

Regulations for protection against breaches of integrity

of 28.01.2026

The Executive Board of the Zurich University of the Arts (ZHdK), based on § 39 (2) of the Personnel Act (PG) and § 7 of the Personnel Ordinance of the Zurich Universities of Applied Sciences (PVF), resolves:

A. General provisions

§ 1 Purpose

- ¹ The purpose of these regulations is to protect members of the ZHdK from violations of integrity of any kind and thus to protect their personality, dignity, and integrity.
- ² It defines responsibilities and procedures.

§ 2 Scope

- ¹ These regulations apply to all members of the ZHdK.
- ² Members include, in particular, all employees and students as well as participants in continuing education events at ZHdK.

§ 3 Protection of personal integrity and declaration of principles

- ¹ Sexual harassment, bullying, and discrimination constitute a violation of personal integrity and thus of the personal rights of those affected. They have a negative impact on the personal development, self-esteem, and freedom of action and decision-making of the person concerned, and violate their dignity or social standing.
- ² The ZHdK respects and protects the personality and dignity of its employees and students at their place of work or study. Where the term "workplace" is used below, it always includes the place of study.
- ³ The ZHdK does not tolerate any violations of integrity and takes appropriate measures to protect its members from such violations.

B. Terms and definitions

§ 4 Discrimination

Discrimination is defined as any statement or action that aims to devalue, disadvantage, exclude, or treat unequally a person without objective reason, in particular on the basis of their origin, skin color, religion, physical or mental characteristics, worldview, sexual orientation, gender, or other relevant criteria.

§ 5 Sexual harassment

- ¹ Sexual harassment in the workplace is defined as any behavior of a sexual nature that is unwanted by the person concerned.
- ² Sexual harassment can be expressed through words, gestures, or actions and can manifest itself in the following behaviors in particular:
 - Suggestive and ambiguous comments
 - comments about physical attributes
 - intrusive and appraising looks
 - sexist remarks and jokes
 - Showing, hanging up, displaying, or sending pornographic material
 - Invitations
 - Attempts to make advances
 - Physical advances and contact
 - Sexual assault, in particular sexual coercion or rape

§ 6 Bullying

¹ Bullying is defined as systematic, hostile behavior toward other persons over a prolonged period of time with the aim of isolating, marginalizing, or even removing a person from their workplace.

² Bullying can manifest itself in the following behaviors in particular:

- Attacks on the ability to communicate (e.g., constant interruptions, nagging, ignoring)
- Attacks on social relationships in the work situation (e.g., exclusion from team activities, withholding important information)
- Attacks on social standing (e.g., ridicule or laughter, malicious gossip, slander)
- Attacks on the quality of the professional and personal situation (e.g., unfair allocation of tasks or days off, under- or overburdening, devaluation of performance, embarrassment)
- Attacks on (mental) health (e.g., assigning dangerous or monotonous work to the same person, indifference to justified complaints or suggestions for improvement)
- Hostile behavior such as threatening, shouting, or verbal abuse.

C. Responsibility

§ 7 Duty of care

¹ The statutory duty of care (Art. 328 OR) obliges employers to take the necessary measures to protect the personal integrity of their employees. In particular:

- Designing work structures in such a way that every person can feel respected and valued;
- Taking measures to support those affected in the event of problems arising.

² In addition to supervisors, the duty of care also applies to all persons who perform teaching tasks in interaction with students (hereinafter referred to as "teachers") and to HRM employees (management team and HR business partners).

§ 8 University

¹ The ZHdK will take action against persons who have been found to have violated integrity, regardless of whether civil or criminal proceedings are initiated.

² The measures are based in particular on the provisions of employment law and the disciplinary regulations in accordance with the Ordinance to the University of Applied Sciences Act of April 8, 2009 (OS 414.101). They range from support and organizational measures to dismissal or expulsion from the program.

§ 9 Supervisors and teaching staff

¹ Supervisors and teaching staff are responsible for ensuring a harassment- and discrimination-free atmosphere within their area of responsibility. They must point out inappropriate behavior to their employees or students and take corrective action if necessary. Prevention is part of their management responsibility and duty of care, as is intervening in specific incidents. If necessary, the relevant contact points specified in § 11 of these regulations are available to provide advice.

² Supervisors and teachers at all levels must take such reports and notifications seriously. If necessary, they shall take appropriate (immediate) measures to protect the person concerned and inform them about these regulations, the contact points, and the possibility of a formal investigation procedure.

³ If a breach of integrity is identified, they shall take the measures within their competence, in particular to remedy the situation and ensure that such behavior does not recur.

