

**MINISTRY OF EDUCATION AND SCIENCE OF UKRAINE  
TERNOPIL VOLODYMYR HNATIUK NATIONAL  
PEDAGOGICAL UNIVERSITY**

**APPROVED BY**

The academic council of the university,  
protocol no. 11, dated by 26.03.2024.  
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(order No. 84-r)

First Vice- Rector /signed/ Nadiya DRO  
BYK

Seal: /Ministry of Education and Science of Ukraine \*  
Ternopil Volodymyr Hnatiuk National Pedagogical  
University \* 02125544/

**REGULATIONS  
ON THE COMMISSION FOR ENSURING EQUAL RIGHTS AND  
OPPORTUNITIES FOR WOMEN AND MEN  
AT TERNOPIL VOLODYMYR HNATIUK NATIONAL PEDAGOGICAL  
UNIVERSITY**

Ternopil – 2024

*This is correct and accurate translation,  
which corresponds to the original text.  
Translated from Ukrainian into English  
by the certified translator Liudmyla Koshivka*



## 1. GENERAL PROVISIONS

1.1. The Regulations on the Commission for Ensuring Equal Rights and Opportunities for Women and Men at Ternopil Volodymyr Hnatiuk National Pedagogical University (hereinafter – the Regulations) define the procedure for the activities of the Commission for Ensuring Equal Rights and Opportunities for Women and Men at Ternopil Volodymyr Hnatiuk National Pedagogical University (hereinafter – the Commission), the procedure for considering applications/complaints regarding violations by members of the university community of the principles of ensuring equal rights and opportunities for women and men at Ternopil Volodymyr Hnatiuk National Pedagogical University (hereinafter – TNPU), as well as the forms of disciplinary action.

1.2. In its activities, the Commission is guided by the Constitution of Ukraine, the Laws of Ukraine *On Education, On Higher Education, On Ensuring Equal Rights and Opportunities for Women and Men, On the Principles of Preventing and Combating Discrimination in Ukraine, and On Preventing and Combating Domestic Violence*; by decrees of the President of Ukraine, resolutions of the Cabinet of Ministers of Ukraine, regulatory legal acts of the Ministry of Education and Science of Ukraine; by international instruments to which Ukraine is a party and whose binding force has been approved by the Verkhovna Rada of Ukraine; by the Statute of Ternopil Volodymyr Hnatiuk National Pedagogical University and other TNPU regulatory documents, including: the Strategy for the Development of Educational, Scientific, and Innovative Activities of Ternopil Volodymyr Hnatiuk National Pedagogical University for 2015–2025; the Collective Agreement between the Administration and the Trade Union Committee of Employees of Ternopil Volodymyr Hnatiuk National Pedagogical University for 2024–2025; the Code of Honor of Ternopil Volodymyr Hnatiuk National Pedagogical University; the Code of Corporate Culture of Ternopil Volodymyr Hnatiuk National Pedagogical University; the Regulations on the Settlement of Conflict Situations; the Internal Labor Regulations of Ternopil Volodymyr Hnatiuk National Pedagogical University; the Gender Equality Strategy at Ternopil Volodymyr Hnatiuk National Pedagogical University for 2024–2030; and these Regulations.

In addition to the national regulatory framework, the Regulations make use of information from open sources, including electronic resources of the Ministry of Social Policy of Ukraine, the Ministry of Foreign Affairs of Ukraine, and the Ministry of Education and Science of Ukraine, as well as the websites of higher education institutions (such as the National University of Kyiv-Mohyla Academy, the National Technical University of Ukraine “Igor Sikorsky Kyiv Polytechnic Institute,” the Yaroslav Mudryi National Law University, and others).

1.3. The activities of the Commission are based on the following principles:

- legality, honesty, integrity, fairness, mutual trust, competence, responsibility, and collegiality;
- respect for the honor, dignity, and rights of every individual;
- performance of professional duties on the basis of gender equality;
- ensuring equal rights and opportunities for individuals and/or groups of individuals;
- prevention of any forms of violence, discrimination on any grounds, and

sexual harassment in the workplace;

- ensuring equal opportunities for women and men in combining professional and family responsibilities;
- protection of the rights of participants in the educational process from actions and information aimed at discrimination based on sex;
- respect for privacy, protection of personal data, and confidentiality in the consideration of applications/complaints;
- systematic monitoring of violations of the principle of ensuring equal rights and opportunities for women and men, manifestations of discrimination and sexual harassment, and appropriate response to identified cases.

