

*University of Naples
"Parthenope"*

O

POS. G.D.

R.D. No 1010

THE RECTOR

HAVING
REGARD TO

the Law 183/2010 (so-called "Collegato Lavoro" - Annex to the Labour Legislation) in Art. 21, paragraph 1, letter c) that in revising Art. 57 of Legislative Decree no. 165/2001 has provided that "*public administrations shall establish, within one hundred and twenty days from the date of entry into force of this provision and without new or increased costs to the public budget, the "Guarantee Act Committee for equal opportunities, the enhancement of well-being of those who work, and against discrimination*

HAVING
REGARD TO

the afore-mentioned Law 183/2010 that also states that the operating procedures of the Guarantee Act Committees (C.U.G. - Comitati Unici di Garanzia) be governed by Guidelines contained in a Directive jointly signed by the Minister for Public Administration and Innovation and the Minister for Equal Opportunities, subsequently issued on 4 March 2011 (published in the Official Gazette no. 134 of 11/06/2011);

HAVING
REGARD TO

the aforesaid Guidelines establishing that the C.U.G. must absorb, continue and unify the functions and competences delegated to the pre-existing Committees for equal opportunities and Joint Committees on the issue of Mobbing;

HAVING
REGARD TO

Law no. 240 of 30 December 2010;

HAVING
REGARD TO

the current Articles of Association of the University of Naples Parthenope, issued by Rector's Decree No. 327 of 14 June 2012, and in particular Art. 20 which provides for the establishment of the "Guarantee Act Committee for equal opportunities, the enhancement of the well-being of those who work, and against discrimination", defining its composition, training, operations, tasks and duration;

HAVING
REGARD TO

the Rector's Decrees no. 370, 393 and 617/2014, establishing the Guarantee Act Committee of the University of Naples Parthenope for the three-year period 2014/2017;

HAVING
REGARD TO

the text of the Operating Rules of the Guarantee Act Committee drawn up and approved by it at the meeting held on 22/09/2014;

HAVING the resolutions of approval of the aforementioned Regulations by the Academic Senate and the Board of Directors of this University, in the meetings of 31/10/2014 and 18/11/2014 respectively;

DECREES THE FOLLOWING

The Regulations for the functioning of the "Guarantee Act Committee for equal opportunities, the enhancement of the well-being of those who work, and against discrimination" of the University of Naples Parthenope, attached to this decree, of which it is an integral part, have been issued.

The Regulations shall come into force the day after their publication on the University website.

Naples, 17 DEC. 2014

THE RECTOR
(Prof. Claudio Quintano)


UNIVERSITY OF NAPLES PARTHENOPE

REGULATION FOR THE FUNCTIONING OF THE GUARANTEE ACT COMMITTEE (CUG - Comitato Unico di Garanzia) FOR EQUAL OPPORTUNITIES, THE DEVELOPMENT AND WELL-BEING OF THOSE WHO WORK, AND AGAINST DISCRIMINATION

Art. 1. Establishment

These regulations governing the operating procedures of the Guarantee Act Committee for equal opportunities, the enhancement of the well-being of those who work, and against discrimination at the University of Naples Parthenope, was established pursuant to Law No. 183/2010 and Art. 20 of the applicable Articles of Association of the University, which also regulates its composition, appointment and duration.

Art. 2. Tasks and Functions

1. The CUG replaces, unifying all tasks in a single body, the Equal Opportunities Committees and the Joint Committees on mobbing, which were set up in application of collective bargaining, and assumes all the functions provided for by law, by collective agreements relating to the staff of public administrations or by other provisions.
2. The CUG performs all the duties attributed thereto pursuant to Art. 57, paragraph 3 of Legislative Decree no. 165/2001, Art. 21 of Law 183/2010 and to the Directive of the Departments of Public Administration and Equal Opportunities of 4 March 2011 published in the Official Gazette no. 134 of 11/06/11 "Operating guidelines for the Guarantee Act Committee", as well as the duties set forth in laws, collective agreements or other provisions previously delegated to the Committees for Equal Opportunities and Joint Committees on the issue of bullying in addition to those included in the above mentioned rules;
3. The CUG operates in close connection with the top management of the Entity to which it belongs and performs the tasks assigned to it using human and instrumental resources suitable to guarantee the achievement of the purposes provided for by law; it also has access to all the data and information necessary to guarantee its functioning on the matters within its competence.
4. In the administration to which it belongs, the CUG exercises proposal, consultative and verification tasks:

Proposals on:

- drawing up positive action plans to promote substantive equality between men and women at work;
- promotion and/or enhancement of any initiative aimed at implementing work-life balance policies and whatever is necessary to allow the spread of the culture of equal opportunities;
- matters falling within its competence for the purposes of any supplementary agreements;
- initiatives aimed at implementing Community directives for the affirmation of the equal dignity of persons at work as well as positive actions in this regard;
- gender analysis and planning that considers the needs of women and men (e.g. gender balance);

- dissemination of knowledge and experiences, as well as other informative, documentary, technical and statistical elements on equal opportunities problems and on possible solutions adopted by other administrations or entities, also in collaboration with the Equality Advisor of the reference territory;
- actions to promote conditions of well-being at work;
- positive actions, interventions and projects, such as investigations on work place climate, codes of ethics and conduct, suitable for preventing or removing situations of discrimination or sexual, moral or psychological violence - mobbing - in the public administration to which they belong.