⁴ They may seek advice from the relevant contact points in accordance with § 11 of these regulations.

§ 10 University members

¹ All university members shall treat each other with consideration and respect each other's personal boundaries. They shall work together to ensure that a climate of mutual respect prevails at ZHdK.

² Observers of a situation that suggests discrimination, sexual harassment, or bullying should not look away, but should address the person concerned directly and offer support. In doing so, the wishes of the person concerned must be respected and unwelcome interference must be avoided. Unfounded and false accusations will not be tolerated and may result in sanctions.

³ Employees and students who feel sexually harassed, bullied, or discriminated against should, if possible, make it clear to the other person that the behavior in question is undesirable and

must be stopped immediately. Upon express request, they will be supported in this by internal confidential advisors.

D. Contact points

§ 11 In general

¹ The following contact points are available to those affected, accused, and observers:

- Supervisors and/or teachers
- Internal confidants
- Equality & Diversity Office
- External confidential advisor
- HR

² Unlike consultations with the external confidential advisor, internal confidential advisors, and the Equality & Diversity Office, which are confidential, supervisors, teachers, and HRM may have to take action even against the wishes of the persons concerned in order to fulfill their duty to inform the employer and the employer's duty of care (duty to intervene).

§ 12 Internal confidential advisors and the Equality & Diversity Office

¹ Internal confidential advisors report to the Equality & Diversity Office in their capacity as internal confidential advisors.

² The internal representatives advise and support the person seeking advice in expressing personal boundaries in accordance with § 10 (3) of these regulations, within the framework of counseling sessions and in the transition to amicable conflict resolution. Their task ends with the formal report in accordance with § 15 (1) of these regulations.

³ Internal confidential advisors and the employees of the Equality & Diversity Office are subject to confidentiality obligations.

§ 13 External confidential advisor

¹ The external confidential advisor is a point of contact for confidential advice and is bound by confidentiality.

² The external confidential advisor is independent of ZHdK.

³ The first four hours of its services are free of charge for all members of the ZHdK. The Equality & Diversity Office decides whether the ZHdK will pay for further services.

⁴ The external confidential advisor informs the Office for Equality & Diversity every six months about consultations that have taken place for statistical purposes. No information about the persons concerned or the topics discussed that would allow the persons seeking advice to be identified is passed on to the Office.

E. Confidential counseling

§ 14 General

¹ Consultations with internal confidential advisors, the Office for Equality & Diversity, and the external confidential advisor are confidential. Without the consent of the person seeking advice, no information from the consultations may be disclosed, no further steps may be taken, and no further discussions may be held.

² The confidential contact points referred to in paragraph 1 shall listen to the person seeking advice, inform them about these regulations and their rights and obligations, outline possible courses of action, and, at their express request, help them to take the necessary steps.

§ 15 Decision on whether to continue the procedure

¹ After the confidential consultation, the person seeking advice shall decide whether to close the case or to make a formal report.

² The formal report must be made in writing and submitted to the Equality & Diversity Office. In doing so, the person seeking advice must disclose their identity.

³ Upon receipt of the formal report, the Office for Equality & Diversity shall decide and justify whether

- a) the formal report will be accepted
- b) an amicable conflict resolution will be initiated
- c) to recommend that the president initiate an investigation.

The Office for Equality & Diversity may seek a second opinion for its decision. In any case, the anonymity of the party seeking advice must be preserved.

⁴ In particular, if there is an accumulation of anonymous, closed cases involving the same person or group of persons, the Office may recommend that the responsible department head and the Rector analyze the situation and, if necessary, issue instructions to the person or group of persons concerned. In this case, the anonymity of the persons seeking advice shall be maintained. Further measures within the meaning of § 20 of these regulations require that the facts of the case are undisputed or established.

⁵ The decision to initiate an investigation shall in all cases be taken by the rector.

F. Formal reporting and procedure

§ 16 Amicable conflict resolution

¹ The ZHdK cultivates and promotes an open and constructive culture of conflict resolution. In the event of a formal report concerning conduct that violates integrity, the primary aim is to resolve the conflict amicably. Members of the ZHdK are encouraged to cooperate in the amicable resolution of conflicts. This does not apply to cases in which an amicable solution is objectively inappropriate or unreasonable, or in order to protect overriding conflicting interests. Mutually agreed conflict resolution requires the consent of the persons involved.

² The Office for Equality & Diversity determines the person responsible for amicable conflict resolution.

³ The amicable resolution of the conflict must be documented appropriately.

