

Note:

The only legally binding version of the statutes of the Technische Universität Wien is the German version.

The English version provided here is intended as a service (guide) for our international staff members and doesn't replace the German version.

# Career Advancement Plan for Women at TU Wien

(Senate decision of 1 December 2014) The German version shall prevail in the event of any dispute or ambiguity.  
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## Preamble

Equality between women and men is one of the objectives of TU Wien pursuant to § 1 Universities Act 2002, as amended, hereinafter referred to as UG, and is part of the principles and tasks of the universities pursuant to §2 subpara. 9 and §3 subpara. 9. Pursuant to § 41 UG, the universities are obligated to achieve a gender balance among their employees.

Vienna University of Technology, hereinafter referred to as TU Wien, commits itself to the career advancement of women and to creating positive and career-enhancing conditions for women. It therefore sees it as a joint task of all members of the university to achieve the objective that women and men at TU Wien have opportunities to develop according to their qualifications and that any existing discrimination against women is eliminated or counterbalanced. The actual equal treatment of women and men and the career advancement of women shall be appropriately reflected in the human-resource policy of TU Wien, in particular the strengthening of gender competences of all members of TU Wien, in research and teaching as well as in the distribution of resources (gender mainstreaming and gender budgeting). This is an important obligation for persons in management positions.

This also includes support for female students as potential future scientists. Research and teaching should be planned and carried out equally by women and men. Female students should be encouraged to pursue an academic career by the example of female role models. TU Wien is actively committed to ensuring that its study and working conditions offer women and men equal opportunities for scientific research, teaching and learning.

The guiding principles are derived from the provisions of the Federal Equal Opportunities Act, as amended, hereinafter referred to as B-GIBG, and in particular from the general duty of promoting career advancement for women (§ 11 para. 1 B-GIBG), from the analogous application of preference in recruitment to the federal civil service (§ 11b B-GIBG), priority in promotions (§ 11c B-GIBG), priority in training and further education (§ 11d B-GIBG), from the Career Advancement Plan for Women in the sphere of action of the Federal Ministry of Science and Research (Federal Law Gazette II 97/2008) as well as from §§ 2 subparas. 9 and 10 UG. The University's tasks are derived from § 3 subparas. 4 and 9 UG.

By creating its own incentive systems, TU Wien shall provide support for the implementation of the objectives of the Career Advancement Plan for Women, hereinafter referred to as FFP.

## Part A. General provisions

### § 1 Legal basis

The legal basis of the FFP of TU Wien is the Austrian Federal Constitution, § 11a B-GIBG, §§ 19 para. 2 subparas. 6 and 7 and §§ 41ff UG and the TU Wien Statutes.

### § 2 Scope of application

The FFP applies to all members of the University pursuant to § 94 UG.

### § 3 Objectives of the Career Advancement Plan for Women

By implementing the FFP, TU Wien pursues the following strategic and operational objectives, in particular:

1. guaranteeing equal opportunities for women and men;
2. strengthening gender competence;
3. applying gender mainstreaming and gender budgeting;
4. advancing the careers of women;
5. eliminating any existing under-representation of women;
6. preventing discrimination against women;
7. integrating relevant women's and gender research into research and teaching;
8. ensuring a liveable working environment;
9. strengthening information on and communication about gender equality, and
10. ensuring the adequate infrastructure to realise gender equality and the advancement of women.

### § 4 Gender mainstreaming and gender budgeting

(1) In all university-related decision-making processes, the perspective of gender relations shall be included, and gender equality shall be considered in all these processes. To ensure that the principles of gender mainstreaming and gender budgeting are consistently implemented in all decision-making processes and in the planning of all measures to be taken, TU Wien shall draw on existing expert knowledge from the Committee on Equal Treatment, hereinafter referred to as AKG, and from the Office for Gender Competence at TU Wien and shall involve them in these processes.

(2) To implement gender mainstreaming and gender budgeting, the goals of gender equality and the career advancement of women shall be integrated into the following, among others:

1. preparing draft chapters of the Statutes (§ 22 para. 1 subpara. 1 UG) and enacting or amending chapters of the Statutes (§§ 19 para. 1 and 25 para. 1 subpara. 1 UG);
2. preparing the development plan (§ 22 para. 1 subpara. 2 UG), and
3. preparing a draft performance agreement (§ 22 para. 1 subpara. 4 UG) as well as negotiating and concluding it (§ 23 para. 1 subpara. 4 UG).

(3) The principles of gender equality and the advancement of women shall also be integrated into all target agreements (§§ 21 para. 1 subpara. 6, 22 para. 1 subpara. 6 UG).

(4) The principles of gender budgeting shall be taken into consideration when preparing the budget.

(5) Knowledge of gender mainstreaming and gender budgeting is expected of management staff and members of University boards and committees.

(6) Contingent upon budgetary resources, the rectorate shall periodically host information and further education events on gender mainstreaming and gender budgeting as well as gender equality, in particular for management staff.

### § 5 Under-representation

Women are deemed to be under-represented, if they form a group of less than 50% of all staff members at a particular hierarchy level or in a category of employment law in a given organisational unit.

### § 6 The duty of promoting the career advancement of women

(1) The objective of the FFP is to increase the proportion of female staff members in all organisational units, at all hierarchy levels and in all management positions and activities at TU Wien, both in fixed-term and permanent employment relationships and in training relationships, to at least 50%, regardless of the duration of such employment and training relationships. All measures that directly or indirectly influence the proportion of women shall also be aligned with this objective. Measures for the career advancement of women shall be integrated into human-resource planning and personnel development. The urgency of the need for the career advancement of women shall be determined by the extent of their under-representation.

