

DESCRIPTION OF THE PROCEDURE FOR THE CONTROL OF THE PRINCIPLES OF THE IMPLEMENTATION AND ENFORCEMENT OF EQUAL OPPORTUNITIES POLICY OF THE LITHUANIAN ACADEMY OF SCIENCES

PART 1

General Provisions

1. The description of the procedure for the control of the principles of the implementation and enforcement of equal opportunities policy (hereinafter, the Description) of the Lithuanian Academy of Sciences (hereinafter, the Academy) sets out the measures for implementing and control of the principles of equal opportunities policy and the procedures for implementing these measures.
2. The purpose of the Description is to ensure that the Academy complies with the principle of equal opportunities and the prohibition to restrict or favour the rights of employees on grounds of gender, race, nationality, citizenship, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, and religion in the recruitment, retention, and termination of the employment relationship of staff employed under an employment contract (hereinafter, the employees).

PART 2

Terms and Definitions

3. *Equal opportunities* – the implementation of human rights regardless of gender, race, nationality, citizenship, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, religion, and other grounds foreseen in international treaties or laws of the Republic of Lithuania.
4. *Discrimination* – direct and indirect discrimination, harassment, instruction to discriminate against persons on the basis of gender, race, nationality, citizenship, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, and religion.
5. *Harassment* – unwanted behaviour (discrimination) when, on the basis of gender, race, nationality, citizenship, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, and religion the aim is to insult a person or demean a person's dignity with the purpose to create an intimidating, hostile, humiliating or offensive environment, or such an environment is created.
6. Other terms used in this Description are understood and interpreted as they are defined in the Law of the Republic of Lithuania on Equal Opportunities and other legal acts of the Republic of Lithuania.

PART 3

Implementation of Equal Opportunities Policy in the Field of Labour Relations

7. At the Academy, direct or indirect discrimination, harassment, sexual harassment, instruction to discriminate on the basis of gender, race, nationality, citizenship, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, membership in a political party or association, religion, intention to have a child (children) due to circumstances not related to the professional characteristics of employees or other grounds established by law are prohibited under any labour relations with employees.

8. Regardless of gender, race, nationality, origin, social status, faith, convictions or beliefs, age, sexual orientation, disability, ethnicity, religion, intention to have a child (children) or other grounds established by law, the Academy shall:

8.1. apply the same selection criteria and conditions when recruiting staff for the Academy, with the exception of age restrictions imposed by law, the requirement to speak the state language imposed by law, and different rights imposed by laws on citizenship;

8.2. provide employees with equal working conditions, opportunities to improve their qualifications, seek professional development, retrain, gain practical experience, as well as provide employees with equal benefits.

8.3. apply uniform job evaluation criteria and uniform dismissal criteria;

8.4. pay equal wages for the same work of equal value;

8.5. take measures that protect employees against harassment and sexual harassment at the workplace, ensure that instructions to discriminate are not given, the employees are not harassed and are protected against unfair treatment or negative consequences if they a complaint about discrimination or are involved in a discrimination case;

8.6. take appropriate measures to ensure that employees with disabilities are given opportunities to work in the Academy, to work, to pursue a career, or to study, as well as premises are properly adapted provided this measure does not disproportionately impede access to the Academy.

9. In implementing the measure foreseen in paragraph 8.1 of the Description, the Academy shall:

9.1. ensure that when hiring at the Academy, the same selection criteria are applied to all persons seeking to work in accordance with the requirements and selection criteria set for a specific job;

9.2. ensure that all persons applying to work at the Academy are given equal treatment in the selection for a specific position;

9.3. ensure that only the applicant's abilities and qualifications are considered for admission to the Academy in accordance with the requirements of the specific job;

9.4. ensure that information on vacancies in the Academy is made available to all and is published on the Academy's website;

9.5. ensure that vacancy notices do not contain requirements that give preference on grounds of sex, race, nationality, origin, social status, religion, beliefs or opinions, age, sexual orientation, disability, ethnicity, religion, intention to have a child (children);

9.6. inform the staff responsible for selecting candidates that they must comply with the principles of equal opportunities; ensures that at least two members of staff responsible for selecting candidates are present at the interview whenever possible;

9.7. ensure that any questions put to candidates relate exclusively to the selection criteria; candidate selection jury cannot ask any questions about the candidate's gender or age, sexual orientation, social status, disability, race or ethnicity, religion, beliefs or faith, intention to have a child (children), make assumptions about the candidate's role in the household and family, insofar as it is not directly related to the application of the guarantees offered to employees in the Labour Code of the Republic of Lithuania and the Statute of the Lithuanian Academy of Sciences.

