

**DESY- Deutsches Elektronen-Synchrotron**

**DESY Guidelines  
on sexual harassment  
in the workplace**



# Foreword

The foundation DESY Deutsches Elektronen-Synchrotron ensures that in its area of responsibility the personal integrity and dignity of all its employees and other person on the DESY premise is respected. Any DESY employee as well as any other person should be able to move and work on the premise without being intimidated, discriminated or harassed.

Sexual harassment will not be tolerated at DESY and is prohibited. DESY will exploit all actions permitted by law and implement all required legal sanctions to protect any affected person.

By openly addressing the subject of sexual harassment, it becomes distinct and visible as an issue as such which is the first step to understand, prevent and respond to sexual harassment. The DESY guidelines illustrate what steps should be taken in the case of sexual harassment. It provides relevant information for affected person and helps supervisors to understand when and how they are to step in when they notice a case of sexual harassment.

In the DESY Guidelines you will find definitions of terms, recommendations of how to take action as well as the necessary steps you have to take in order to file a complaint. The guidelines outline measures and consequences that are to follow the incident of sexual harassment.

As additional preventive measures DESY also offers targeted trainings on a regular basis to sensitize supervisors and staff to this matter.

## I. Defining Sexual harassment

The General Equality Act (AGG) defines in § 3 Abs.4 : sexual harassment is occurring when a person is molested with unwanted, sexually determined behavior which includes:

- unwanted sexual acts and requests (to them)
- sexually determined physical touching/touches
- remarks of sexual content as well as
- unwanted showing and public exhibition of pornographic images

This form of behavior violates the dignity of the affected person in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment. The intention of the person committing the harassment is irrelevant – what counts is the effect it has on the harassed person.

Examples of sexual harassment including:

- unwanted touching, breathing or hugging
- sexually suggestive and defamatory remarks
- obscene jokes and sayings that seem humiliating
- any request for sexual conduct
- installing and showing photos, drawings and texts with pornographic content (e.g. showing persons with little or no clothes on)
- exhibitionist acts

Sexual harassment is particularly damaging when a relationship of dependency exists. *Managers or supervisors could use their power to put pressure on their subordinate to intimidate and coerce them in a sexually charged atmosphere. with the promise of a benefit for the career or threaten the victim with disadvantages in his/her professional career.*

Sexual harassment has to be distinguished from sexual discrimination and sexual violence.

## II. Guidelines for affected individuals

Sexual harassment can have far-reaching impacts for the victim. The physical as well as the mental state of a person can be disrupted, a loss of motivation and a deterioration in the performance of their professional career might occur. Work as well as private life can be affected. Victims of sexual harassment should seek advice and support, and therefore contact either, a person of trust, their supervisor or the human resources department.

Any affected individual should try to set boundaries through clear words. The victim thus makes it clear that the behavior shown by the offender is undesirable and will not be tolerated. A loud and clear "No, I don't want that!" Or "Leave that!" breaks the atmosphere of secrecy.

It might be helpful to confront a stalker or harasser in front of a witness and make it clear, that no contact is desired. The incident of a sexual harassment should be documented immediately. Date, time, location, name of the harasser, facts about the circumstances, names of possible witnesses should be written down and additional evidence, e.g. letters or emails should be collected and saved.

One should talk to people of trust. This could be your partner, friends, fellow students, colleagues or / and relatives. Talking can be helpful to see one's situation more clearly, strengthen one's self-confidence and reflect on further steps.

In addition it might be also helpful to consult with a representative of one of the departments in charge. At DESY, for example, an HR officer, the Equal Opportunities Officer, the AGG Complaints Officer or a member of the Works Council.

Further course of action will be discussed with this person of trust. This may include:

- talking to the harasser
- involving your supervisor
- a discussion between the affected person and the harasser in the presence of a person of trust and the supervisor
- initiating an official complaint to the executive, the AGG Complaints Unit, the Human Resources Department, the Works Council or the Equal Opportunities Office
- direct involvement of the HR department

Please note that the consequences the harasser might have to face also depend on the person of trust you choose to talk to. If you choose to talk to the Equal Opportunities Officer, a member of the Works Council or the Medical Service further investigations or measures will only be carried out with your consent.

Supervisors and HR officers, on the other hand, are – by employment law - obliged to prevent sexual harassment in the workplace and take appropriate measures to protect employees and students (see III. Guidelines for supervisors or person of trust at DESY).

See also:

Federal Anti-Discrimination Agency – What to do in case of Sexual harassment in the workplace

[www. Antidiskriminierungsstelle.de](http://www.Antidiskriminierungsstelle.de)

### III. Guidelines for supervisors or person of trust at DESY

Supervisors are with regard to employment law obliged to take appropriate action to protect employees, staff and students from sexual harassment.

If either an HR officer or a supervisor becomes aware of the incident of a sexual harassment, he /she must immediately ensure that the harassing behavior will be stopped. The HR department has to be informed.

Generally it is necessary for the supervisor or person of trust to talk to the harassed person in order to clarify the facts of the matter. This interview should take place in a safe environment and in an atmosphere of trust. In addition:

- the affected person should be asked if he/she would like to be accompanied by a person of their trust during the interview
- the supervisor or HR officer should clarify if there might be a danger of an immediate threat for the affected person
- time should be taken to understand what happened and to not judge the situation in advance
- document what happened
- find out if there are any witnesses for that incident and write down their names
- discuss how to proceed; who should be notified; should an official complaint be filed?; involvement of HR department?
- the supervisor should inform the HR department immediately
- start with the next steps agreed upon promptly

**Stay in touch with the victim and keep him / her informed!**

### IV. Measures and consequences

In addition to educational measures such as providing information on how to prevent and how to deal with workplace harassment and offering an anti-harassment training to all staff (including supervisors) it may be inevitable for the employer to take immediate action. The involvement of the HR department may lead to an official employment law procedure in which all parties involved will be interviewed. As a result further labor law measures might follow: written warning (reprimand), transfer or reassignment of duties, suspension or termination employment.

The person concerned will be informed about the outcome of the proceedings.

Hamburg, September 2018 (updated August 2024)

For the DESY Board of Directors

Arik Willner

Helmut Dosch

## **Contact Persons at DESY**

### **Hamburg**

- > AGG Complaints – Dr. Von-Huey Chow
- > HR-Department – Mrs. Gebert, Mrs. Fahlbusch
- > Equal Opportunities Officers – Mrs. Buban, Mrs. Halm
- > Works Council – all members
- > Medical Service – Dr. Bünz,  
Dr. Walther (conflict counseling)
- > All supervisors – professional or disciplinary

### **Zeuthen**

- > AGG Complaints – Dr. Von-Huey Chow (location Hamburg)
- > HR-Department – Mrs. Gebert, Mrs. Fahlbusch (location Hamburg)
- > Women's Representatives – Mrs. Alessandria, Mrs. Neumann
- > Works Council – all members
- > Medical Service – Dr. Willig
- > All supervisors – professional or disciplinary