(2) To achieve these objectives, in all those areas in which the proportion of women is less than 50%, relevant measures shall be taken to increase the proportion of women by 20% in the first two years after this FFP has entered into force, until a proportion of women of 50% has been achieved in individual salary categories, salary schemes, deployment groups, salary groups and management positions.

If the proportion of women is below 10%, measures shall be taken with the objective of doubling the current proportion of women within two years of this FFP entering into force.

If the proportion of women is 0%, measures shall be taken with the objective of achieving a proportion of women of 5% within the next two years.

If a proportion of women of 50% has already been achieved, this proportion shall be maintained as far as possible.

(3) To increase the proportion of women among professors and among young scientists, special measures shall be taken, for example establishing tenure-track positions and professorships for women.

(4) All members of the University and in particular management bodies are obligated to work towards the following within their sphere of activity:

1. eliminating any existing under-representation of women in the total number of staff members and positions;
2. eliminating any existing discrimination against women in connection with the employment relationship, and
3. taking into consideration the objectives pursuant to § 3 hereunder when taking any other measures that directly or indirectly influence the proportion of women.

## **§ 7 Anti-discrimination policy**

(1) The representative of TU Wien in the National University Federation shall work towards ensuring that the collective agreement has no gender-discriminatory effects.

(2) Female staff members shall not be discriminated against directly or indirectly when their remuneration is set in their individual employment contracts. The same applies to any allowances, contributions and contributions in kind.

## **§ 8 Public relations**

Topics relating to women and gender equality shall be appropriately presented as essential features of the University's profile in terms of content and language.

## **§ 9 Information on applicable laws, regulations and administrative provisions**

The rectorate shall regularly update the heads of all organisational units, the AKG, and the head of the Office for Gender Competence in a legally binding and consistent form on all applicable and current laws, regulations and administrative provisions as well as information pertaining to employment law and social law and any other information relevant to gender equality and the career advancement of women. This information shall be forwarded, in a verifiable manner, in electronic or other form with the request to distribute it in the organisational unit.

## **§ 10 General information**

(1) The extent of women's participation in university life and their contributions to research, teaching and administration shall be documented in the media of TU Wien (e.g. on the TU Wien website).

(2) The TU Wien website shall contain links to information on gender equality (the homepage shall contain links to the pages of the AKG and the Office for Gender Competence).

(3) As part of orientation events and the orientation period of curricula, the governing body primarily responsible for enforcing the provisions of study law (Dean of Studies) shall provide information on legal protection against discrimination and on women's and gender research. Information shall also be provided on TU Wien's contact points for sexual harassment, harassment, and bullying.

(4) At the introductory events for new staff members of TU Wien (e.g. "getTUgether"), information shall also be provided about the AKG and the Office for Gender Competence and their areas of responsibility and their services.

(5) In electronic and other directories of TU Wien, the names, addresses and email addresses of the members of the AKG and the Office for Gender Competence shall be included together with their function.

(6) The rectorate shall support information events on the duties and activities of the AKG for members of the University pursuant to § 94 UG.

(7) The rectorate shall also support information events and further education on gender competence, gender mainstreaming, gender budgeting, and gender equality (particularly for management staff) through the AKG or the Office for Gender Competence.

## **Part B. Awareness raising**

### **§ 11 Use of gender-responsive language**

(1) All bodies and administrative units of TU Wien shall use gender-responsive language in their releases, forms, minutes, speeches and other notifications directed at the general public or members of the University. In this respect, either the female and male forms shall be used explicitly or gender-neutral designations shall be used in all documents and – whenever reasonable and feasible – in oral statements.

(2) Any wording as well as names of governing bodies and positions shall be chosen such that they refer to both women and men in equal measure.

(3) The use of boilerplates that, for example, at the beginning, at the end or in the footnotes of a text state that the chosen references to people apply to both genders shall not be permissible.

(4) Gender-responsive language shall also be used in teaching (e.g. in course announcements, teaching materials, academic papers).

## **§ 12 Data on the proportion of women**

(1) Data on the proportion of women shall be collected every year as part of the general reporting obligations. Annual averages shall be reported.

Data on the current state shall be collected, documented and published, paying particular attention to the proportion of women among staff members and students.

Data on the proportion of women at TU Wien shall be collected in total as well as individually for all faculties and for the central service and administrative facilities. In all groups of persons, the proportion of women shall be determined for both fixed-term and permanent staff members as well as for part-time and full-time staff members.

Data on the following categories shall be collected:

### **1. Academic staff and general staff:**

The contractual relationships are identified per head and as full-time equivalents as follows:

- for existing federal staff and federal staff whose contracts have been converted at the end of the implementation period of the UG, and

- for newly appointed staff from 1 January 2004 in an employment relationship with TU Wien, broken down into available categories in the staff administration system (currently SAP) and the type of employment (global budget/external funding) as well as any possible differentiations laid down in the Statutes or the collective agreement.

### **2. Students – female and male graduates:**

The proportion of women among students at TU Wien, at each faculty, and in each field of study shall be identified according to the following categories:

- students beginning their studies, and

- graduates of degree programmes in all fields of study (first-degree graduates, second-degree graduates).

All proportions shall be stated in numbers and percentages.

### **3. Recipients of research scholarships, subject to available data.**

### **4. Teachers: amount of teaching time.**

The amount of teaching time shall be evaluated separately for every faculty according to the existing categories of teaching, and the proportion of women shall be identified in numbers and percentages as well as with regard to individuals.

The amount of teaching carried out in the field of women's and gender research shall be recorded separately according to the gender of the teachers.

### **5. Other areas:**

If a decision on the items below is made as a result of an application, the proportion of women shall be communicated to the AKG per calendar year:

a) the allocation of research funds;

b) the allocation of funds for research-related further education;

c) the allocation of funds for further education unrelated to research;

d) the allocation of travel grants (from both the global budget and external funding),

e) the allocation of financial support (e.g. scholarships), corresponding to their proportion of staff.