⁴ The person responsible for amicable conflict resolution may first conduct separate discussions.

⁵ If they consider an amicable resolution of the conflict to be possible, they shall hold a joint discussion with the person concerned and the accused person.

⁶ If the amicable resolution of the conflict is successful, the person appointed shall confirm in writing that the case is closed and report this to the Equality & Diversity Office. The Equality & Diversity Office shall carry out an appropriate follow-up check.

⁷ If the amicable resolution of the conflict has failed, the person appointed shall report the failure to the Office for Equality & Diversity. The Office may recommend that the President initiate an investigation.

§ 17 Conducting the investigation

¹ Investigations are usually conducted by the Legal Service. Exceptions may be made in justified cases.

² The investigating person shall question the person(s) concerned and the accused person(s) as well as any informants. They shall secure evidence and keep a record of the interviews and the investigation.

³ Before the interview, the person(s) being interviewed shall be informed in an appropriate manner by the investigating person about the rules of procedure and their rights and obligations.

⁴ The investigation shall be conducted as quickly as possible. The investigating person shall prepare a written report for the attention of the rector. The report shall contain the statements of the person(s) interviewed, the findings of the investigation, a conclusion as to whether the allegations are true or not, and a recommendation for further action.

⁵ The decision on any measures to be taken shall be made by the rector.

⁶ The person(s) concerned and the accused person(s) shall be informed in an appropriate manner of the outcome of the investigation, the measures to be taken, and any further steps that may be taken.

§ 18 Rules of procedure for the investigation

¹ The person(s) questioned shall have the right to be accompanied by a person of their choice.

² The accuser(s) and the accused person(s) shall be questioned individually.

³ The person(s) being questioned is/are required to provide comprehensive and truthful information within the scope of their duty of loyalty under labor law. Information that incriminates them in relation to criminal proceedings may be refused.

⁴ Accusers and accused persons may, during their questioning, submit requests for the questioning of informants ("witnesses"). They may submit or designate relevant documents up to three days after their questioning.

⁵ To assist with the recording of the proceedings, the interviews are recorded on audio media. These recordings are destroyed after the investigation has been completed.

- ⁶ The accuser(s) and the accused person(s) have the right to inspect the investigation files (during the investigation, however, only to the extent that this does not interfere with the investigation). There is no right to participate in the questioning of other persons.
- ⁷ All persons involved in the investigation are bound to confidentiality both during and after the investigation. The involvement of the administrative director, HRM, the security officer, the departmental management, and the supervisor or program director of the person(s) concerned or accused is reserved.
- ⁸ If necessary, information about the outcome of the investigation will be communicated internally in an appropriate manner.

§ 19 Protection of those involved in the investigation

- ¹ The ZHdK shall ensure that no disadvantage arises for those involved in the investigation. Even if the allegations made prove to be unfounded, this shall not have any consequences for the person(s) who reported them, provided that they did so in good faith.
- ² In cases of gender discrimination, the Gender Equality Act also provides protection against dismissal (Art. 10 GIG). According to this, dismissal by the employer is contestable if it follows without justified cause an internal complaint or the employee's appeal to the conciliation board or the court. The protection against dismissal applies for the duration of an investigation, conciliation or court proceedings and for six months thereafter.

§ 20 Sanctions

- ¹ In the event of established breaches of integrity, the following measures in particular may be taken, depending on the severity of the misconduct:
- Request for an apology to the person concerned
 - Order to participate in appropriate training or counseling programs
 - Verbal or written warning/reprimand, possibly with the threat of termination
 - Change of duties, transfer
 - Ordinary termination, possibly with exemption
 - Dismissal without notice/expulsion from the program.
- ² Civil and criminal proceedings remain reserved.
- ³ Anyone who accuses a person of discrimination, sexual harassment, and/or bullying against their better judgment will face the same sanctions.

G. Final provisions

§ 21 Information and training

- ¹ Members of the ZHdK shall be informed of these regulations.
- ² Discrimination, sexual harassment, and bullying in the workplace, as well as prevention and intervention, are regularly addressed as part of the training and continuing education program.
- ³ Members who have an official role as a result of these regulations (supervisors and teachers, internal confidants, employees of the Equality & Diversity Office, HRM employees) will be trained accordingly.

§ 22 Entry into force and transitional provisions

- ¹ These regulations shall enter into force on March 1, 2026.
- ² They replace the regulations on protection against discrimination (anti-discrimination regulations) of November 17, 2021.
- ³ Reports that are pending at the time these regulations come into force are subject to the previous regulations.