations with partners, suppliers, clients and persons related to studies.

- We refrain from degrading or offensive communication style. Regardless of their position, everyone has the right to report to or inform their immediate superior or a person organising studies or the personnel manager of any disorderly conduct.
- We value balanced work and study relations, which are based on negotiations and agreements.
- We refrain from inciting hatred, violence or discrimination, denigrating vulnerable groups or individuals, and justifying and praising illegal activities. It is not permissible to justify war crimes and crimes against humanity, to diminish, justify or ridicule the suffering of the victims of such crimes, as well as incitement to war or other use of force or to internationally accepted principles of democratic order. Dissemination of and support for ideologies justifying such crimes is also prohibited.
- Spreading knowingly misinformation is prohibited.
- In the case of any questions about the guidelines for equal treatment, please turn to our lawyer/quality manager.

2. We protect the employees and students of the Academy from discrimination, harassment and bullying in all employment and study relations

2.1. Terms

Discrimination is the less favourable treatment of someone on the basis of a characteristic that the person cannot change on his or her own or that is related to his or her nature. Examples of such characteristics are gender, nationality, colour, race, religion or belief, age, social status, disability, sexual orientation, also pregnancy, childbirth or parenthood, family duties or military service, and representation of employees/academic staff/students.

Harassment is an unwanted or unpleasant repetitive behaviour that creates a humiliating, offensive or hostile environment and is based on, for example, someone's gender, race, colour, nationality, religion or belief, age, disability, or sexual orientation. Harassment is a form of discrimination.

Bullying is any unwanted or unpleasant repetitive behaviour towards a person that creates a degrading, offensive or hostile work or study environment. Bullying can take the form of unrealistic work or study load, making demeaning demands, using offensive nicknames, unwanted physical contact, ignoring, and so on. Work-related bullying can also be in the form of constant demand for overtime or degrading work that does not comply with the employment contract. Bullying can take place either between two persons or in a larger group.

Situations where the immediate superior gives daily work orders is not bullying at work. Situations where the instructor gives the students take-home assignments based on the curriculum (subject programme in the study info system) is not bullying at school.

2.2. What is considered inappropriate behaviour in employment and study relations?

The basis of our organisational culture is benevolent behaviour that is suitable for an employee or a student of the Academy. We encourage our employees and students to say no to unwanted behaviour from the start, by clearly expressing it orally or in writing.

At the Academy, not only any acts that can be considered discrimination, harassing and bullying are prohibited, but also omissions. Every employee and student who has witnessed inappropriate behaviour or to whom someone has confided their worries about bullying or harassment must report it.

For example, unwanted and enforced physical contact, asking for or demanding sexually explicit services, humiliating or threatening comments, jokes, gestures, messages, drawings, cartoons, videos, nicknames or derogatory names, and malicious disregard for co-workers are prohibited.

Such behaviour is prohibited in all forms, including direct communication, telephone conversations and messages, as well as e-mails, social media messages and posts.

2.3. We follow the principles of equal treatment in making decisions related to work and study organisation and in organising work or studies

We do not make any decisions related to work or study organisation (for example, whether or not to recruit an employee or matriculate a student) based on whether a person is a man or woman, whether the person needs to perform family duties or military service, what is the person's nationality, colour, race, religion or belief, age, disability, sexual orientation, social background or any other characteristic specified in laws, unless the nature of the work or studies so requires.

These conditions **apply to all decisions pertaining work and study organisation**: for example, processing applications of candidates for non-academic and academic positions, inviting to or refusing to have interviews, concluding employment or study contracts, matriculating a student, warning an employee or a student. **With respect to the employees**, such decisions also include assigning or not assigning specific tasks or projects, assigning hours or shifts, granting or depriving employees of benefits in connection with the distribution of work or equipment, promoting or refusing to promote an employee, transferring an employee to another job, paying or refusing to pay performance bonuses, general bonuses or additional bonuses, granting or refusing employment benefits, allowing or not allowing the employee to go on holidays or dismissing an employee. **With respect to the students**, these decisions include assigning a practical training place, granting or depriving students of benefits in connection with the distribution of learning tools, acknowledging or refusing to acknowledge a student, paying or refusing to pay scholarships, allowing or refusing to allow a student to take academic leave, exmatriculation.

