

Nobelhart & Schmutzig

Guide of Conduct

(June 2023)

Table of contents

Preface

1.) Nobelhart & Schmutzig

1.1 – Restaurant

1.2 – Hausgemachtes

1.3 – lebens=mittel

1.4 – Die Gemeinschaft

2.) Vision, mission & values

3.) Communication & behaviour

4.) Anti-discrimination

4.1 – Definition and approach

4.2 – Concrete guidelines

5.) Sexual harassment and boundary violations within the team

5.1 – Definition and approach

5.2 – Consensual affairs

6.) Sexual harassment and boundary violations by guests/customers etc.

6.1 – Definition and approach

6.2 – Our code system for evening services

6.3 – Other

7.) Reporting violations & finding support

7.1 – Reporting an incident

7.2 – Independent respondent

This Guide of Conduct was created in collaboration with the Nobelhart & Schmutzig team.

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Preface

Back in 2018, one journalist awarded us the title of “Germany’s most political restaurant.” We put in a lot of work to earn that – and have been working even harder to do it justice ever since. Our cuisine might be “vocally local,” but we are also quite vocal in general. You will find us pushing for change in farming and our food culture at large. Yet we might also speak up about diversity and working conditions in the hospitality industry. And every once in a while, seemingly unrelated topics come into focus, such as body positivity or gender inclusivity.

For us, there is no real dividing line between these issues. All our activism stems from a single set of values, outlined in this document. Furthermore, we believe that we have an educational mission in addition to a culinary one. All of this feeds directly back into how we do things at the restaurant, right down to how we cook and what we serve. So while the kind of change we wish to spark starts with food culture, it does not end there. It starts with ourselves – right here at Nobelhart & Schmutzig.

And that is precisely why this Guide of Conduct exists. Saying that we want to do things differently is one thing – this is part of our commitment to *actually* doing it. This document provides an overview of our vision, principles, values, rules and policies. You will also find clear guidelines, e.g. on anti-discrimination efforts, as well as lengthier explanations of the rationale behind our thinking. At the most basic level, our Guide of Conduct is a reference book for the way we want to treat each other and the mark we want to leave on the world at large. Above all, it lays out the standard to which we hold ourselves.

We’re well aware that such a detailed set of guidelines might be perceived as overly involved or micro-managing. That is certainly not our intention. Firm boundaries and behavioural codes aside, our aim is to provide you with our rationale for why we do things this way, to share our thoughts and perspective, so that you can make up your own mind. (And hopefully contribute to the development of this guide in the future!)

By definition, such a document must remain a work in progress. As our understanding of certain topics and issues evolves along with social/political discourses, so too will our Guide of Conduct. After all, it is important that we never stop learning, developing, and asking the next question. We invite you to be part of this process and not to hold back in giving us feedback, challenging us, and calling us out when you feel we fall short of anything we have committed to within this document.

Thank you for being a part of the Nobelhart world!

Your Nobelharts

1.) Nobelhart & Schmutzig

Billy Wagner and Micha Schäfer opened Nobelhart & Schmutzig back in 2015. Micha is our creative lead, while Billy makes sure that people hear about us.

Since then, Nobelhart & Schmutzig has evolved enormously - the name now serves as an umbrella brand for the different branches and teams that make up the company. (That company being the “Billy Wagner KG,” in legal terms.)

To help you keep track, we have compiled a list of the current branches of Nobelhart & Schmutzig:

1.1 – Restaurant

Our eatery at Friedrichstraße 218 is the epicentre of Nobelhart & Schmutzig. This is where it all began. Between Tuesday and Saturday, the kitchen and service team serve an average of 40-42 guests per evening. On Sundays and Mondays, the *lebens=mittel* team uses our kitchen for production.

1.2 – Hausgemachtes

Hausgemachtes is our very own online shop – here you will find not just specialties from our own kitchen, but a whole range of select products that we would like to make accessible to more people, courtesy of our favourite artisans, producers and chefs. You can find us at <http://hausgemachtes.berlin>; the warehouse, which is also the control centre of the online shop, is at Markgrafenstraße 67.

1.3 – lebens=mittel

This is our own product line. We refer to the products that we make in our kitchen and sell via the Hausgemachtes online shop, the Kaufladen, and a few selected B2B partners, as our "*lebens=mittel*". Lebensmittel is the German word for food products, and literally translates to “means to life.” Our range of products includes basic ingredients that we consider absolutely essential, such as our seasonal butter or smoked salt, as well as some classics from the eatery, such as Micha's potato soup with smoked butter.