(2) The Rector shall have the ultimate responsibility for collecting data on the proportions of women pursuant to para. 1. She/he shall ensure the continuous and consistent collection of all necessary data in all organisational units and at all hierarchy levels of TU Wien.

(3) The rectorate shall forward the data collected on the proportions of women pursuant to para. 1 immediately and in a verifiable manner to the AKG. The current statistics shall be published in aggregated form in the University Gazette and on the TU Wien website.

## **§ 13 Data on remuneration**

(1) In addition, data on the remuneration of women and men shall be collected each year. Annual averages shall be recorded.

(2) The following shall be specified:

- all costs per person excluding employer's contributions, and

- the costs for salaries and teaching remuneration.

The development of any differences in salaries between women and men shall be reported. The salaries for TU Wien shall be reported in total and separately for all faculties as well as for the central service and administrative facilities, divided according to contractual relationship and employment law, in an appropriately summarised form for each area to safeguard data privacy (aggregation of data).

(3) The Rector shall be ultimately responsible for the data collection pursuant to para. 1. She/he shall ensure the continuous and consistent collection of all necessary data in all organisational units and at all hierarchy levels of TU Wien.

(4) The rectorate shall forward the data pursuant to para. 1 to the AKG in a verifiable manner and without delay. The current statistics shall be published in aggregated form in the University Gazette and on the TU Wien website.

#### **§ 14 Reporting obligations on the career advancement of women**

(1) To ensure transparency, the rectorate shall prepare an annual report, as part of the University's internal reporting, on the career advancement of women, specifying the progress that has been made in the implementation of the advancement measures. This report shall be forwarded to both the Senate and the AKG and published in a suitable form (e.g. in the University Gazette and on the TU Wien website).

(2) The report shall specify the fulfilment of the set proportion of women in all deployment and salary groups, subject to available data, in particular for the criteria stated below:

1. staff members of all organisational units in all contractual relationships and positions and in all employment relationships and training relationships;
2. termination and extension of employment contracts;
3. participation in training and further education according to contractual relationships, based on available data;
4. allocation of internal funding and awards;
5. the proportion of women among active students according to the intellectual capital report and of the graduates of the various degree programmes, and
6. the proportion of hours of teaching by women, according to faculty, course type, contractual relationship and proportion of teaching remuneration.

(3) In addition, the following budgetary data shall be reported:

1. payments for secondary employment according to deployment groups and gender;
2. number and sum of overpayments above the salary grades of the collective agreement (KV) for all KV employment contracts (global budget and external funding);
3. remuneration for overtime according to contractual relationships and positions;
4. number and volume of research projects per project manager per faculty, and
5. award of travel grants according to contractual relationships.

(4) If a proportion of 50% women is not achieved in one area, the principal reasons for this shall be identified. Within six months after the publication of the report, suitable measures to achieve the set proportion of women shall be proposed and the timeframe for the implementation of these measures shall be set. The implementation of these measures shall be stated and published in the target agreements. A report on this shall be sent to the AKG in a verifiable manner.

### **Part C. Teaching**

#### **§ 15 Women's and gender research and gender-specific teaching content in the curricula**

As part of the curricula, courses with content on theory of science and/or critical appraisal of methods with regard to women's and gender research shall be offered and recommended to the students, as a minimum, as an elective in the degree programme.

#### **§ 16 Review of the curricula**

The senate and/or the study committees shall submit every draft proposal to enact or amend a curriculum to the Office for Gender Competence for its opinion.

#### **§ 17 Participation of women in teaching**

(1) Female teachers shall not be discriminated against in the commissioning or assignment of teaching to academic staff and external teachers. Women shall participate in teaching of all categories in a balanced manner.

(2) The AKG shall be informed about the assignment of teaching, and the chairperson of the AKG shall be informed of the courses and tutorials that have been assigned. In the case of discrimination as a result of an unobjective distribution of teaching, an appeal can be made to the arbitration board.

## **§ 18 Use of gender-responsive language**

Teachers and students are expected to use gender-responsive language and to refrain from using examples, representations or topics that are gender-discriminatory or that encourage stereotypes.

## **§ 19 Evaluation of teaching**

Evaluations of teaching pursuant to § 14 paras. 4 and 5 UG shall also take into account whether measures for the career advancement of women have been taken in planning the teaching and whether the teaching content has adhered to the duty of promoting equal treatment and has been communicated in a gender-sensitive manner (e.g. by using gender-responsive language, refraining from using examples, representations or topics that are gender-discriminatory or that encourage stereotypes and an uncritical discussion of gender issues, etc.). In addition, the data shall specify whether topics relating to women and gender are covered in teaching.

## **Part D. Research**

### **§ 20 Advancement of women in research**

(1) TU Wien shall support research conducted by women and men to an equal extent.

(2) Until an incentive system pursuant to § 54 hereunder has been established, preference shall be given to research proposals of equal quality submitted by women if such applications exist.

(3) If governing bodies or members of the University are called upon to make a decision on the award of research funds from private sources, they shall not only take into consideration the qualification but also the gender-balanced distribution of funds.

### **§ 21 Equivalence of women's and gender research**

When assessing qualifications (e.g. in habilitation procedures), academic and artistic theses on topics from the fields of women's and gender research shall be deemed to be equivalent to theses on other research topics within the same academic subject.

### **§ 22 Advancement of women's and gender research**

TU Wien supports research on topics relating to women and gender in the artistic and scientific fields of studies represented at the institution.

## **Part E. Students**

### **§ 23 Increasing the proportion of women in fields of study in which women are under-represented**

(1) TU Wien shall take appropriate human-resource, organisational and financial measures to promote women's access, in particular to degree programmes in which women are under-represented.