2.4. Increasing gender balance

For keeping the balance, under equal conditions priority is given to persons who are under-represented in the relevant target group.

Gender balance is also observed in filling the positions (1. leading positions, 2. academic positions, 3. non-academic positions). In recruitment competitions, a candidate of under-represented gender is chosen in the case of equal applicants. However, we encourage applications from everyone irrespective of their gender and other characteristics.

The aim is to achieve a more positive gender balance among our students. To achieve this aim, we:

- provide information on how to apply for admission in a gender-neutral and inclusive manner;
- prefer candidates of under-represented gender in a relevant speciality if the admission results are equal;
- draw attention of decision-makers the possible unacknowledged bias and the importance of considering gender equality.

The Academy strives for the greatest possible gender equality in the advisory boards and assessment committees acting at the Academy and among other involved experts, accepting no compromises in the competence of experts. This principle is followed in setting up all boards. In order to achieve a better gender balance in boards and committees as well as among experts, we:

- pay more attention to the gender aspect when trying to find experts;
- give priority to candidates of under-represented gender in the case of equal candidates;
- ask to nominate candidates of under-represented gender, where possible, if a decision-making body is formed from the candidates proposed by other organisations, so that we could have advisory boards of a more equal gender balance.

3. How to prevent and resolve disagreements and conflicts?

Our interests, values and views may differ, because we are all different. However, this does not prevent us from working and studying well together and achieving common goals.

We set clear goals, responsibilities and deadlines for our employees and students so that everyone knows exactly who does what, when, by what time or in which role. We ensure that the employees and students of the Academy are aware of relevant information pertaining their work and studies.

We always wish to resolve disagreements and conflicts as soon as possible so that they would not create negativity and lead to greater confrontations.

In order to prevent and resolve disagreements and conflicts, it is important to present arguments constructively and listen to one another. We avoid anger, irony, insult and raising our voice when communicating with others.

3.1. How do we resolve disagreements and conflicts?

If you experience discrimination, harassment or bullying or have witnessed such behaviour, report it immediately.

If you have a problem, first seek recourse within the Academy (see clause 3.1.1). We resolve the situation so that you can continue your activities undisturbed after reporting an incident or filing a complaint.

You may always seek assistance outside the Academy (see clause 3.1.2).

We process all complaints in a confidential and impartial manner, we do not involve any unrelated persons and we protect the privacy of victims and their personal data. Employees and students who have complained will be given feedback on the measures taken and solutions, also on further steps within 2 (two) weeks.

3.1.1. Possibilities for seeking recourse within the Academy

3.1.1.1. If you are an employee of the Academy ...

If you are an **employee** of the Academy and feel that you are discriminated, harassed or bullied, turn with you problem (and suggest the best possible solution for you):

- a) to your immediate superior;
- b) to a higher-level superior if you have not received any answer to your complaint from your immediate superior or your immediate superior is the discriminator/harasser/bully or clearly sides with the discriminator/bully.

If your oral report or complaint does not lead to any results, please contact again in a form reproducible in writing.

3.1.1.2. If you are a student or teaching staff member ...

If you are a **student or a teaching staff member** at the Academy and feel that you are discriminated, harassed or bullied in the learning environment, turn with you problem (and suggest the best possible solution for you):

- a) to the head of unit managing the curriculum (in the case of continuing education, to the Head of the Academic Affairs Office);
- b) to the Vice Rector for Education if the problem is wider or the head of unit is unable to seek a solution, if the head of unit is the discriminator/harasser/bully or clearly sides with the discriminator/harasser/bully.

If your oral report or complaint does not lead to any results, please contact again in a form reproducible in writing.

3.1.1.3. Complaint to lawyer/quality manager

If the above process does not give any solution or the solution does not satisfy you and you feel that the case needs official intervention and evaluation, you may file an official complaint with the lawyer/quality manager either on paper or by e-mail. You may also do it if you do not wish to go through the steps described above. The complaint may be in a free form, but should certainly contain the description of all circumstances. The complaint must reveal how the incident relates to

working or studying at the Academy, because these guidelines do not apply to resolving private conflicts.