1.4 – Die Gemeinschaft

Die Gemeinschaft e.V. is a network of people from Berlin and all over Germany who are united by their shared values and goals. It brings together high-end and community-based restaurateurs, farmers, bakers, patissiers, gardeners and chicken farmers, as well as cultural workers, activists and educators.

Die Gemeinschaft e.V. was founded in 2017 by Horváth and Nobelhart & Schmutzig. Our manifesto lays out the central tenets of our work; now we are aiming to build on these, to carry them forward and win over more and more people to join us in our work towards building a better agriculture and food culture. Through a variety of formats, such as farm visits and round table sessions, we put our aspirations into action. One of our key events is the annual symposium. Most recently, we also launched our own education/training program. Our various offers are usually free of charge; sometimes we might ask you to make a small contribution towards expenses.

You can find out more about Die Gemeinschaft here: <http://www.die-gemeinschaft.net>

2.) Vision, mission & values

Vision

We are drivers of a responsible, quality-motivated, community-focused food and drink culture that puts people in the centre.

What does that mean exactly?

Drivers... Because we keep pushing forward and simply won't settle for the status quo. We are not afraid to speak up or to swim against the tide. Even if we can be quite loud with our opinions, we always make sure that these are well-founded, well-considered, and altogether consistent with our values and the standards we represent.

Responsible... We are keenly aware that all our decisions and actions have consequences. For us, acting with responsibility means actively questioning and assessing what these consequences might be: this applies to environmental protection and sustainability as much as it does to the way we speak to each other in the kitchen. Another part of our understanding of responsibility is also that we pay our producers well and strive to promote better working standards and livable wages in the restaurant industry. We don't cut corners and we are not afraid to look in the mirror – when we find an issue with the way we do things, we are not afraid to confront this head-on, even if it means spending money on training or apologising and working to make amends.

Community-focused... We are not lone warriors. All of us in the gastronomic ecosystem must stand together. For us, this includes all the people we work with, who share our values and our goals: our producers as much as other restaurants in Berlin. For us, collaboration should always trump competition, i.e. working together for our mutual benefit and sharing knowledge. In order to keep this exchange going beyond individual meetings, we co-founded Die Gemeinschaft. You can find out more at <https://die-gemeinschaft.net>

Quality-motivated... We believe in the value of good food - from carrots to chops, from seeds to fruit. That's why we work closely with select producers. It is important to us that we know and appreciate the way they work, and to this end, we often go on farm visits. We consider ourselves not passive buyers of an anonymous product, but co-creators who actively enter into a dialogue with each producer. Together, we develop amazing new creations and help to put the spotlight on agriculture and food production, so that they might finally get the respect they deserve.

Through our close collaboration with our amazing producers, we are also able to bring real enthusiasm to sharing their wonderful achievements with our guests.

Food and drink culture... Food culture *is* culture, Billy always likes to say. Just like literature, art and history, the choices we make about what we eat tell us something about ourselves and our historical moment. They speak to what is important to us personally and socially: our desires, priorities, taboos and blind spots. Just as with culture at large, we are able to be creative in driving change and shaping things. And because food culture truly is culture, we also take our educational mission very seriously.

People at the centre... We are all about people coming together, creating human relationships and setting the scene for everyone to spend time with each other while being fully present. Yes, Nobelhart is also a company looking to make money. But we want to do this in a way that benefits everyone in our ecosystem. That's why we also work towards greater wage justice in gastronomy, anti-discrimination, and fairer working conditions. In doing so, we do not shy away from unpleasant questions or solutions that might not be the easiest or most comfortable for us. Even if everything is not perfect, we are persistent and will keep at it.

Mission

We create a decelerated space for communication and the dissemination of our values.

We think and act with a view to the long-term, especially where it concerns our environment.

Values

Vision
Quality
Authenticity
Change
Community

3.) Communication & behaviour

Beyond wanting our guests to have a really great evening, creating delicious *lebens=mittel* and selling other specially curated foods and goods through our online shop, we regard our vision and message as central to the work we do. And that is as much about spurring on change in our food and consumer culture as it is about transforming the restaurant industry into a fair, appreciative work environment that puts people first. All of that starts with us and how we treat each other – and not just when guests, customers, or journalists are within earshot.

