

Basic values for gender equality and diversity in research

Background and purpose

The Faculty of Law has established basic values for gender equality and diversity in research. The basic values are rooted in UiO's Action plan for gender equality, gender balance, and diversity ¹ and the Faculty's Action plan for equality and diversity ². The basic values apply within the framework of UiO's guidelines and regulations and apply to anyone working in research and with research-related tasks, irrespective of role and position.

The Faculty of Law shall work for a positive research environment that recognizes equality and diversity as a strength and source of creativity. The faculty seeks to enable researchers with different backgrounds to pursue their intellectual ambitions and have a meaningful career. The faculty shall have a working environment in which everyone is included in joint academic and social activities. The working environment shall be characterised by unbiased academic discussions and mutual respect.

Gender equality and diversity are important for the faculty to be able to attend to their social responsibility. Increased recruitment of women and people of different backgrounds to research positions and management positions in the field of research is one of the faculty's goals. The faculty adopts action plans for equality and diversity on a continual basis to ensure the pursuit of this goal. ³

Prevention of undue differential treatment, discrimination and harassment

Leaders at all levels should strive to prevent undue differential treatment and discriminatory behaviour.

Direct discrimination is defined in Section 7 cf. § 6 of the Norwegian Equality and Anti-discrimination Act. as situations in which "one person is treated worse than others are treated, have been or would have been treated in a similar situation," in which the differential treatment occurs due to gender, pregnancy, leave for maternity or adoption, caregiving duties, ethnicity, religion, life stance, disability, sexual orientation, gender identity, gender expression, age or combinations of these reasons, and where differential treatment cannot be justified in a way that renders it lawful.

Indirect discrimination is defined in Section 8 cf. § 6 of the Norwegian Equality and Anti-discrimination Act. as situations in which "any apparently neutral provision, condition, practice, act or omission" results in persons being put in a worse position than others, and that occurs on the basis of gender, pregnancy, leave for maternity or adoption, caregiving duties, ethnicity, religion, life stance, disability, sexual orientation, gender identity, gender expression, age or combinations of these reasons, and where differential treatment cannot be justified in a way that renders it lawful.

¹ <https://www.uio.no/om/strategi/likestilling/handlingsplan-likestilling-2018-2020.pdf>

² <https://www.uio.no/for-ansatte/enhetssider/jus/ledelses-og-utvalgsmoter/limu/mandat-planer/tiltaksplan2020-vedtatt.pdf>

³ <https://www.uio.no/om/strategi/likestilling/>



Examples of such undue differential treatment may include: giving researchers assignments based on stereotypes; failing to provide sufficient recognition of academic contributions; undue differential treatment in providing support for attendance at conferences or assistance in network building. Discrimination can be combined with bullying and harassment, for example, through racist or sexist language, undermining and unprofessional criticism.

Collegial cooperation shall prevent harassment and exclusion: The Faculty of Law shall have a good and inclusive working and research environment that emphasizes mutual respect and good academic discussions. Exclusion and abuse of power in academia may be conscious or unconscious. Cumulatively, this may contribute toward creating a poor working environment and may eventually be perceived as harassment. Examples of such behaviour may be not including or not acknowledging a researcher in meetings or conferences/seminars, unnecessary negative criticism, intentionally not citing or mentioning a researcher in articles and reports, as well as subjective devaluation of research. Behaviour of this kind may also include undue lack of constructive feedback.

Harassment/Exclusion: Section 13 second paragraph of the Norwegian Equality and Anti-Discrimination Act defines harassment as follows: 'Harassment means acts, omissions or statements that have the effect or purpose of being offensive, frightening, hostile, degrading or humiliating'.

Sexual harassment: The faculty has zero tolerance for sexual harassment.

Sexual harassment can occur through both verbal and physical behaviour and may take the form of unwanted

Sexual harassment, in section 13 third paragraph of the Norwegian Equality and Anti-Discrimination Act, is defined as follows: 'Sexual harassment means any form of unwanted sexual attention, the purpose or effect of which is to be offensive, frightening, hostile, demeaning, humiliating, or troublesome'.

physical contact, harassment in social media, unwanted pressure to meet someone outside the job environment, unwanted use of a sexualised language or images, insult based on a person's sexual identity and spreading sexual rumours.

Social media: The Faculty of law shall seek to prevent smear campaigns in social media and to ensure the safeguarding of employees who are the victims of this.

Women and minorities as symbols ("tokenism"): The Research Council of Norway and the European Research Council value gender balance and diversity among researchers and research management. Researchers are not to be treated as "tokens" in research projects, in the sense that they are recruited because of their gender or ethnicity to demonstrate that the project includes diversity. In such cases, women and non-ethnic Norwegian researchers are formally invited to take part in a project, but may experience in practice that they do not gain access to full participation. On the contrary, some people experience exclusion practices, alienation or downgrading. Such practices may be instrumental in promoting stereotypes based on gender and ethnicity.