## 2. KEY TERMS

The following terms are used in these Regulations with the meanings indicated below:  
**Application (complaint)** – an unverified report of an incident based on an individual’s statement that the policy of equality has been violated in relation to them.

**Applicant/Complainant** – a person who claims to have been discriminated against, harassed, or subjected to sexual harassment. A single complaint may include no more than one applicant.

**Person against whom the application (complaint) is submitted** – a person who is allegedly responsible for sexual harassment, discrimination, or harassment.

**Sexual harassment** – actions of a sexual nature expressed verbally (threats, intimidation, indecent or unwelcome suggestions and/or remarks, jokes, messages, letters, display of images, etc.) or physically (unwanted touching, patting, etc.) that humiliate or offend a person who is in a relationship of employment, service, material, or other subordination.

**Sexism** – any act, gesture, visual display, spoken or written words, actions, or behavior based on the belief that an individual or a group of individuals is inferior to others because of their sex. Sexism in the workplace is manifested through humiliating sexist comments directed at an employee or group of employees, sexual objectification, sexist jokes, overly explicit remarks, silence or ignoring, demeaning comments about clothing or appearance, sexist gestures, and lack of respect.

**Gender-based discrimination** – a situation in which an individual and/or group of individuals, on the grounds of sex (whether actual, past, present, or presumed), experiences restrictions in the recognition, exercise, or enjoyment of rights, freedoms, or privileges in any form as defined by the Law of Ukraine “On the Principles of Preventing and Combating Discrimination in Ukraine,” except in cases where such restrictions or privileges have a legitimate, objectively justified purpose, and the means of achieving it are appropriate and necessary.

**Gender-based discrimination in social and labor relations** is manifested through:

- unequal access to professional training, qualification upgrading, and retraining, including gaining practical experience;
- unequal access to paid work and various professions (occupations), including selection criteria, hiring conditions, and career advancement;
- unjustified or groundless inequality in pay;
- unequal working conditions and organization of working hours;
- unequal access to compensation and benefits.

**Discrimination** – a situation in which an individual and/or group of individuals, on the grounds of their race, skin color, political, religious, or other beliefs, sex, age, disability, ethnic or social origin, citizenship, family or property status, place of residence, language, or other characteristics, whether actual, past, present, or presumed (hereinafter – specific characteristics), experiences restrictions in the recognition, exercise, or enjoyment of rights and freedoms in any form, except in cases where such restriction pursues a lawful, objectively justified purpose and the means of achieving it are appropriate and necessary.

**Direct discrimination** – a situation in which an individual and/or group of individuals is treated less favorably than another individual and/or group of individuals in a similar situation on the basis of specific characteristics, except in cases where such treatment pursues a lawful, objectively justified purpose and the means of achieving it are appropriate and necessary.

**Indirect discrimination** – a situation in which, as a result of the implementation or application of formally neutral legal norms, evaluation criteria, rules, requirements, or practices, an individual and/or group of individuals is placed in less favorable conditions or a position compared to other individuals and/or groups of individuals, except in cases where such implementation or application pursues a lawful, objectively justified purpose and the means of achieving it are appropriate and necessary.

**Harassment** – unwanted behavior toward an individual and/or group of individuals, the purpose or effect of which is to humiliate their human dignity on the basis of specific characteristics or to create a tense, hostile, offensive, or disrespectful environment for such an individual or group. Harassment in the workplace or educational setting does not include: assessment of work/study performance or efficiency; appropriate manner of issuing orders and/or instructions; disagreement or misunderstanding; or proper discipline in the workplace or educational setting.

**Persecution (stalking)** – repeated attempts to observe, follow, and/or harass a specific person, causing them to fear for their own safety or the safety of others, or to experience significant emotional distress.