At the most basic level, what we expect from everyone is simple, really: please treat your colleagues with respect. To us, that means communicating clearly, listening to understand and not just to respond, making sure that you yourself have been understood, and keeping to agreements. When you do have to criticise someone or give them feedback, we would ask you to put yourself in their shoes and convey it in a respectful, sensitive manner. And unless there is a fire, there is really no need to raise your voice.

At the same time, we do understand that sometimes there might be misunderstandings or slip-ups when things get really stressful. Absolutely everyone makes mistakes – ourselves included. So if you did end up saying something that was rather more pointed than you (or your colleague) would have liked, it's not the end of the world. But it should also not be a common occurrence. No matter whether you made a mistake or overshot the goal in criticising your colleague, apologise and do better in the future.

However, there is a limit to this. You were a bit curt with your colleague in the middle of a busy evening service? Sure, that happens to the best of us, but it is always a good idea to apologise. Nonetheless, there are things that are never ever acceptable, among them any sort of physical altercation or assault, personal insults, behaviour that is intentionally hurtful, humiliation and, of course, discrimination based on skin colour/gender/disability/sexual orientation etc. Such behaviour will be punished according to German labour laws.

Please note that it is also disrespectful to criticise your colleagues in front of guests or other people who aren't part of the team. If you need to give negative feedback, please do so in a way that is appropriate and respectful. It helps to keep in mind that it is always better to criticise concrete actions rather than a person's character..

4.) Anti-discrimination

4.1 – Definition and approach

We aim to create a safe, non-discriminatory and appreciative space for *everyone* - and, beyond that,, to make the restaurant industry more accessible and attractive to people who do not fit the typical image of the white, cis-male chef.

Seeing as you chose to come and work for Nobelhart & Schmutzig, we can't imagine that you have much of a problem with unisex toilets, inclusive language, current anti-discrimination discourses, and AfD house ban stickers – perhaps these are the very things that drew you to us. In the same vein, you probably agree that racism, sexism, ableism etc. should have no place at Nobelhart and that any and all forms of discrimination, bullying, and sexual harassment must be addressed and punished accordingly.

So far so good. Yet, there is something that we must realise: our good intentions are only the first step, but don't take us all the way. Yes, we might consider ourselves decent people who don't ever *want* to discriminate against anybody. But there can and will be situations in which our words and actions are, in effect, discriminatory – however inadvertently.

It is important to come to terms with the fact that most if not all of us were raised in a system that has consistently fed us racist, sexist, ableist etc. prejudices and practices. With many of us being part of one or several identities within the majority group – because we are white cis-gender male Germans, for example – we might not by default be aware why a statement or behaviour is problematic. If something has never affected us, it can be hard to recognise and understand. After all, this is not just about the most obvious acts of racism or sexual harassment – e.g. calling someone a racial slur or groping them—but about the seemingly small, everyday occurrences, incidents and microaggressions that make life hard and workplaces unsafe for people outside the majority group: the words and actions that we, as the bystanders or perpetrators, might never have clocked as discriminatory.

Our first order of business must then be , to become aware of our prejudices and discriminatory behaviours and to work to actively “unlearn” them. To grow and nurture this awareness, it is important that we understand that what is perceived as discriminatory, violating, or offensive is *always* in the eye of the person it concerns. It is their view and their feelings, which matter and which we absolutely must take seriously – even if we don't immediately understand or relate to them, or even feel defensive.

What do we mean by this? An example: someone has called you out on a remark that they felt was a sexist microaggression. In this case, your job, first and foremost, is to listen and to understand why what you said came across a certain way. Of course, your intention is important, but what matters more is the perception of the person who was affected by it. You might have made an innocent joke and meant nothing by it; they might have been experiencing exactly this sort of microaggression their entire life and been made to feel persistently worth less in consequence. And that is neither innocent, nor a joke.

So what do you do? First of all, listen to their feedback and believe them. Yes, this can be difficult in practice, since almost everyone feels defensive when called out on unintentionally bad behaviour. Even so, it is absolutely essential that we do not shy away from uncomfortable conversations and assume accountability to reflect on and correct our behaviour.