(2) In all degree programmes in which the proportion of female students beginning their studies or female graduates is under 50%, strategies shall be developed and specific measures taken by the competent governing bodies or the persons in charge in order to increase the proportion of women in these degree programmes. The Office for Gender Competence gives advice on developing these measures and provides support in implementing them.

(3) Measures to increase the proportion of female students beginning their studies (e.g. the FiT campaign) shall also be financially supported by TU Wien, if possible.

(4) Students shall be informed about scholarships and awards from TU Wien in an appropriate manner. Women shall be strongly encouraged to apply.

(5) TU Wien shall work towards attracting additional scholarships for women and towards ensuring that scholarships can be intermitted for parental leave or leave for family reasons and that the age limit for scholarships can be extended for family commitments.

### **§ 24 Mentoring and coaching**

Mentoring and coaching shall be deemed to be important measures taken to increase the number of graduates of bachelor's, Magister, diploma, master's and doctoral degree programmes at TU Wien. TU Wien ensures that the Office for Gender Competence develops and implements such programmes, contingent upon financial resources.

### **§ 25 Compatibility of studies and family care**

(1) TU Wien works towards making pregnancy, parenthood, and care of family members compatible with studies and the completion of degree programmes.

(2) Care of family members is a reason for leave pursuant to § 26 para. 1 subpara. 5 in the provisions of the Chapter on Study Law of the TU Wien Statutes.

## Part F. Human resources and organisational development

### Chapter I: General provisions

#### § 26 Human resources and organisational development

(1) Human resources and organisational development shall be important instruments for increasing the proportion of women and for the career advancement of women at TU Wien. All measures related to HR and organisational development shall take the concepts of gender mainstreaming and gender budgeting into account and work towards strengthening the gender competences of all TU Wien members.

(2) TU Wien shall take appropriate HR, organisational and financial measures with regard to the following areas:

1. promotion of women's academic achievements;
2. promotion of young female scholars and students;
3. elimination of any existing under-representation of women in a training or employment relationship with the University in all organisational units, at all hierarchy levels, and in all positions and activities,
4. further education and advancement of women's professional qualifications.

### Chapter II: Recruitment

#### § 27 General considerations

(1) Pursuant to the duty of promoting the career advancement of women of § 41 UG and § 11 B-GIBG, the proportion of women in all organisational units, at all hierarchy levels, and in all management positions and activities at TU Wien shall be increased to 50% pursuant to B-GIBG, or an existing proportion of at least 50% shall be maintained.

Thus, in all organisational units in which this proportion has not been achieved, female applicants who are equally qualified for the advertised position as the most qualified male applicant shall be given priority until a proportion of women of at least 50% has been achieved, unless reasons specific to a male applicant tilt the balance in his favour.

(2) The reasons specific to a male applicant pursuant to para. 1 shall not have any direct or indirect discriminatory effect on female applicants. In particular, using marital status or maintenance obligations as criteria shall not be permissible.

#### § 28 Job advertisements

(1) Job advertisements shall refer to both genders or shall be written in a gender-neutral form and shall include no additional text suggestive of a particular gender.

(2) The relevant qualifications for the vacancy (job profile) shall be incorporated into the job advertisement in their entirety. When defining the admission requirements in job advertisements, the unit advertising the job shall adhere to the criteria included in the relevant job profile.

(3) Advertisements for vacant jobs as well as leading positions shall contain the following boilerplate: "TU Wien is committed to increasing female employment in leading positions. Female applicants are explicitly encouraged to apply." In case of an existing under-representation, the following sentence shall be added: "Preference will be given to women when equally qualified."

(4) Staff members of TU Wien shall be informed of advertisements for jobs and management positions in a timely manner, also during a legally protected form of leave from their job or workplace. This shall also apply to internal job advertisements.

(5) The AKG shall be informed of the job advertisements, including a description of the workplace and the duties of the relevant organisational unit, in a verifiable manner no later than 14 days before the publication of the advertisement pursuant to § 42 para. 6 subpara. 1 UG.

(6) Job advertisements are subject to the AKG's right to raise objections.

In particular, job advertisements that are contrary to para. 1 and 2 and job advertisements that are of such a general nature that they present no objective basis for the staff selection procedures shall not be permissible. The same applies to overly specific job advertisements where there are reasonable grounds for suspecting that the aim is to unobjectively restrict the potential round of applications in favour of a certain person or a certain gender.

(7) Before making an appeal to the arbitration board, the AKG shall have the right to send a written, reasoned objection to the governing body advertising the job within six working days. If the governing body advertising the job insists on its decision during the six working days, the three-week deadline for making an appeal to the arbitration board (pursuant to § 13 para. 2 Chapter AKG of the TU Wien Statutes) shall begin on the day that the decision is submitted to the AKG. For appointment procedures for professors, the deadline for

making an appeal to the arbitration board shall be two weeks (pursuant to § 98 para. 9 UG).

(8) If a job advertisement is not mandatory pursuant to § 107 para. 2 UG, the AKG shall be notified in a verifiable manner of the recruitment proposals based on a qualified selection procedure with a transparent justification of the selection before the employment contract is signed.

### **§ 29 Encouraging female applicants**

Targeted efforts shall be made by the unit advertising the job to encourage potential female applicants to apply. The AKG shall be notified of the measures undertaken in the justification of the selection decision.

### **§ 30 Repeating a job advertisement**

(1) The unit advertising the job shall undertake verifiable efforts to find suitable female applicants. The AKG guidelines, as amended, on the non-necessity of a repeated job advertisement shall be observed.

(2) After the application deadline has expired, the unit advertising the job - where applicable via the relevant personnel department - shall submit to the AKG a list of the female and male applicants and a written statement of the measures taken to attract female applicants. The AKG shall then give its opinion on this. Relevant evidence shall be added to the file.