The person receiving the complaint has the right:

- a) review the complaint independently or
- b) convene an impartial committee of at least three members.

The actions of the committee are the following (but may not be limited to them):

1. Asking explanations from all parties related to the complaint and possible witnesses. In the case of staff-related complaints, explanations are also asked from the complainant and the immediate and/or higher-level superior of the alleged discriminator/harasser/bully.
2. Reviewing the evidence of the complaint.
3. Evaluating the described situation based on the evidence and statements.
4. Taking a decision on the occurrence of the alleged violence. A written decision includes the circumstances, collected evidence and a conclusion, also recommendations/suggestions, when necessary (e.g., on changing work arrangements), or an order to the persons on leading positions for further actions.

The possible decision the committee takes may be one of the following:

1. Discrimination, harassment or bullying occurred or most likely occurred.
2. Discrimination, harassment or bullying did not occur or most likely did not occur. This does not preclude the conclusion that the conduct of the alleged violator was still rude and/or unprofessional.
3. It is not possible to form an opinion about discrimination or bullying because the evidence is unreliable or inconclusive and acquiring more proof is not possible.

If the committee has established that there has been discrimination/harassment/bullying:

1. by an employee (incl. teaching staff members), the committee may submit a proposal to the violator's immediate and higher-level superior to issue an oral or a written warning to the employee or to initiate the extraordinary termination of the employment contract;
2. by a student, the committee may submit a proposal to the Vice Rector for Education to issue for improper behaviour a reprimand or prepare a proposal for exmatriculation based on the Study Regulations (in the case of a continuing education learner, propose the exclusion of the learner from studies under the Rules for the Provision and Quality Assurance of Continuing Education);
3. by a person providing services under a contract based on the law of obligations, the committee may make a proposal to the person arranging studies or the head of unit to reprimand the service provider or to initiate the extraordinary cancellation of the contract.

If the circumstances justify and both parties agree to it, the investigation of the complaint may be replaced with an internal conciliation. In this case, a decision is not made about the occurrence of discrimination/harassment/bullying. If the conciliation fails, the complaint will be investigated further.

Two months after the conciliation or making the decision, the personnel manager conducts a follow-up evaluation by asking the head of unit whether the situation has been resolved, whether

the order stated in the decision has been implemented and submitted proposals have been taken into account.

The decision of the committee cannot be appealed within the Academy.

3.1.2. Possibilities for seeking recourse outside the Academy

Anyone who feels that their rights have been violated, have several possibilities, for example:

- ask advice from the gender equality and equal treatment commissioner;
- turn to the Labour Inspectorate to ask assistance in labour relations (if you are an employee);
- turn to the labour dispute committee for resolving disputes related to discrimination (if you are an employee);
- turn to the Ministry of Education and Research that has the right to inspect the Academy;
- have recourse to a court in order to resolve the discrimination dispute;
- report the crime to the police;
- ask the chancellor of justice to resolve the discrimination dispute by way of conciliation proceedings.

NB! Victims have the right to claim compensation for the damage caused by discrimination within one year from the date of becoming aware of the violation of rights (see § 25 of the Equal Treatment Act).

3.1.3. Complaint against the rector

Complaints against the rector are to be submitted to the Council of the Academy or the Ministry of Education and Research that has the right to inspect the Academy.

3.1.4. If you want to appeal the decision in matters regarding the organisation of work or studies

If you find that as a result of discrimination, harassment or bullying, an incorrect decision has been taken in matters regarding the organisation of work (e.g., incorrect evaluation at your development discussion, not allowing to take your annual leave) or studies (e.g., incorrect admission result, not allowed to take an exam, incorrect grade) and you want to appeal that, it must be done in compliance with the rules and deadlines provided for in the Employment Contracts Act in the case of decisions in matters related to the organisation of work, and in compliance with the rules and deadlines established in the Study Regulations in the case of decisions in matters related to the organisation of studies (in the case of continuing education, as provided for in the Estonian Aviation Academy Rules for the Provision and Quality Assurance of Continuing Education).