10. In implementing the measure foreseen in paragraph 8.2 of the Description, the Academy shall:

10.1. ensure that irrespective of the position or status of the employee, each employee is provided with a workplace and working facilities;

10.2. ensure that the Academy's internal rules and other legal acts laying down the general rules or organisation of work of the Academy establish equal conditions for all employees;

10.3. provide equal opportunities and incentives for the employees to advance their qualification, seek professional development training, retraining, and acquire practical work experience;

10.4. ensure that, where benefits are granted to employees, they are granted to all employees who are eligible and willing to receive them.

11. In implementing the measure foreseen in paragraph 8.3 of the Description, the Academy shall:

11.1. ensure that annual performance appraisals are carried out by applying the same criteria to all employees, irrespective of their gender, race, nationality, origin, social status, religion, beliefs or opinions, age, sexual orientation, disability, ethnicity, religion, intent to have a child (children) or any other circumstance which are not related to the employee's qualifications, performance of job duties, professional achievements, or personal performance;

11.2. ensure that dismissals are based on the same criteria for dismissal irrespective of their gender, race, nationality, origin, social status, religion, beliefs or opinions, age, sexual orientation, disability, ethnicity, religion, intent to have a child (children) or any other circumstance which are not related to the employee's qualifications,

performance of job duties, professional achievements, or personal performance, except in cases directly related to the application of the guarantees to the employee provided for in the Labour Code of the Republic of Lithuania and other legal acts.

12. In implementing the measure foreseen in paragraph 8.4 of the Description, the Academy shall:

12.1. use objective criteria to determine wages and salaries of specific employees, which relate to the qualifications, the degree of responsibility assigned to the employee, the nature of the work performed, the results achieved and other objective criteria; when determining wages and salaries, the employee's gender, race, nationality, origin, social status, religion, beliefs or opinions, age, sexual orientation, disability, ethnicity, religion, intention to have a child (children) or other circumstances which are not related to the employee's qualifications, the degree of responsibility assigned, the nature of the work performed, the results achieved and other objective criteria shall not be taken into account;

12.2. ensure that all employees are paid the same remuneration for the same or equivalent work, irrespective of the employee's gender, age, sexual orientation, social status, disability, race or ethnicity, intention to have a child (children), religion or beliefs; the same work means the performance of a work activity that is identical or similar to another work activity according to objective criteria, to the extent that two employees can be interchanged without significant cost to the employer; equivalent work means that, according to objective criteria, it is no less skilled and no less significant for the employer to achieve the objectives than another comparable job.

13. In implementing the measure foreseen in paragraph 8.5 of the Description, the Academy shall:

13.1. organise staff training to improve employee awareness of the spread and harmfulness of discrimination and prejudice;

13.2. inform employees about the direct and indirect nature of discrimination and the conditions under which it can occur and how it can be avoided;

13.3. inform employees about the legislation in force and its application in the field of equal opportunities;

13.4. not restrict employees and applicants for vacant posts who consider their equal opportunities to be violated to contact the Office of the Equal Opportunities Ombudsperson and to identify the person who may be violating the employee's rights or discriminating against them;

13.5. take measures and ensures that an employee who files a complaint, testifies or participates in a case of discrimination is protected from hostile treatment or adverse consequences at the Academy;

13.6. co-operate with the authorities investigating a possible breach of equal opportunities or discrimination, providing all available information that is relevant to the investigation of the possible violation.

14. In implementing the measure foreseen in paragraph 8.6 of the Description, the Academy shall:

14.1. ensure that candidates with disabilities, who so indicate in their application for a vacancy at the Academy, are given appropriate treatment during the competition process if such measures do not disproportionately impede access to the Academy;

14.2. provide disabled employees with appropriate working conditions: adapts workplaces to their needs providing them with the necessary working facilities, provided such needs or facilities do not disproportionately impede access to the Academy;

14.3. create conditions for and encourages disabled employees to advance their qualifications, undertake vocational training, retrain, and gain practical work experience.

PART 4

Final Provisions

15. The Academy shall have the right to amend, in part or in full, the implementation of the equal opportunities policy and the procedure for the control of the implementation of the policy set out in this Description insofar as it does not contradict the Law on Equal Opportunities of the Republic of Lithuania and other legal acts.

16. The Labour Council shall be informed and consulted before a decision is taken to amend, in whole or in part, the procedures for implementing and control of the equal opportunities policy set out in this Description in accordance with the procedure laid down in the Labour Code.

17. The procedure of the implementation and control of the equal opportunities policy shall be reviewed and, when necessary, updated in the event of changes in the mandatory legislation governing this policy. Periodical review of the procedure of the implementation and control of the equal opportunities policy and, if necessary, submission to the President of the Academy for renewal is the responsibility of [the appointed person].

Translation: Diana Barnard