### **3. PROCEDURE FOR THE COMMISSION'S WORK**

The Commission for Ensuring Equal Rights and Opportunities for Women and Men at TNPU organizes and carries out work to ensure equal rights and opportunities for women and men, to prevent manifestations of gender-based and other forms of discrimination, as well as sexual harassment in the workplace, and to respond to such cases.

#### **3.1. Purpose and Objectives of the Commission**

The Commission for Ensuring Equal Rights and Opportunities for Women and Men at TNPU is a collegial expert and consultative body whose purpose is to monitor the university environment to ensure equal rights and opportunities for women and men, and to uphold non-discriminatory and parity-based conditions for self-realization of professionals among the administration, academic, scientific, pedagogical, and teaching staff, as well as support and service personnel, and students.

The Commission also responds to cases of gender-based or other forms of discrimination and sexual harassment in order to ensure their immediate cessation, protect victims, hold offenders accountable, and take measures to prevent such incidents in the future.

The objectives of the Commission are as follows:

- to disseminate information among higher education students and staff about international and national legislation, as well as Ternopil Volodymyr Hnatiuk National Pedagogical University (TNPU) regulations concerning the promotion of equal rights and opportunities for women and men, prevention and counteraction of discrimination and sexual harassment in the workplace;
- to promote the strengthening of partnership and dialogical relations among participants in the educational process, and to consolidate the university community in creating a gender-sensitive and non-discriminatory educational environment;
- to provide expert assessment of actions and behaviors of members of the university community that may be regarded as violations of the *Strategy for Ensuring Gender Equality at TNPU for 2024–2034*;
- to provide advisory and informational support to the leadership of TNPU's structural units and student self-government bodies on ensuring equal rights and opportunities for women and men, and on the prevention and counteraction of discrimination and sexual harassment;
- to consider applications/complaints regarding violations of the principle of ensuring equal rights and opportunities for women and men, as well as cases of discrimination and sexual harassment in the workplace;
- to develop recommendations for improving the gender-sensitive corporate culture of the university community, promoting egalitarian values, and strengthening the principles of gender equality and non-discrimination.

#### **4. COMPOSITION AND POWERS OF THE COMMISSION**

**4.1.** Members of the Commission work on a voluntary basis.

**4.2.** The composition of the Commission is approved by order of the Rector. The composition is formed in accordance with the principle of equal representation of women and men. The term of office of the Commission is three years.

**4.3.** The Commission consists of a Chair, a Deputy Chair, a Secretary, and no fewer than seven members. The Commission includes the Vice-Rector for Research and International Cooperation; representatives of the TNPU Center for Gender Studies and the Implementation of Equal Rights and Opportunities Policy; deans of faculties; a practical psychologist from the Youth Affairs Department of TNPU; a legal adviser; the head of the employees' trade union; the head of the Human Resources Department; academic and teaching staff, and other university employees who are gender experts. For the consideration of applications/complaints submitted by higher education students, representatives of student self-government bodies are also included in the Commission.

The Commission elects from among its members a Chair, a Deputy Chair, and a Secretary.

**4.4.** The Chair of the Commission organizes its work and is responsible for the fulfillment of the tasks assigned to it, presides over meetings, determines the list of issues to be discussed, and signs minutes and decisions, among other duties. The Chair defines the functional responsibilities of each member of the Commission. In the absence of the Chair, the Deputy Chair performs their duties. In the absence of both the Chair and the Deputy Chair, one of the Commission

members, selected by the Commission upon the proposal of the Secretary, performs the duties of the Chair.

In the absence of the Secretary, one of the Commission members, selected upon the proposal of the Chair or the Deputy Chair, performs the Secretary's duties. The Secretary of the Commission ensures the technical preparation of meetings and materials for consideration, maintains meeting minutes, and keeps other documentation related to the Commission's activities.

**4.5.** The Commission carries out response, prevention, and counteraction to manifestations of discrimination based on gender or other grounds, as well as to sexual harassment in the TNPU workplace, namely:

- ensures control over adherence to the principle of non-discrimination and the prevention and counteraction of sexual harassment;
- prepares recommendations on prohibiting discrimination based on gender or other characteristics, as well as on preventing sexual harassment in the workplace;
- records and summarizes cases of discrimination based on gender or other characteristics and cases of sexual harassment in the workplace, and prepares a report based on the processing of applications or complaints;
- submits an annual report of the Commission to the Academic Council based on the results of reviewed applications or complaints.