3.2. How to react in the case of discrimination/harassment/bullying?

3.2.1. If you are an employee or a student at the Academy and feel that you are discriminated/harassed/bullied at work or in your studies

- Say or write to the person that their behaviour is unacceptable and ask to stop. You may also let them know that you will file a complaint if the situation persists. If you are afraid to contact the person bullying you, ask some other trustworthy person to do it.
- Write down the entire chain of events with dates and times so that it would be easier to recall the details later.
- Collect and keep all written evidence (e-mails, etc.). If other people happen to witness the situation, make a note of it, because eyewitness accounts could be important evidence. In order to identify discrimination or bullying, evidence is crucial.
- Do not keep your problems to yourself. If you are an employee, inform your immediate or higher-level superior. If you are a student, turn to the head of unit managing the curriculum or the Head of the Academic Affairs Office. If you are a continuous education learner, turn to the Head of the Academic Affairs Office. If you feel that you have not received help, you may file an official complaint to the lawyer/quality manager.
- Students and employees are offered psychological counselling, where possible, with the assistance of competent service providers. Psychologists do not resolve complaints, but you can share your concerns in confidence and discuss possible solutions with them.
- Provide the person handling your complaint with all the necessary information and explain what you think would be the best final solution.
- In the case of physical violence or some other threatening situation (e.g., someone is stalking you), contact the police.

You have the right to file a complaint. Even if discrimination, harassment or bullying is not proven during the investigation, it does not mean that you have done anything wrong. You have only acted wrong if you knowingly lied when filing a complaint. In that case, your complaint is malicious, and the Academy may apply respective measures to reprimand you.

3.2.2. If you see that a colleague or fellow-student is being discriminated, harassed or bullied

- Talk to the person being discriminated/harassed/bullied and show your support.
- Be aware that your intervention and bringing the situation to attention is essential, because the person who is discriminated/harassed/bullied is often afraid to seek help.
- If you see that the situation has not changed and you feel safe, intervene and tell the discriminator/harasser/bully that their conduct is unacceptable. If you do not wish to intervene yourself, inform the relevant persons at the Academy (see above).
- If you notice a physical attack against your colleague or fellow-student and you do not feel safe, call the police.
- Be cooperative if you are an eyewitness and your statement is required.

A complaint may be filed by anyone who witnesses discrimination, harassment or bullying or a disturbing, threatening, hostile, derogatory, humiliating or insulting atmosphere, even if the direct victim is someone else. Discriminating, harassment or bullying that is not addressed makes everyone in the group a potential victim. For this reason, it is essential that eyewitnesses intervene or draw attention to the situation.

3.2.3. If you are the employee of the Academy who receives a complaint about discrimination/harassment/bullying

- Do not waste time, but act immediately and acknowledge the seriousness of the incident.
- The sooner you start to handle the complaint, the more likely it is to find a solution.
- First, talk to the person who filed the complaint, be objective, do not blame or judge.
- If discrimination, harassment or bullying is suspected and the problems cannot be resolved, immediately clarify the circumstances after you have received the consent of the complainant. As a result of the investigation, the complainant must be able to continue working undisturbed.
- Involve the complainant in resolving the matter, agree on the main measures and activities with them and ask what the complainant thinks could be the best final result.
- Ask for advice from the personnel manager (in staff-related complaints) or the Office of Academic Affairs (in student-related complaints).
- If the complaint requires substantive solution, certainly talk to the person blamed in the complaint, be objective.
- Record the main events and circumstances that you have come to know when handling the complaint.
- Be as discreet as possible when clarifying the facts of the incident. Protect as far as possible the anonymity and dignity of the persons involved. Keep the collected evidence confidential.
- Evaluate the situation based on objective circumstances, and do not let the majority's opinion shape your conduct and point of view.

Share the information related to the complaint only with those who must be consulted or informed in order to find a solution. Explain to everyone involved in the matter the sensitive nature of it and the requirement of confidentiality.

3.2.4. If you are an employee or a student of the Academy against whom a complaint for discrimination, harassment or bullying has been filed

- Talk to the person handling the complaint, explain the situation from your viewpoint and suggest the best final solution.
- Even if you feel that you have done nothing wrong, do not belittle the feelings of the complainant, but stop the alleged inappropriate behaviour immediately.
- No one is condemned solely due to the fact that a complaint has been filed.