Advisory function, providing opinions on:

- projects for the reorganisation of their administration;
- staff training plans;
- working hours, flexible working arrangements and reconciliation measures;
- staff evaluation criteria,
- integrative bargaining on matters falling within its competence.

Verification on:

- results of positive actions, projects and good practices in the field of equal opportunities;
- outcomes of actions to promote organisational well-being and prevent occupational discomfort;
- outcomes of actions against moral and psychological violence in the workplace - mobbing,
- absence of any form of discrimination, direct or indirect, relating to gender, age, sexual orientation, race, ethnic origin, disability, religion or language, in access, treatment and working conditions, vocational training, promotion, career advancement and safety at work.

The CUG:

- a) Promotes the culture of equal opportunities and respect for the dignity of the person in the working context in which he/she operates, by proposing to the competent bodies training plans for all male and female workers.
- b) Draws up plans for positive action to ensure substantive equality between men and women at work, promoting the implementation of EU directives on the subject.
- c) Promotes all initiatives aimed at implementing work-life balance policies.
- d) Participates with one of its members in the decentralized negotiation meetings.

The presence of a representative of the CUG meets the requirement of the advisory participation of the Committee. The Committee has the right, in compliance with the regulations in force, to be informed in advance on the matters subject to decentralised negotiation and to have access to all the information and documents necessary for the performance of its activities, in accordance with the assumptions and limits referred to in Art. 59 of Legislative Decree no. 196/2003.

At the time of negotiations, the CUG representative may formulate proposals on issues that fall within the competence of the CUG (working hours, flexibility, part-time work, leave, training, work-life balance; workers' well-being; etc.), which will be reviewed in decentralised negotiations between the University, the RSU (United Union Representation) and the OO.SS (Reference Trade Unions), and will report in writing to the CUG on the outcome of each meeting.

- e) Promotes gender programming analyses that consider women's needs and men's needs (e.g. gender budgeting).
- f) Promotes the dissemination of knowledge - by organizing scientific and cultural programmes or through publication or distribution of material - and of other informative, documentary, technical and statistical elements on equal opportunities problems, mobbing, working well-being, and on experiences and positive actions carried out by other administrations, entities or associations;
- g) Proposes actions aimed at fostering conditions of well-being at work, in a study context and in the professional development;
- h) Collects any reports from staff or students who believe they are victims of alleged discrimination or conduct detrimental to personal dignity, of sexual harassment or bullying, evaluating the facts reported concerning actions of direct and indirect discrimination and formulating proposals and measures for their removal.
- i) Reports to the trusted advisor any facts and circumstances concerning forms of direct or indirect discrimination and conduct detrimental to personal dignity, sexual harassment or bullying.
- j) Takes note of the results of the positive execution of projects and the good practices in the field of equal opportunities, the results of actions undertaken for the promotion of the organisational well-being and the prevention of working discomfort, the results of any actions against the moral and psychological violence and mobbing in the working places, the absence of any form of direct or indirect discrimination relating to gender, age, sexual orientation, ethnic origin, disability, religion, language, access, economic treatment and working conditions, vocational training, promotion for career advancement and safety at work.
- k) Consults other bodies that contribute to the promotion of equal conditions and equal opportunities in the territory and in particular with the Trusted Advisor on internal issues and with the Territorial Equality Adviser for any need for intervention of the territorial offices responsible for conflict resolution.

Art. 3 Operating resources and instruments

1. The Administration provides the Committee with all deeds, information, tools and documentation necessary to carry out its objectives.
2. The Board of Directors, pursuant to Art. 57 of Legislative Decree no. 165/2001 may finance the programmes and activities of the Guarantee Act Committee within the limits of its budget. The Committee may submit for approval to the Board of Directors, or other public and private bodies, its activity projects and may request specific funding on the basis of a work programme, indicating the initiatives it intends to develop, and quantifying, for special initiatives, the resources necessary to pursue the set out objectives. The Committee may receive funds from outside sources.
3. The Administration shall create on its website a special area dedicated to the activities of the CUG, periodically updated by the latter.
4. The members of the CUG are not entitled to remuneration/emoluments/attendance fees for participating to meetings or for carrying out the CUG activities.
5. The activities carried out by the members of the Committee, as well as those performed by other staff of Parthenope University involved in any capacity in the activities of the CUG are considered service activities for all purposes.