**4.6. The Commission is obliged to:**

- consider applications or complaints from individuals or groups of individuals concerning discrimination based on gender or other grounds, as well as sexual harassment in the workplace;
- obtain from the parties and other persons the information necessary for an objective clarification of all circumstances of inappropriate behavior;
- prepare conclusions confirming or refuting the fact of inappropriate behavior based on the results of the consideration of applications or complaints;
- observe the principles of respect for privacy and protection of personal data of women and men among the administration, academic, research, teaching and support staff, service personnel, and higher education students.

**4.7.** The Commission has the right to send requests to TNPU structural units to provide materials necessary for preparing Commission meetings and to submit information on the implementation of the Commission's adopted decisions.

**4.8.** Members of the Commission have the right to:

- review materials related to cases of violation of gender equality, discrimination, or sexual harassment at TNPU, and participate in their verification;
- make proposals and express personal opinions on the issues under consideration;
- participate in decision-making through voting;
- express a dissenting opinion orally or in writing;
- propose items for inclusion in the meeting agenda of the Commission.

**4.9.** Members of the Commission are obliged to:

- personally participate in the work of the Commission;
- not disclose to third parties any information obtained through participation in the Commission's work, nor use it for personal benefit or the benefit of others;

- carry out the assignments of the Chair of the Commission within the limits established by law and their official duties;

- participate in voting.

4.10. The Chair, Deputy Chair, and members of the Commission shall:

- organize anti-discrimination information campaigns at TNPU, including master classes, training sessions, and other educational activities on human rights, gender equality, and the prevention of discrimination and sexual harassment in the workplace;

- take immediate measures, when necessary, to ensure the safety of the complainant/victim of discrimination based on gender or other characteristics and of sexual harassment in the workplace;

- review applications, complaints, or reports of discrimination based on gender or sexual harassment in the workplace and initiate their consideration at a Commission meeting;

- participate in forming the meeting agenda and monitor the implementation of the Commission's decisions.

4.11. Internal or external experts on relevant issues may be involved in the work of the Commission, without the right to vote.

4.12. Issues within the competence of the Commission are considered at its meetings. Meetings are held in cases where:

- an application or complaint regarding possible discrimination based on gender or other grounds, or sexual harassment in the workplace at TNPU, has been received for consideration;

- the Chair or any member of the Commission initiates the consideration of an issue upon receiving an application or complaint (either orally or in written/electronic form) regarding discrimination based on gender or other grounds, or sexual harassment in the workplace.

Meetings of the Commission may be conducted using real-time video communication tools.

## **5. PROCEDURE FOR THE COMMISSION'S RESPONSE**

### **TO CASES OF DISCRIMINATION AND SEXUAL HARASSMENT**

5.1. If a person who is a higher education student, academic or teaching staff member, or employee of the university believes that they have been subjected to discrimination or sexual harassment within the university, they may submit an application either personally or through the "Trust Box" located on the first floor of the TNPU administrative building, or send it via the "electronic trust mailbox" at **stopdiscrimination@tnpu.edu.ua**.

5.2. An application/complaint addressed to the Rector of TNPU is to be submitted to the Vice-Rector for Research and International Cooperation in written form (either electronically or on paper). The application/complaint must include: the surname, first name, and patronymic of the applicant; the date, place, and time of the incident; information about the person who committed the discriminatory and/or sexually inappropriate actions; information about witnesses of such actions; and any other details that the applicant considers important for resolving the situation.

5.3. After receiving the application, the Vice-Rector for Research and International Cooperation registers it in the *"Register of Applications Concerning Cases of*

*Discrimination and Sexual Harassment at TNPU*”, organizes a meeting with the applicant, and offers them a choice between an informal or formal procedure to resolve the situation.

### **Informal Procedure**

The Vice-Rector for Research and International Cooperation shall:

- schedule a meeting (within 10 working days from the date of application) with the complainant, the person whose actions are being reported, witnesses, and other persons who may provide relevant information;
- consult with or request information from TNPU staff who are gender experts and who are not involved in the case under consideration;
- review the complaint and propose ways to resolve the situation related to discrimination or sexual harassment (which do not involve administrative or disciplinary action by TNPU management).