(3) If no applications from suitably qualified women have been submitted by the application deadline and if no efforts have been undertaken to attract female applicants, the job shall be advertised again before the selection procedure begins and efforts shall be undertaken to attract female applicants. If the AKG does not present a reasoned objection in its opinion, the repetition of the job advertisement may be omitted. If no applications are submitted by women after the new job advertisement, the selection procedure shall be carried out.

### **§ 31 Inclusion of the AKG**

(1) After the application period has ended, a list of all applications received shall be submitted to the AKG without delay (§ 42 para. 6 subpara. 2 UG).

(2) If interviews for recruitment are carried out with applicants during the selection procedure for a vacant job or management position, the list of those applicants invited shall be submitted to the AKG without delay (§ 42 para. 6 subpara. 3 UG). All female applicants who meet the requirements of the job advertisement shall be invited. The AKG shall be invited to these application interviews in verifiable manner in writing and in a timely manner (no later than 6 working days in advance). In exceptional cases (e.g. an unusually large number of applicants), the number of applicants to be invited can be reduced as an exception and with the written agreement of the AKG.

(3) If third parties are involved in the assessment of applicants (e.g. external management consultancy, human-resource consulting, etc.) the selection procedures shall include gender mainstreaming and gender budgeting as a compulsory quality attribute, pursuant to EU directives. The AKG shall be included in this selection process and invited to all job or admission interviews, hearings, etc. in a timely manner, i.e. no later than 6 working days beforehand, and in writing.

(4) In appointment procedures for professors, §§ 33-35 hereunder shall also apply.

### **§ 32 Job interviews with female applicants following a job advertisement**

(1) Discriminatory questions (e.g. on family planning) shall not be asked in job interviews. When assessing female applicants' qualifications, no selection or assessment criteria shall be used that are based on a discriminatory, stereotyped understanding of gender roles.

(2) Applications submitted by women during a legally protected form of leave from work shall be included in the selection procedure and shall be given equal consideration with other applications.

(3) As a principle, selection criteria not mentioned in the job advertisement shall not be considered. If, as an exception, the definition of ancillary criteria for decision-making is indispensable in a recruitment procedure, these shall not be unobjective. In addition, the qualifications stipulated in the job advertisement shall not be disregarded as a result of citing these ancillary criteria. The ancillary criteria shall be a suitable means of making a decision, i.e. aspects that are of no significance with regard to fulfilling future tasks shall not be included. Further, no ancillary criteria shall be applied that are based on a discriminatory, stereotyped understanding of gender roles. If, as an exception, ancillary criteria are applied in the selection decision, the personnel decision shall be justified in a transparent manner in writing to the AKG.

(4) If women are under-represented pursuant to § 11 para. 2 B-GIBG and if no woman has been nominated to fill a vacancy, the person entitled to make a nomination shall present the reasons in writing for the non-consideration of each female applicant.

## **Chapter III:**

### **Additional provisions for appointment procedures for professors**

#### **§ 33 Participation in appointment procedures for professors**

(1) If candidates are included in appointment procedures pursuant to § 98 para. 2, 2nd sentence, UG who did not apply, the AKG shall be notified immediately.

(2) A maximum of two members of the AKG shall have the right to participate in meetings of the appointment committee in an advisory capacity and to make official proposals for procedural issues, give dissenting opinions and have contributions to discussions made by members of the appointment committee recorded in the minutes. The members of the AKG shall be invited in due time to every meeting of the appointment committee. If they are not invited, the appointment committee shall carry out the discussion and retake its decision for the matter again in a new meeting to which the AKG shall be invited in due form.

(3) According to § 42 para. 4 UG, the AKG shall have the right to view all documents, in particular application documents and reports, and to make copies of these.

#### **§ 34 Invitations to appointment lectures for professors**

If applicants are invited to a lecture or a personal presentation as part of an appointment procedure for professors, all female applicants who fulfil the legal prerequisites for recruitment or the recruitment requirements and meet the demands of the job advertisement shall be invited. In exceptional cases (e.g. an unusually large number of applicants), the number of applicants to be invited may be reduced as an exception and with the written agreement of the AKG.

#### **§ 35 Selection decisions**

(1) Female applicants who are equally qualified for the advertised position as the most qualified male applicant shall be given priority in the appointment proposal until a proportion of women of at least 50% has been achieved in the relevant employment category.

(2) Female candidates in the appointment proposals who are equally qualified as the most qualified male applicant shall be given priority in contract negotiations for appointments of professors.

(3) If no female applicant is included in the appointment proposal, the appointment committee shall specify the reasons for the non-consideration in the written assessment of each female applicant.

## **Chapter IV: Career planning, training and further education**

#### **§ 36 Mentoring and coaching**

(1) TU Wien shall support programmes for HR development. The Office for Gender Competence shall also draw up measures for the development of female staff, in particular women's mentoring and coaching programmes and career-planning seminars, as well as gender training for all TU Wien staff members.

(2) Mentoring, i.e. the systematic, professional, organisational, and social introduction of, assistance for and support of staff members, is an important aspect of career advancement. In the introductory phase for new staff members, the immediate superiors shall be obligated to act as mentors. Other staff members of TU Wien who are experienced in the relevant area of responsibility may also be appointed as mentors by these superiors. However, the immediate superiors shall remain responsible for the introduction of new staff according to individual needs.

(3) Acting as a mentor shall be considered an important contribution to fulfilling the duties resulting from the employment relationship. The superiors shall pay particular attention to an additional workload resulting from this role when assigning official duties.

#### **§ 37 Official duties**

(1) When determining official duties, no task assignments shall be made that are discriminatory, career-hindering or based on a stereotyped understanding of gender roles. The same applies to the job profile for the workplace.

