

Information pursuant to § 10 (2) Policy of the University of Potsdam on Protection against Discrimination, (Cyber) Bullying, and (Cyber) Stalking (Anti-Discrimination Guidelines) of 21 September 2022

I. Complaint Procedure

When you have filed a complaint, the complaint procedure will be initiated in accordance with Section 10 of the Anti-Discrimination Guidelines. The Complaints Office may involve responsible persons from the respective affected work and study areas in the procedure, if you wish (Section 10(3), no. 1 Anti-Discrimination Guidelines).

In order to establish and review the facts of the case, the Complaints Office informs the respondent in accordance with Section 10(3) no. 2 of the Anti-Discrimination Guidelines and requests the person to comment on the complaint orally or in writing within a period of two weeks. After the deadline has passed, two members of the Complaints Office will conduct a personal interview with the respondent within ten days. Superiors or deans (of studies) of the respective faculty may also be called in for the discussion. Upon request of the respondent, a trusted person can take part in the discussion.

The Complaints Office documents the result of the review in accordance with Section 10(3) no. 3 of the Anti-Discrimination Guidelines and communicates it to the Executive Board. The Executive Board then decides on suitable, necessary, and appropriate measures and/or sanctions.

According to Section 10(5) of the Anti-Discrimination Guidelines, as the person filing the complaint, you may withdraw the complaint or request a suspension of the proceedings at any time, provided that the university management is not obligated to act.

According to Section 10(6) of the Anti-Discrimination Guidelines, there is no entitlement to anonymous treatment of the complaint during the complaint procedure.

Both the complainant and the respondent have the right to receive information on the status of the procedure during the procedure upon request.

II. Support and Advisory Services

In addition, you will find attached a list of various contact points and counseling services that are available to you:

For students:

- a) Central and Decentral Equal Opportunity Commissioners and Officers of the University of Potsdam
- b) Ombudsperson in accordance with Article 19 of the Basic Constitution (GrundO) of the University of Potsdam

- c) Central Student Advisory Service
- d) Mental Health Counseling for students at the University of Potsdam
- e) Commissioner for Students with Health Impairments/ Chronic Conditions at the University of Potsdam
- f) Anti-discrimination counseling with the Equal Opportunity and Diversity Officer of the University of Potsdam
- g) Service for Families at the University of Potsdam
- h) Counseling service of the International Office for international students
- i) Confidants at the University of Potsdam.

For employees and other university members:

- a) Central and Decentral Equal Opportunity Commissioners and Officers of the University of Potsdam
- b) Ombudsperson in accordance with Article 19 of the Basic Constitution (GrundO) of the University of Potsdam
- c) Staff representatives of the University of Potsdam
- d) Disability representatives for employees of the University of Potsdam
- e) Mental Health Counseling for employees of the University of Potsdam
- f) Anti-discrimination counseling with the Equal Opportunity and Diversity Officer of the University of Potsdam
- g) Division of Human Resources and Legal Affairs of the University of Potsdam
- h) Commissioner for Employees with Health Impairments/ Chronic Conditions at the University of Potsdam
- i) Counseling service of the Welcome Center at the International Office of the University of Potsdam
- j) Service for Families at the University of Potsdam
- k) Confidants at the University of Potsdam.

In the interest of providing you with comprehensive information, we also kindly ask you to take note of the Policy of the University of Potsdam on Protection against Discrimination, (Cyber) Bullying, and (Cyber) Stalking (Anti-Discrimination Guidelines), in particular Sections 8 pp.¹

¹ Available under the following link: <https://www.uni-potsdam.de/en/discrimination-free-university/anti-discrimination/anti-discrimination-guidelines-of-the-university-of-potsdam>

I hereby confirm that I have read the information on the complaint procedure. I wish to carry out the complaint procedure according to Section 10 of the Anti-Discrimination Guidelines.

Place and date

Signature

Additional information:

In the event of discrimination, employees are entitled to (extra)judicial claims under the General Equal Treatment Act. To ensure that these claims can be asserted with legal effect, it is imperative to observe the deadlines.

1. Extrajudicial claim for compensation and damages according to Section 15(4) General Equal Treatment Act (AGG)

Any claim for compensation and/or damages must be asserted in writing within a period of **two months** against the employer, the *University of Potsdam*. In the case of an application or a career advancement, the deadline begins with the receipt of the rejection; in other cases of discrimination, the deadline begins when the employee becomes aware of the discrimination.

2. Legal claim according to Sections 15 AGG, 61b (1) Labor Court Act (ArbGG)

An action for compensation must be filed within **three months** of the claim being made in writing.

3. Information regarding criminal law

In the event of criminal offenses in connection with discrimination, (cyber) bullying or (cyber) stalking, as the person making the complaint, you can file criminal charges with the competent criminal prosecution authorities. These criminal offenses can be prosecuted under the Criminal Code (StGB), among other laws.

Antragsdelikte: Some criminal offenses in German criminal law are considered to be so-called application offenses (*Antragsdelikte*). This means that the criminal prosecution authorities do not act on their own initiative, and prosecution only takes place upon application. As a victim or complainant, you have the option of filing a criminal complaint and thus initiating criminal proceedings.

Deadlines: Specific deadlines apply when filing a criminal complaint in the case of *Antragsdelikte*. These deadlines are firm and must not be exceeded. The exact deadlines are defined in the Criminal Code (StGB). It is important that you file the complaint with the police or the public prosecutor's office within these deadlines in order to preserve your rights to prosecution.

Please note that prosecution of *Antragsdelikte* is usually no longer possible once the deadlines have been exceeded. We therefore recommend that you contact the prosecution authorities promptly if you suspect a criminal offense and, if necessary, file a complaint in due time.

Please also note that the information regarding criminal law in this form does not constitute legal advice. If you have specific questions or concerns regarding criminal law, we recommend that you contact a lawyer. This person will advise you individually and expertly.