### **Formal Procedure**

The grounds for initiating a formal procedure include:

- refusal by either the complainant or the person whose actions are being reported to participate in the informal procedure;
- failure to reach a mutual resolution through the informal procedure;
- or if the sexual harassment involved a minor.

Within the framework of the formal procedure, after receiving the complaint, the Vice-Rector for Research and International Cooperation must inform the Rector of TNPU about the case of discrimination or sexual harassment.

The period for reviewing an application concerning a case of sexual harassment or discrimination must not exceed thirty working days.

Based on the results of the review, the TNPU administration shall make a decision in accordance with current law.

## **6. SUBMISSION OF APPLICATIONS/COMPLAINTS TO THE COMMISSION**

**6.1.** Any person who reasonably believes that they have been a victim of discrimination based on gender or sexual harassment in the workplace at TNPU has the right to submit an application or complaint.

**6.2.** A person who witnesses gender-based discrimination or sexual harassment, or becomes aware of such facts, may report them to the designated person, their immediate supervisor, or a higher-level supervisor if the facts concern their direct superior.

**6.3.** An application or complaint may be submitted via the *Trust Box* located in a designated publicly accessible area of the TNPU administrative building, or sent by email to the “electronic trust mailbox” at [stopdiscrimination@tnpu.edu.ua](mailto:stopdiscrimination@tnpu.edu.ua). Correspondence from the Trust Box and the electronic mailbox is collected daily by a designated person. Each piece of correspondence is marked “Trust Box” with the date of collection indicated.

**6.4.** An application or complaint must be submitted in good faith meaning the person reporting alleged misconduct must reasonably believe that such behavior occurred. Abuse of the right to submit an application or complaint is not permitted, including initiating disciplinary action against a TNPU official without sufficient

grounds.

Knowingly submitting false information may be considered improper conduct by the applicant (complainant) or a violation of TNPU's code of ethical behavior.

**6.5.** To ensure timely identification of all forms of discrimination – including gender-based discrimination, harassment, sexual harassment, or gender-based violence – and to provide effective protection for the affected person, such a person may, before submitting an application or complaint, seek methodological and consultative assistance from the designated person.

**6.6.** The application or complaint must be submitted in written form and include:

- a description of the violation of the complainant's rights that serves as the basis for submission;

- information about the applicant and the person whose actions are being reported;

- the time and place of the incident;

- facts and actual events that occurred;

- and any available evidence supporting the circumstances described.

If providing evidence is not possible, the applicant must indicate the reasons why certain evidence cannot be provided.

**6.7.** The application or complaint must be personally signed by the applicant, with the date of signing indicated.

**6.8.** Applications or complaints that do not include information about the applicant, are unsigned, or for which authorship cannot be established are considered anonymous and will not be reviewed.

Repeated applications or complaints from the same person on the same issue will also not be reviewed and will be returned if the initial submission has already been resolved on its merits.

**6.9.** Applications or complaints that fail to meet the required format are returned to the complainant with an explanation no later than the third working day after receipt. Returning an application or complaint does not prevent resubmission after the identified deficiencies have been corrected.

**6.10.** An interview with a person who has suffered from discrimination based on gender or other grounds, or from sexual harassment in the TNPU workplace, must be conducted by the designated person no later than the third working day after receiving the application or complaint, in order to further assess the situation and, if necessary, provide psychological support.

**6.11.** The interview between the designated person and the complainant, the person whose actions are being reported, or others familiar with the circumstances of the complaint may be conducted in person, remotely (online), by telephone, or through correspondence.

**6.12.** The designated person may obtain additional explanations from the complainant and other individuals familiar with the case, as well as request relevant documents and materials related to the investigated circumstances.

**6.13.** If the designated person determines that the reported events lack sufficient grounds to be classified as discrimination, harassment, sexual harassment, or gender-based violence in the workplace, they must, no later than the fifth working day, provide the complainant with a reasoned proposal for alternative ways of resolving the situation, without submitting the complaint to the Commission.