(2) In descriptions of duties and the consideration of suitability, no assessment criteria shall be included which result in a disadvantage for female staff members or which are based on a discriminatory, stereotyped understanding of gender roles.

(3) When determining official duties of academic staff, a balanced distribution of tasks in research, teaching and administration shall also be ensured for women working part-time. The workload shall be determined in such a way that carrying out research makes it possible to obtain further qualifications.

#### **§ 38 Career development and performance appraisal interviews**

(1) Regular career development and performance appraisal interviews shall be carried out for at least all female staff members at TU Wien. Career development and performance appraisal interviews also serve the

purpose of discussing the performance of the staff members with regard to the qualifications required for their career and supporting their advancement by providing the necessary framework conditions. For academic staff members, particular attention shall be paid to doctoral theses and habilitations.

(2) Until further notice, the basis for carrying out performance appraisal interviews shall be § 45a of the Civil Service Code (BDG) and the information provided by the Vice Rector for Human Resources and Gender.

### **§ 39 Training and further education, in particular for female academic staff members**

(1) The relevant superiors shall encourage female staff members to attend training and further education as part of their duty of mentorship, and they shall also provide specific and timely guidance on the possibilities for training and further education that are of relevance to them. When permitting staff to participate in training and further education, attention shall be paid to gender balance.

(2) Superiors shall encourage academic staff members to obtain a doctoral degree or a habilitation. In addition, academic staff members shall be informed about relevant conferences, appropriate academic associations, possibilities for publication and opportunities to participate in research projects. Further, superiors shall ensure that there is no discrimination against female staff members in receiving funding for official travel, travel grants, etc. and special leave compared to male staff members.

(3) All staff members shall receive specific and timely guidance on possibilities for training and further education that are of relevance to them as part of their performance appraisal interviews.

(4) Further education shall include relevant courses and events in the area of key qualifications and soft skills (rhetoric, communication, training for job applications, presentation skills, teaching methods, foreign languages, project management, project acquisition, gender equality in administration and academia, mentoring, burn-out and bullying prevention, etc.).

(5) The competent department for personnel development ("Personalentwicklung") shall regularly notify all staff members in a suitable form (e.g. Internet) of the current further-education programme.

(6) Further education in gender studies and in promoting the career advancement of women are recommended for all staff members.

(7) When planning internal further-education seminars, a family-friendly form of organisation shall be considered (e.g. the possibility of childcare at the location), contingent upon budgetary resources.

(8) Superiors shall permit female staff members to participate in relevant training and further-education seminars, if they so wish, contingent upon available funds and in consideration of any other official duties. Should it be necessary to change working hours for the participation in training and further-education events, these changes shall be approved by the superiors, unless there are compelling service interests.

(9) Female staff members shall be given priority for registrations for further-education courses, particularly for those which will qualify staff to assume higher-level assignments and management positions, until a proportion of 50% women has been achieved. This shall also apply to training and further-education courses with limited places.

(10) If an application to participate in such an event is not approved, a written justification of the rejection shall be submitted to the AKG. If there is reasonable ground for suspecting that discrimination has taken place, an appeal can be made to the arbitration board.

## **Chapter V: Further provisions**

### **§ 40 Changes in assignments**

(1) The AKG shall be involved in decisions taken by the authorised governing body on changes in the work assignments of female staff members.

(2) Part-time employment shall not be applied as a discriminatory criterion in a selection decision.

Organisational prerequisites shall be created so that leading positions are, in principle, accessible to part-time staff members as well.

### **§ 41 Maternity-leave cover for staff members**

In the case of an employment ban due to maternity pursuant to §§ 3 and 5 Maternity Protection Act (MSchG) as well as during parental leave and part-time employment as a result of parenthood of civil servants, contract employees, and other staff members, TU Wien shall give priority to appointing a substitute at the earliest possible opportunity.

If the appointment of a substitute is delayed or no substitute is appointed, the Committee on Equal Treatment shall be informed immediately.

### **§ 42 Composition of committees**

(1) As a principle, with regard to the composition of committees, advisory boards, collegial bodies, working groups and similar non-permanent decision-making and advisory bodies, a balanced distribution of women and men shall be considered, and the duty of promoting the career advancement of women shall be

observed. This shall also apply to the appointment of the chairperson.

(2) Committees appointed by the Senate (study committees, habilitation committees, appointment committees for professors), the Senate itself, and the rectorate shall be subject to a compulsory proportion of women pursuant to UG, as amended.

(3) When appointing members for inter-university study committees, attention shall be paid to fulfilling this quota.

(4) When appointing experts in appointment procedures for professors, attention shall be paid to a balanced representation of women and men.

#### **§ 43 Women in university administration**

(1) When appointing members for non-permanent advisory boards, committees and working groups for (inter-)university cooperations or university administration, attention shall be paid to nominating an appropriate number of women as members. If possible, women shall be included in the nomination proposal for the chairperson. This also applies to nomination proposals for monocratic offices.

(2) With regard to the composition of committees and boards concerned with matters of human resources and personnel development, the duty of promoting the career advancement of women shall be observed. If several members are to be appointed, attention shall be paid to the ratio of female and male staff members among the people who are under the responsibility of the committee.

(3) To realise the principle of gender mainstreaming, a maximum of two representatives of the AKG shall have the right to participate in the meetings of the advisory boards and committees pursuant to paras. 1 and 2 in an advisory capacity and shall have the right to make statements included in the minutes. They shall be invited to all the meetings at the same time as the ordinary members.

#### **§ 44 External advice in matters of human resources**

If external advice in matters of human resources is procured by TU Wien, the AKG shall be included in all relevant activities. When selecting external consultants, it shall be ensured that the consultants hired can demonstrate competences in gender mainstreaming and gender issues.