3.3. What measures do we take?

If the results of the investigation confirm that there has been a case of discrimination, harassment or bullying, it is our duty to restore a normal working or studying environment. For this purpose, we may talk to the employee or student, arrange training on the subject, where necessary, warn the student or the employee working on the basis of an employment contract or reprimand the service provider acting under a contract based on the law of obligations. In the event of a serious violation, we terminate the employment of the employee or the contract of the service provider acting under a contract based on the law of obligations.

4. Prohibition of the less favourable treatment

We do not treat worse anyone who has filed a complaint or participated in an investigation, regardless of the outcome of the investigation. If our students or employees of the Academy feel that they are subject to any unfavourable treatment as a result of filing a complaint with a public authority or assisting in an investigation, they must report it to their **immediate superior** or the person organising studies, and if the person treating them unfavourably was their immediate superior or the person organising studies, to their **higher-level superior**. Unfavourable treatment may also be reported to the lawyer/quality manager.

5. Principles of investigations

A complaint has to be addressed as soon as possible, but the period of investigation may vary depending on specific circumstances. The person who investigates the complaint must deal with it thoroughly and impartially and ensure that the complainant is safe from possible persecution.

It is important that the person who investigates the complaint, keeps the complainant informed and agrees with the complainant the most significant steps. The complainant's wishes with regard to the measures applied and the final solution must also be taken into account. In investigating the complaint, explanations have to be asked from the alleged discriminator/harasser/bully and possible witnesses. At the same time, the person who investigates the complaint must inform relevant superiors and the Office of Academic Affairs or the personnel manager. In any event, everyone involved in the resolution of the complaint must follow the obligation of confidentiality and the may not disclose the information received in the course of investigation to any third parties.

The person who investigates the complaint must do everything to reach a reasonable and justified conviction that discrimination, harassment or bullying probably occurred or did not occur. Making the decision does not require proving with absolute certainty that discrimination, harassment or bullying occurred.

6. Follow-up and consequences

6.1. Staff-related complaints

The person who investigates the complaint communicates the decision made to the complainant and the alleged violator, also to relevant superiors and the personnel manager. If the person who investigates the complaint finds that discrimination/harassment/bullying occurred or most likely occurred, issuing of an oral and a written warning to the violator or reprimanding the violator is contemplated as possible solutions, which in the case of more serious incidents also include the extraordinary termination of the employment contract or a contract based on the law of obligation. A relevant sanction is applied in cooperation with the personnel manager.

A person in charge must also consider possible changes to the working arrangements: either to move the complainant or the violator's workplace to another room or building, or to take other measures to restore working peace (have one of the parties work from home for a while, suggest a psychologist's consultation, etc.).

It is important to observe the workplace environment so that the complainant would not suffer any reprisals from the discriminator/harasser/bully or other employees.

6.2. Student-related complaints

The person who investigates the complaint communicates the decision made to the complainant, the alleged violator and, where necessary, also the Office of Academic Affairs. If the person who investigates the complaint finds that a student has discriminated, harassed or bullied some other student or a teaching staff member or most likely has done that, he or she has the right to suggest to the Vice Rector of Education the convocation of a committee in order to contemplate exmatriculation for improper behaviour based on the Study Regulations (in the case of continuing education learner, the Academy has the right to exclude the learner from studies).

If the person who investigates the complaint finds that a teaching staff member has discriminated or bullied a student or most likely has done that, the incidence is reported to the immediate superior of the teaching staff member, a higher-level superior or the personnel manager. In this case, the immediate superior may, after agreeing it with a higher-level superior and in cooperation with the personnel manager, issue an oral or a written warning or initiate the extraordinary termination of the employment contract or reprimand orally or in writing a service provider acting under a contract based on the law of obligation or initiate the termination of such contract.

If the person who investigates the complaint has concluded that the conduct of the teaching staff member caused negative consequences for the student in relation to the organisation of studies, the investigator advises the student on the possibilities to appeal the decision related to the organisation of studies.

Implementing provision

The Estonian Aviation Academy Guidelines for Equal Treatment enter into force on 3 October 2022.