**6.14.** If, during the interview or as a result of reviewing collected materials, the designated person identifies signs of discrimination, harassment, sexual harassment, or gender-based violence in the workplace, they shall prepare a conclusion and, within five calendar days from the date of receipt of the complaint, forward the materials for consideration by the Commission.

**6.15.** The complainant may also submit a complaint to state authorities, local self-government bodies and their officials, the Ukrainian Parliament Commissioner for Human Rights, and/or the court, in accordance with applicable law.

**6.16.** The applicant may withdraw their application or complaint at any stage before a decision is made. In such cases, the withdrawn complaint will remain without further consideration.

## **7. PROCEDURE FOR CONSIDERATION OF APPLICATIONS OR COMPLAINTS BY THE COMMISSION**

**7.1.** Applications or complaints regarding discrimination based on gender or other grounds, or sexual harassment in the workplace, are to be reviewed and resolved within no more than one month from the date of registration, including weekends, holidays, and non-working days.

The review period may be extended, but not for more than fifteen calendar days.

**7.2.** After accepting an application or complaint for consideration, along with the attached materials and the conclusion of the designated person, the Commission shall:

- if necessary, contact the applicant for clarification and/or additional information;
- if necessary, request additional information from TNPU employees or students who are aware of the circumstances mentioned in the application or complaint;
- if necessary, invite the applicant to the Commission's meeting;
- schedule the date of the meeting.

**7.3.** During the meeting, each party has equal procedural rights, including the opportunity to respond, name possible witnesses, and present evidence. The investigation of discrimination based on gender or other grounds and sexual harassment in the workplace is conducted by the Commission in compliance with the principles of fairness and personal data protection.

**7.4.** During the meeting, the Commission provides consultations to both parties and proposes ways to resolve the situation.

If a mutual positive resolution is reached, the review of the application/complaint is concluded.

If no positive (compromise) decision is achieved, the Chair of the Commission submits a formal request to initiate disciplinary proceedings in accordance with established procedures.

**7.5.** Decisions of the Commission's meeting are made by open voting, by a simple majority of the Commission members present, provided that at least half of the total members of the Commission are in attendance.

If the votes are evenly divided, the Chair's vote is decisive.

**7.6.** Following each meeting of the Commission, an official minutes document is prepared and signed by the Chair, Commission members, and meeting participants. A copy of the minutes must be kept by the Secretary of the Commission for five years. Copies of the minutes are sent (or provided) to each party.

7.7. If, during the review of a complaint, it is deemed necessary for law enforcement authorities to verify the facts stated in the complaint, the Chair of the Commission ensures that the relevant information is transmitted to the law enforcement agencies for investigation and for taking appropriate measures within their competence to prevent violations of the law.

7.8. Individuals found guilty of violating the legislation on the prevention and counteraction of discrimination and sexual harassment bear civil, administrative, or criminal liability in accordance with the current laws of Ukraine.

## **8. ANALYSIS AND SUMMARIZATION OF INFORMATION REGARDING THE COMMISSION'S WORK WITH APPLICATIONS OR COMPLAINTS**

8.1. Applications, complaints, and comments contained therein are summarized and analyzed by the Commission in order to timely identify their root causes, monitor the state of gender equality, assess the appropriateness of applying positive actions to overcome existing asymmetry or imbalance within TNPU, and take measures to eliminate manifestations of discrimination, gender-based violence, and sexual harassment.

8.2. The Commission's annual report on the results of the processing of applications and complaints is submitted to the TNPU Academic Council by January 10 of the year following the reporting period.

8.3. The summarized information contained in the Commission's report, as well as data on measures taken to eliminate gender-based discrimination, are used in the ongoing information and educational activities of TNPU aimed at ensuring equal rights and opportunities for women and men and eliminating all forms of discrimination.

## **9. FINAL PROVISIONS**

9.1. This Regulation is approved by a decision of the Academic Council and enacted by an order of the Rector of TNPU.

9.2. Amendments and additions to this Regulation are reviewed and approved by the TNPU Academic Council and enacted by an order of the Rector.

9.3. Responsibility for keeping this Regulation up to date and monitoring compliance with its provisions rests with TNPU officials in accordance with their functional duties.