## **Part G. Working environment and protection of dignity in the workplace**

#### **§ 45 Working hours**

The AKG shall be included in the development of new models for managing and recording working hours and monitoring attendance and absence.

#### **§ 46 Facilities for childcare and compatibility of family and working life**

(1) TU Wien shall see it as its obligation to take family commitments and duties into consideration when designing jobs and degree programmes. Framework conditions shall also be created to make work/studies and family responsibilities more compatible.

(2) The rector shall appoint a childcare and compatibility representative, on the recommendation of the AKG, for the duration of her/his term of office who shall implement and further develop measures that improve compatibility of family and working life. This representative shall be assigned to the competent vice rector pursuant to the rector's Rules of Procedure.

(3) The childcare and compatibility representative advises the university management on suitable measures to make work/studies and family responsibilities more compatible. She/he has the task of liaising with those institutions at other universities that are responsible for compatibility and are organised in the UniKid network, with the units responsible for compatibility of family and working life in the federal ministries, and with other institutions conducting research on the compatibility of family and working life in Austria and abroad.

(4) At TU Wien, data on the childcare needs of all members of TU Wien - including staff members funded by research grants, those conducting commissioned research, and students - shall be collected every three years by the vice rector, supported by the childcare and compatibility representative. The needs of persons who are absent from their job for reasons provided for by law shall also be taken into consideration. TU Wien shall make the necessary resources available. The results of this study shall be published by TU Wien in a suitable form. The results shall be submitted to the University Council, the rectorate, the AKG and the Employees' Councils. Based on these results and contingent upon financial resources, appropriate measures shall be taken.

(5) The childcare and compatibility representative may use the resources available at her/his workplace (workspace, telephone, PC, etc.) that are necessary to carry out her/his task, or TU Wien shall provide her/him with these resources.

## **§ 47 Ensuring a liveable working environment**

(1) All members of TU Wien have the right to be treated in a manner that respects their dignity, and in particular the right to protection from sexual harassment, harassment, discrimination and bullying.

(2) TU Wien shall therefore take suitable preventative measures and shall ensure that persons who have been subjected to sexual harassment, harassment, discrimination or bullying have access to free legal advice. If necessary, the AKG, both Employees' Councils, the Office for Gender Competence and the unit responsible for personnel development ("Personalentwicklung") shall provide information on the available advisory services.

## **§ 48 Measures to prevent sexual harassment, harassment and bullying**

(1) Sexual harassment pursuant to §§ 8 and 42 para. 2 B-GIBG as well as harassment pursuant to § 8a B-GIBG and bullying shall constitute violations of personal rights. TU Wien tolerates neither sexual harassment and sexist behaviour nor harassment and bullying.

All members of TU Wien, in particular those with management duties in research, teaching and administration, shall be responsible in their field of work for ensuring that (sexual) harassment and bullying are not tolerated. The works council agreement on "Cooperative Behaviour and Anti-Discrimination in the Workplace" shall be observed.

(2) The AKG shall advise and support persons and committees on how to deal with incidents of sexist behaviour and/or sexual harassment as well as any other sort of harassment or bullying in an appropriate and proper manner. All persons and committees participating in such procedures shall be bound by official secrecy. Relevant advisory and support services shall be included in the programme for personnel development. The Office for Gender Competence shall establish and implement these services.

## **§ 49 Special leave and parental leave**

When taking special leave, leave for family care, and nursing leave, the following principles shall apply to all staff members:

1. Taking part-time employment and leave options, including family care, shall not lead to direct or indirect discrimination against staff members in connection with their employment or training.
2. When staff members return to their jobs, they shall be given sufficient time for training and familiarising themselves with their area of responsibility.

## **Part H. Facilities for the career advancement of women and equal treatment**

### **§ 50 The AKG and its office**

(1) The duties and rights of the AKG are derived from the B-GIBG, the UG, and in particular from §§ 42ff UG, Chapter "Working Group on Equal Opportunities" of the Statutes and the FFP of TU Wien.

(2) The AKG shall consist of 27 members, 18 of whom are ordinary members and 9 of whom are substitute members. The substitute members can represent the ordinary members when the latter are unavailable. The Senate appoints the members on the suggestion of the AKG.

(3) The rector shall make available the resources necessary for the administrative support of the AKG (staff, expenses for premises and material expenses). A corresponding annual budget shall be allocated for this.

(4) The AKG and its office shall also be provided with rooms containing suitable equipment (adequate IT equipment, telephone and fax as a minimum) and the possibility for confidential consultations as well as a separate, suitably equipped room for administrative assistance.

(5) The head of the office of the AKG shall have completed a relevant university degree programme or shall have an equivalent qualification or relevant practical experience. When appointing this person, the AKG shall have the right to make a proposal. As far as the support of the AKG is concerned, the person holding this position is only bound by the directives and resolutions of the AKG.

(6) Work for the AKG shall be deemed to be an important contribution to fulfilling official duties in administration and shall count as working hours or made possible within the working time. The superiors shall pay particular attention to the additional workload resulting therefrom when assigning tasks. The time spent on activities related to the AKG shall be considered in evaluations.

(7) Those members of the AKG who are in an employment relationship with TU Wien are entitled to work on tasks related to equal opportunities in their workplace and to use the facilities available in the workplace for this purpose.

(8) If the activity of a member of the AKG requires travel pursuant to § 41 para. 3 B-GIBG, she/he shall receive a compensation pursuant to the applicable provisions for the reimbursement of travel costs, contingent upon available financial resources.

