

CORPORATION

“CENTRO INTERDISCIPLINARIO DE NEUROCIENCIA DE VALPARAÍSO”.

REGULATIONS FOR THE REPORTING AND SANCTIONING OF SEXUAL HARASSMENT, WORKPLACE HARASSMENT, ARBITRARY DISCRIMINATION, SCIENTIFIC MISCONDUCT AND THE MISUSE OF RESOURCES.

According to the established in its bylaws and in agreement with its faculties and abilities, the Directory of the Centro Interdisciplinario de Neurociencia de Valparaíso, referred to as “The Center” or “CINV”, has proceeded to elaborate this regulation that establishes the policies for reporting and sanctioning of sexual harassment, work-related harassment, arbitrary discrimination, scientific misconduct, and the misuse of resources.

FIRST ARTICLE: GENERAL DEFINITIONS.

For all the effects of these Regulations, the following definitions are to be considered:

I. OF SEXUAL HARASSMENT

In a general manner, sexual harassment will be understood as a behavior of sexual nature or sexual connotation from one member from the CINV to another, undesired or non-consented by the other person. Particularly, **we will follow what mandates the Article number 2 of the Labor Code**, that defines sexual harassment as follows “that one person makes in an improper manner, by any means, requirements of sexual nature non-consented by whom receives them and that threatens or harms their work situation or their opportunities in their position”.

II. OF WORKPLACE HARRASMENT

We will understand workplace harassment as established in Article 2 of the Labor Code, “All behavior that establishes aggressions or repetitive acts of harassment, by the employer or by one or more employees, against one or other workers, by any means, and that may have as a result for the affected harm, mistreatment or humiliation, or that threatens or affects their work situation or work opportunities.

III. OF ARBITRARY DISCRIMINATION

Considering arbitrary discrimination as established in bill N° 20.609, this is “all distinction, exclusion or restriction that lacks a reasonable explanation”, and that “causes deprivation, disturbance or threat to the legitimate practice of fundamental rights established in the Political Constitution of the Republic or in the international treaties regarding human rights ratified by Chile and that are active, particularly when they are founded on motives such as race or ethnicity, nationality, socioeconomic situation, language, ideology or political opinion, religion or beliefs, unionization or participation in union organizations or the lack of them, gender, sexual orientation, gender identity, marital status, age, filiation, personal appearance and illness or disability”.

IV. SCIENTIFIC MISCONDUCT AND MISUSE OF RESOURCES.

Scientific misconduct and misuse of resources will be understood as the improper use or manipulation of data, this be through images, numbers and/or graphs, with the purpose of altering the results of an experiment. Furthermore, plagiarizing and not recognizing an author or authors of a publication is considered misconduct.

We will consider misuse of resources when these are used for different purposes than the original objective they were assigned to, this be in scientific projects, of dissemination or in all those that contain income that the CINV receives to complete its objectives.

SECOND ARTICLE: REPORTING CASES OF SEXUAL HARASSMENT, WORKPLACE HARASSMENT, OF ARBITRARY DISCRIMINATION, SCIENTIFIC MISCONDUCT AND MISUSE OF RESOURCES.

The reports must be formalized in writing, this be through a text on a paper signed by the accuser; or through an email to the CINV electronic account denuncias@cinv.cl with the clear identification of the accuser, with their full name, number of identification card or passport and address.

The reports must contain at least:

- Identification of the affected.
- Identification of whom is being reported.
- A circumstantial account of the events.

The reports shall only be regarding people who are a part of the Corporation or that are linked to it, this be as associates or as investigators, students, workers, or others with a work contract, or services rendered or of any other nature.

The report shall be known and resolved by The Ethics Committee, which is referred in the following article, and they shall be treated confidentially. Said committee will maintain a confidential record of all the received reports, those resulting in penalties or those pardoned.

Hereby the CINV is obligated to report any delictual behavior of which it is aware that involves members of the scientific community, professionals, and employees of the center, including those that give services and are not under long term contract. Additionally, in the case of sexual harassment that affects personnel with a contract, without affecting the internal investigation and potential punishments described in this regulation, the procedure stipulated in Title IV of Book II of the Labor Code.