Further follow-up

The faculty, departments, research programmes and groups shall strive to hinder and prevent discrimination, among other things by making known the Faculty's Action plan for equality and diversity ⁴

The faculty's action plan requires that equality and diversity be brought up as a topic in the department leadership meetings and in the dean's forum at least once every semester, and in the Forum for research management at least once a year. The faculty's Equality and Diversity Committee (LiMU) must have a mandate and size that enables the body to take a leading role in the work to ensure equality and diversity at the faculty.

All employees should report discriminatory and harassing statements and behaviour to their immediate supervisor or dean, or they can use UiO's speak up scheme.

The following general measures are particularly important to ensure gender equality and diversity in research:

Recruitment: In 2018, the Faculty of Law as a whole had 36.4 percent women in professor and associate professor positions. The faculty will make an effort to recruit researchers with different backgrounds to attain the target figures in UiO's action plan. The hiring processes shall be predictable, clear, accessible and transparent, and everyone involved should be conscious of the risk of discrimination. The faculty should recruit broadly to ensure that it attends to its social responsibility. This includes recruitment of people with a minority background.

Assessment work: Research shows that women and people with minority backgrounds may be subject to implicit prejudice when their research is assessed. This may result in exaggerated critical or exclusive assessments of their performance. When conducting assessments, one must be aware of this potential situation so as to prevent prejudice or undue undervaluation from occurring. All bodies participating in assessment processes are co-responsible for contributing to this.

Good and cooperative academic environments: The faculty and its various entities and research groups shall strive to put together gender-balanced research environments. All academic environments have a duty to be inclusive and to do everything possible to prevent discrimination, harassment and exclusion of employees, as well as other forms of abuse of power.

Nomination for awards: The statutes for the conferral of UiO's awards state that the units are to nominate both a male and a female candidate.⁵ The faculty will of course follow up the statutes.

⁴ <https://www.uio.no/for-ansatte/enhetssider/jus/ledelses-og-utvalgsmoter/limu/mandat-planer/tiltaksplan2020-vedtatt.pdf>

⁵ <https://www.uio.no/om/tall-og-fakta/uio-priser/universitetsstyrets-priser/statutter.html>

Training: The Faculty of Law will, through UiO's course, help ensure that all research administrators at the faculty receive training in gender equality and diversity issues. This will raise awareness of the leaders' responsibility to counteract discrimination and harassment. A part of the managers' responsibility for personnel is to follow up on such matters, and these should be addressed during performance interviews with the employee. All employees are encouraged to attend courses offered by the central administration of UiO on issues involving gender equality, discrimination and harassment.⁶

Better collaboration across academic environments : The Faculty of Law has established research groups and centres across the departments for the purpose of creating better interaction and research across departmental and disciplinary boundaries. Knowledge about gender equality and diversity shall be disseminated and discussed across all academic environments and departments.

Special provisions for employees with young children: The Faculty of Law shall make provisions to facilitate flexibility for employees with young children. Emphasis is placed on facilitating a good balance between work and leisure time.

For academic staff members with children living at home, it may be difficult to carry out research stays abroad and thereby establish international contacts. The faculty, and especially LiMU, shall work with UiO and the Research Council of Norway to establish better scholarship schemes for employees with children and who wish to conduct research abroad.

Women and research management: UiO and the Faculty of Law aim to recruit additional female research directors. The faculty will do its part to ensure that there is a good gender balance in research management at all levels.

Complaint scheme: Any employee who believes she/he is the victim of, or who observes, discrimination and harassment are strongly encouraged to inform their immediate superior, department head or dean. In addition, UiO has set procedures for whistleblowing and lodging complaints through the "Speak-up system". UiO has prepared a dedicated website with various options on how best to do this: <https://www.uio.no/om/hms/si-fra/varsling/>

The faculty is responsible for seeing to it that all notifications are investigated and that all parties in a complaint case are heard. The department and/or faculty must then assess whether mediation and reconciliation are possible options. The faculty/department shall also assess whether there is a need for training and/or counselling for the persons involved. The faculty decides whether to initiate a personnel case. The faculty is obliged to protect the whistleblower against sanctions and retaliation. UiO shall be a safe and open workplace for all and has therefore developed procedures for the following types of cases:

- Sexual harassment: <http://www.uio.no/om/hms/arbeidsmiljo/prosedyrer/trakassering/>
- Bullying and harassment: <https://www.uio.no/om/regelverk/etiske-retningslinjer/trakassering.html>
- Conflict resolution: <http://www.uio.no/for-ansatte/arbeidsstotte/personal/personaloppfolging/konflikt/>

⁶ <https://www.uio.no/for-ansatte/kompetanse/likestillingstiltak/>