With specific provisions issued by the General Manager all the fulfilments necessary to carry out the activities of the Committee, including the adoption of administrative and expenditure acts, are taken on by the competent structures of the university administration.

Art. 4 Mode of operation

1. The Guarantee Act Committee is appointed by decree of the Rector, who also designates the Chairman (Art. 20 of the current University Statute). The Chairman shall be responsible for convening meetings, coordinating the work of the Committee and representing it internally and externally. The Chairman shall appoint a Deputy-Chairman who shall perform the duties assigned to the Chairman in the event of his/her absence or impediment, and shall appoint a permanent secretary and a deputy secretary.
2. The Guarantee Act Committee meets at the premises made available by the Administration at least once every four months, when convened by the Chairman or upon request of at least 1/3 of the members. The convening notice, with the place, day and time, items on the agenda, a summary report and the documentation strictly necessary for the discussion of the relevant topics, is sent by e-mail at least seven days before the meeting. Extraordinary convening shall be made in the same manner at least three days before the date chosen for the meeting.
3. The members of the CUG can submit recommendations and proposals regarding issues within the competence of the CUG - as identified by the regulations and the Ministerial Directive on the functioning of the CUG - either on their own initiative or on the recommendation of the staff and students. They shall draw up a brief report on the matter, accompanied by any attachments, to be sent to the email cug@uniparthenope.it well in advance of the date set for the meeting, in order to share it as soon as possible with all the members and include it in the agenda of the meeting for full discussion.
4. The CUG can validly deliberate when half plus one of its members with the right to vote are present.
5. Resolutions shall be passed by a majority vote of those present. In the event of a tie, the Chairman shall have the casting vote. Members may have their verbatim statements recorded in the minutes.
6. The minutes of the meetings of the body are drawn up and signed by the Chairman and the Secretary, and will be published in the intranet area of the University website in the web page dedicated to the CUG.
7. A copy of the minutes shall be forwarded to the Rector and the General Manager for acknowledgement and for the adoption of any measures. The minutes of the meetings are also sent, by the Secretary, to all members and alternate members in order to ensure that they are constantly updated on the relevant topics.
8. Absences from regular meetings must be justified promptly in writing.
9. Failure to attend two consecutive meetings without justification shall result in forfeiture of office.
10. Substitute members may participate in the meetings of the CUG only in case of absence or impediment of their respective holders.
11. The Committee may also resolve, for specific issues, on the participation in the meetings – at the request of the Chairman or one or more Members – of experts from inside or outside the Administration, without voting rights.
12. By 30 March of each year, the CUG draws up a report on the situation of personnel in the public administration to which they belong, referring to the previous year, concerning the implementation of the principles of equality, equal opportunities, organisational well-being and combating discrimination and moral and psychological violence (mobbing) in the workplace.

The report shall take into account the data provided by the Administration, pursuant to the Directive of 23 May 2007 of the Prime Minister's Office - Dept. of Public Administration - and by the Security and Protection Office. The report, published on the website at the CUG link, is sent to the Rector, the General Manager and the Evaluation Committee.

Art. 5 - Resignation, Disqualification and Replacement of Members

1. Resignations from the position of Chairman or member of the CUG must be submitted in writing, at the same time, to the Rector and to the Committee itself.
2. The disqualification of a member is ordered by the Chairman and is communicated in writing to the disqualified member and at the same time to the Rector and the Committee.
3. The disqualified or resigning member is replaced by the same body that had designated him/her, within 30 days.

Art. 6 - Working Groups

1. In carrying out its work, the CUG may operate in working groups.
2. The Chairman may designate among the members a coordinator and the members of individual groups, based on their skills and expertise.
3. The coordinator performs the functions of rapporteur on matters falling within the sector assigned to the group and, to this end, coordinates and takes care of the preparatory and investigative activities, also with the help of administrative structures; the coordinator reports to the CUG and formulates resolution proposals.
4. The group, for the preparatory and preliminary investigations referred to in the preceding paragraph, may meet at the chosen location or in telematic mode, upon the convening by the group coordinator. At the invitation of the coordinator, the meeting may be attended by units of the administrative structures in charge of administrative tasks concerning the planned activity.

Art. 7 - Right to information and processing of personal data

1. The Committee has the right, in accordance with current legislation, to be informed in advance on the matters subject to decentralised negotiation and to access all the information and documents necessary for the performance of its activities, in compliance with the assumptions and limits referred to in art. 59 of Legislative Decree no. 196/2003.
2. The information and documents obtained by the CUG in the course of its work must be used in compliance with the rules contained in the code for the protection of personal data referred to in the afore-mentioned Legislative Decree. June 30, 2003 n. 196.

Art. 8 - Final rules

1. These Regulations are issued by decree of the Rector and enter into force on the day of following their publication on the University website. Any changes must be approved by the Committee with an absolute majority of its members.
2. For anything not expressly provided for in these Regulations, the relevant rules in force shall apply.

Naples, 22 September 2014