THIRD ARTICLE: THE INVESTIGATION OF REPORTS

1.- A committee "ETHICS COMMITTEE" shall be created, it will be responsible of knowing and resolving the reports presented. Said committee shall be formed by three members, one designated by the directory, that must be an active member of the corporation, one designated by the Universidad de Valparaíso by request of the president

of the corporation to the Vice Chancellor of the University, and one external member designated by the Associate's Assembly, who will be in their tenure for two years, having the possibility of being reelected once. In the first meeting of this Committee, they must designate amongst their members, a PRESIDENT who will be in charge of managing all the activities of the Committee, and a SECRETARY, who must take notes of the agreements and actions of the Committee, which will be under his or her custody and responsibility.

2.- Having received a report, the committee must call the denouncer to a meeting in person to know their point of view and personal account of the events and the evidence offered to help accredit the veracity of the events. Immediately if considered necessary, given the severity of the reported events, decree prophylactic measures to prevent situations that may put at risk the affected persons, such as temporal suspension of functions, change of workplace, psychological services to those affected. The preventive measures can be decreed in any state of the investigation. **If the person reported for sexual harassment, workplace harassment or arbitrary discrimination forms part of the personnel of The University of Valparaíso, the ethics committee must send the record to the Unit of Equality and Diversity of the University of Valparaíso, regardless of whether the affected person had already sent them.** If it were not the case, the internal procedure shall be as indicated in the following points.

3.- Immediately after, the person or people reported should agree to a confidential meeting, in person to know their point of view and personal account of the events and deposition in relation to these, as well as the evidence offered to confirm their deposition.

4.- If any of the two sides may have witnesses, they shall be called to a hearing of evidence via the institutional CINV email, in which the evidence shall be heard. Additionally, in this same hearing other evidence presented by the parts shall be received. Other measures and acts considered of use to verify the truth and essence of the events reports can be decreed.

5.- In the case of scientific misconduct, considering the magnitude and complexity of the report, the Ethics Committee can summon an external committee for their examination.

6.- Having finalized the aforementioned intervention, it shall be resolved if the reports are admitted or not, and in the affirmative case decree the proceeding sanctions.

7.- The penalization shall be determined by unanimous agreement of the members of the committee, or by agreement of the majority. The resolutions of the committee will be notified to the affected via email and will inform the President of the Directory to initiate the penalization or accept for processing an appeal if there were.

8.- All the procedure should be confidential and conducted in the maximum period of 15 continued days, which shall only be extended if more time is required to collect the necessary evidence, which will be left to the committee's judgment.

9.-None of the people that make the report or who the report is about, can be disassociated unilaterally from their job by the CINV whilst the investigation is being conducted.

**FOURTH ARTICLE:
APPLICABLE PENALIZATIONS AND APPEALS.**

1.-The penalizations that the Committee may enforce must be proportional to the gravity of the events and can only be decreed once the committee has decided that they constitute one of the cases of harassment or discrimination defined in the first article of these regulations. In the case of reports sent to the Unit of Equality and Diversity of the University of Valparaíso, the Ethics Committee must wait for these results, and in response to the conclusions propose punishments and/ or additional measures to the proposal of said institution, considering that they refer exclusively to work or administrative relations of the reported to the CINV.

2.-The penalizations that may be applied are the following:

- a) Temporal suspension from work.
- b) Change of work or place of work.
- c) Termination of contract. After being decreed by the committee, the penalization must be executed by the President of the Corporation and legal representative of the CINV, with the legal formalities of the case.
- d) End of association with the CINV in the case of associates of the Corporation, this penalization being decreed by the Committee, the penalization must be executed by the President of the Corporation and legal representative of the CINV, with the legal formalities of the case.

3.- The penalizations decreed by the Committee can be appealed in the presence of the Directory who with knowledge of the cause will resolve it. The appeal must be made in writing within the period of five working days since the notification of the resolution of the Committee to the affected people. For these effects we consider non-working days Saturdays, Sundays, and holidays.

**FIFTH ARTICLE:
OF THE SUPERVISION OF THE PROCEDURE AND UNFORSEEN EVENTS**

1. Any difficulty related to the interpretation, sense, reach or application of the present procedure should be resolved in a unique situation by the Directory.

2. Special cases and unforeseen situations in these regulations shall be known and resolved in a unique situation by the Directory.