## **§ 51 The Office for Gender Competence**

TU Wien shall establish an Office for Gender Competence. Its tasks shall cover the areas of gender research and research on gender equality, staff development geared towards female staff members, advancement measures for female pupils, female students and young female scientists as well as advisory services. In particular, the Office for Gender Competence shall have the following tasks:

- (1) The Office for Gender Competence shall be responsible for the design, organisation and implementation of measures for personnel development, of mentoring and coaching programmes for female students, young female scholars and female staff members at TU Wien (in cooperation with existing university and non-university facilities with similar tasks and objectives). Measures taken to increase the proportion of female students beginning their studies shall be developed by the Office for Gender Competence and their implementation shall receive support (cf. also § 23, § 24 and § 36 hereunder).
- (2) In the area of gender research and research on gender equality, the Office for Gender Competence shall primarily have a coordinating role for research projects in the field of "Women's and Gender Research in the Natural Sciences and Technology" and research on gender equality. Notwithstanding the foregoing, externally funded projects in these research fields can also be carried out at the Office for Gender Competence (cf. § 21 and § 23 hereunder).
- (3) The Office for Gender Competence shall coordinate gender-specific teaching content in the curricula. It shall give its opinion on drafts to enact or amend curricula and shall take part in the evaluation of teaching with regard to equal treatment for female and male students and the data collection on topics in teaching relating to women and gender (cf. § 15 to § 19 hereunder).
- (4) The head of the Office for Gender Competence shall have the task of liaising with those institutions of other universities working on gender research and the career advancement of women that are part of the gender platform – a platform of facilities for the career advancement of women and gender research at Austrian universities –, with the institutions responsible for the career advancement of women in the federal ministries, and with other institutions active in the career advancement of women and gender research in Austria and abroad.
- (5) The Office for Gender Competence shall support the university management in matters relating to personnel development and shall help to prepare performance agreements.
- (6) The Office for Gender Competence shall provide information and mediation services for victims of bullying and sexual harassment (cf. § 47 and § 48 hereunder).
- (7) The Office for Gender Competence shall be involved in evaluating the implementation of the FFP pursuant to § 19 para. 2 subpara. 6 UG in cooperation with the AKG.
- (8) The Office for Gender Competence shall receive the necessary human and material resources to fulfil its tasks.

## **§ 52 Liaising**

- (1) The chairperson of the AKG, her/his deputies and the head of the Office for Gender Competence as well as the head of the office of the AKG shall keep in regular contact with each other, inform and support each other, and develop joint strategies for the collaboration of women and men as equal partners at TU Wien.
- (2) The chairperson of the AKG and her/his deputies shall also have the task of liaising with those organisational institutions of other universities that deal with gender equality and the advancement of women, with the ARGE GLUNA (which is an association on equal treatment and equality at Austrian universities), with the units responsible for gender equality in the federal ministries and with other institutions in Austria and abroad that are active in the field of the advancement of women and gender equality.
- (3) If the participation of the chairperson and her/his deputies requires travel to meetings of the ARGE GLUNA, she/he shall receive a compensation pursuant to the applicable provisions for the reimbursement of travel costs, contingent upon available financial resources.

## **Part I. Budgetary matters and incentive systems**

### **§ 53 Budgetary matters**

- (1) In preparing the budget and making budget allocations, budget applications that serve the duty of promoting the career advancement of women according to the B-GIBG, to the implementation of the UG and the implementation of the advancement measures contained hereunder and that counteract the under-representation of or discrimination against women shall be given priority, contingent upon available financial resources.
- (2) The rectorate shall include the AKG, in accordance with the UG, in preparing the development plan as well as the performance agreements and the target agreements.

## **§ 54 Incentive systems**

The rectorate of TU Wien shall establish incentive systems in cooperation with the AKG and the Office for Gender Competence in order to increase the proportion of women at TU Wien.

## **Part J. Implementation and reporting duties**

### **§ 55 Implementation**

(1) The implementation of the measures contained hereunder shall be the responsibility of those bodies at TU Wien that make decisions or proposals regarding the necessary organisational, personnel and financial matters according to the relevant organisational provisions.

(2) Any form of discriminatory behaviour or discrimination on the grounds of gender shall constitute a violation of official duties and shall be sanctioned pursuant to the (staff or employment) regulations. Implementing the measures intended to achieve de-facto equal rights of women and men in all positions and activities and in all employment relationships and training agreements at TU Wien shall be one of the duties resulting from the employment relationship.

### **§ 56 Reporting duties**

(1) With regard to reporting duties, the performance agreement with the ministry competent for the universities as well as the provisions of the intellectual capital report regulation shall apply as a basic principle. In addition, the provisions of §§ 12 to 14 hereunder shall be observed.

(2) All reports shall be submitted to the AKG.

(3) The AKG shall receive an official invitation to all meetings of the relevant collegial bodies where these reports are dealt with at least six working days in advance.

(4) All evaluation results and all reports on the proportion of women and the implementation of measures for the career advancement of women shall be published in the University Gazette and on the TU Wien website.

### **§ 57 Study on the situation of women at TU Wien**

(1) Every three years, the rector shall commission a study on the situation of women at TU Wien, particularly on their working and study conditions. An organisational unit of TU Wien can also be entrusted with carrying out this study. The results of this study shall be published by the rector in a suitable form.

(2) Every five years, an evaluation of the measures taken for the career advancement of women shall be conducted. In the case of an external evaluation, the AKG shall have the right of proposal in the selection of the evaluating body.

### **§ 58 Evaluation and quality assurance**

Including criteria for the advancement of women and gender equality in the evaluation and quality assurance pursuant to § 14 UG shall be compulsory.

### **§ 59 Period of validity**

This FFP shall be valid for a period of six years. Every two years, it shall be adapted to current developments (cf. § 11a (2) B-GIBG).

### **§ 60 Entry into force**

The FFP of TU Wien pursuant to the UG entered into force on 15 October 2004. This amended version entered into force on 17 December 2014.