

Work Culture and Conflict Management at the Max Weber Foundation (Max Weber Stiftung, MWS)

Staff representatives, equal opportunities officers and delegates from various institutes formed an information working group "Conflict Management" in September 2019 following joint training and drew up a discussion paper as a basis for further discussion at local and Foundation level, which was presented to the Foundation Board in November 2020.

The Foundation Board welcomed the initiative to strengthen conflict management and bullying prevention at the Max Weber Foundation and asked the representatives of the working group (equal opportunities officer; general staff council) to devise concrete proposals in coordination with the Executive Director and the Directors' Assembly.

The present proposals were drawn up by the equal opportunities officer and the general staff representatives in an intensive coordination process. The proposals consist of guiding principles and a description of conflict management and ways of dealing with conflict. The proposals are to be presented to the Foundation Board in November 2023.

Guiding Principles for the Work Culture at the MWS and its Institutes

[adopted by the Board of Trustees on 17 November 2023]

- Interaction and communication with each other are marked by respect and mutual appreciation. This applies to scientific debates as well as to social behaviour at the workplace.
- We work together in a spirit of trust, support each other in achieving our goals and respect individual abilities and needs. All spheres of activity and remits are given equal recognition.
- Cultural and social differences depict the desired diversity of the Foundation. The MWS and its institutes actively promote the diversity of the staff.
- Discrimination of any kind whatsoever has no place at the Max Weber Foundation.
- We equally involve in the communication colleagues who work at separate locations.
- Managerial staff always act as role models. They encourage the persons within their sphere of responsibility. They enable open, anxiety-free communication and fair competition. They pay particular attention to differences ensuing from personal circumstances and specific employment relationships.

- All employees treat internal and confidential information with care and discretion.
- All employees contribute to a positive appearance of the Foundation and its institutes. In this regard, they respect the social, cultural and academic customs of the respective host nation.

Conflict Management and Ways of Dealing with Conflict

[adopted by the Board of Trustees on 17 November 2023]

Principle

Conflicts at the workplace are part of everyday life. Their resolution is part of a fair, collegial and productive work culture corresponding to the aforementioned guiding principles of the Max Weber Foundation. The handling and resolution of conflicts are first and foremost the responsibility of each individual. When the day-to-day strategies are insufficient, the official channels stated below are followed in order to find a resolution. The peculiarities of the scientific enterprise and the dangers of relationships of dependence as well as the cultural and labour-law conditions at the sites of the Max Weber Foundation require particular attention in this respect. Conflicts may, however, also be due to misconduct. Additional contact points are listed here under points 4 and 5.

1) Measures for preventing and handling conflict

- a) The MWS institutes and the MWS Central Office (hereinafter: the units) offer information and training on communication culture, the handling of conflict at the workplace and the prevention of bullying. For the managerial staff and the elected office-holders as well as the MWS ombudsperson for conflicts (see under 4), the MWS regularly organises training in established procedural standards for dealing with conflict.
- b) To create a conflict culture corresponding to the guiding principles, intra-unit guidelines that take into account the cultural context of the respective site may be drawn up at the request of the respective management or staff representatives. The guidelines are discussed at a joint staff meeting and jointly adopted by the unit management and the staff representatives.

2) Bodies for resolving conflicts

- a) As a rule, conflicts should be resolved between the parties. If no resolution is reached, resolving the conflict becomes a managerial task and the responsibility of the joint supervisor(s).
- b) The unit management is the body for resolving all cross-department conflicts and where guests (scholarship holders, guest scientists, etc.) are involved.
- c) Conflicts between parties from various units fall within the sphere of responsibility

of the Board of Directors. If a unit's management is involved in the conflict, the President is the responsible authority.

d) Complaints or information regarding conflicts are addressed to the respective responsible person. This person hears both conflicting parties, documents at the request of one or both parties the incident and viewpoints and draws up options for resolving the conflict.

e) The staff representatives, the spokespersons of the scientific employees as well as the equal opportunities officer and/or his/her local delegate act as a confidential consulting body and mediating contact point for all employees, managerial staff and guests. They can, at the request of both conflicting parties, be called into the conflict-resolution process and turn to the respective supervisor and/or the unit management. In the case of conflicts falling under c), the general staff representatives may also be called in.

3) MWS ombudsperson for conflicts

a) The ombudsperson serves as an external mediating body. He/she is resorted to at the request of

- the local staff representatives,
- the equal opportunities officer or his/her local delegate,
- the local spokesperson of the scientific employees, or
- a permanent guest of the Foundation Board¹

If the President does not follow the request, the reasons for this must be stated in writing. Conflicting parties cannot turn to the ombudsperson directly.

b) The MWS ombudsperson for conflicts is appointed by the President for a four-year term of office on the joint proposal of the Directors' Assembly and the representatives of the staff on the Foundation Board. He/she has managerial experience at scientific institutions and is neither an active employee nor an office-holder at the MWS. The role of ombudsperson may be exercised in combination with the role of ombudsperson for questions of good scientific practice. Re-appointment is possible.

c) The ombudsperson acts freely and independently. He/she may submit conflict resolution and conciliation proposals to the parties and the conflict resolution bodies. He/she has the right to enter into direct contact with the parties, the conflict resolution bodies, the aforementioned contact points and, if necessary, further persons within the MWS in order to ascertain the facts of the matter. His/her activity is subject to data protection. Confidential information must not be disclosed to unauthorised parties.

4) Right to complain under Section 13 of the General Act on Equal Treatment (Allgemeines Gleichbehandlungsgesetz (AGG))

The employees of the MWS have the right to complain to their unit management if, in connection with their employment relationship, they feel discriminated against by

¹ These are specifically the two representatives of the Directors' Assembly, the two representatives of the Assembly of the Advisory Council Chairs, the Executive Director, the representative(s) of the staff, the representative(s) of the scientific employees and the equal opportunities officer.

supervisors, other employees or third parties on account of one of the reasons stated in Section 1 AGG (reasons of race or on account of ethnic origin, gender, religion or belief, disability, age or sexual identity). The complaint shall be examined, and the result communicated to the employee(s) who lodged the complaint. The equal opportunities officer as well as the staff representatives of the unit may be called in by the respective employee at any time. Complaints against the unit management are made to the President and are dealt with analogously.

5) External contact point in the case of bullying, harassment, sexualised violence or discrimination

In the case of incidents potentially relevant under criminal law, persons affected by bullying, harassment, sexualised violence or discrimination may turn to a law firm engaged by the MWS and obtain legal advice there. In such cases of non-scientific misconduct, the offer of legal advice also applies to the category of persons referred to under 3a). Ways of contacting the contact point are communicated on the MWS website.

6) Further contact points of the MWS

- a) the ombudsperson's office for securing good scientific practice
- b) the ethics committee
- c) the data protection officer
- d) the reporting point for whistleblowers