We don't expect you to be 100% up to date with the current debates on this at all times and not to ever make a single mistake. That's unrealistic - after all, it's hard work leaving behind the entire package of racism, sexism, ableism etc. that we have been carrying around all our lives.

But here is what we do expect from you: the will to reflect on your own thoughts, actions, and statements, and to be accountable. Of course, this primarily concerns your own behaviour. Nonetheless, we would also like to ask you to confront your colleagues when you feel that they are saying something problematic or acting inappropriately. Try to stand up for the person who is affected and be a good “ally”, especially if you are in a privileged position. (For example, if you are male and overhear another male colleague making a sexist remark about a female team member, it is good to speak up, even if you aren't personally affected.)

However, there is another side to this. Let's imagine you belong to a comparatively less privileged group, such as women. There can be a tendency in some circles to put down a typically more privileged group (men in this example) by flipping typical sexist rhetoric on its head, e.g. by accusing a man of “small dick energy” or making fun of his (lack of) height. While we do understand – and empathise with – the fact that “punching up” can feel good, especially if you have had many unpleasant experiences at the hands of a more privileged group, we would still like to caution against it. Not only is it disrespectful, but it also does not help our common cause in any sort of way. Remember: we are not fighting against each other. We are fighting together against discrimination in all its forms.

Yes, we know all of this is very complex and a lot to take in – plus, it is a debate that is still very much unfolding at Nobelhart, as it is in society at large. Our aim, therefore,

cannot be to write down the ultimate truth about anti-discrimination and awareness, but to open up the conversation on what this might mean at Nobelhart & Schmutzig. For this reason, we have also made a commitment to investing time and money in diversity work, coaching, workshops and providing you with an independent respondent you can approach with any issue in confidence.

Still, this is a conversation that concerns each one of us, and that needs your voice. Again: if you have feedback or would like to play a more active role in anti-discrimination efforts at Nobelhart, we would love to hear about it.

4.2 – Concrete guidelines

What does all this mean in concrete terms? Basically, it's a good idea...

... to refrain entirely from generalising statements like "women/black people/gay people are like this or like that" - especially when it comes to marginalised groups.

... to be sensitive to what is known as "microaggressions," which are supposedly innocuous but deeply problematic statements such as asking people who appear to be non-white "where they are *really* from" (because the speaker has the implicit, racist assumption that "real" Germans must necessarily be white).

... to respect what names and pronouns people want to be addressed with. All of us list our pronouns in our email signatures.

...remain open to current discourses and to proactively check out the reading list provided by [Vielfaltsprojekte](#) or the columns of [Margarete Stokowski](#).

... when you have been called out, first take a deep breath, listen, and do not reactively justify yourself or invalidate the other person's perspective, for example by saying "learn to take a joke" or "don't be so sensitive". Instead, your very first step should be trying to understand (and empathise with) the other person's perspective.

... to support people who have experienced discriminatory/harassing behaviour from third parties (for example, when a service staff member feels harassed by a guest) and to validate their experience. Please avoid statements like "come on, it's not a big deal" or similar, and believe the perception of the person concerned.

... to take responsibility if you've really put your foot in your mouth, for example by approaching the person concerned with a proper apology and an offer to make concrete amends.

... to ask the people who have agreed to support our team in these matters if there is anything you aren't sure about.

A note on gender

Gender identity is a subject as complex as it is important, especially when it comes to anti-discrimination policies in the workplace. We understand, however, that the public debate around it can be both controversial and confusing. For this reason we want to provide explanations regarding some of the basic concepts and terms along with our approach to the subject.

Our core principle regarding gender is as follows:

We vow to respect anyone's gender identity, regardless of whether they are one of our guests, colleagues, customers, producers, or whoever else. In this, we recognise that gender identity is defined subjectively, that is to say by the person concerned – and no one else. When someone discloses their identity to us, we do not question it. We agree to use whichever name and pronouns a person wants us to use. At the same time, we do not pressure anyone to disclose their identity to us.

Perhaps you're wondering why we keep talking about "gender identity" rather than "sex". That's because "sex" usually refers to biological and physical differences, while "gender" speaks to the social and cultural dimension, i.e. our identities, roles, and behaviours within the context of our society and culture, all of which are distinct from biology. So when it comes to someone's gender identity, what matters to us is how someone defines themselves and how, in consequence, they would like us to be addressed, treated, or viewed by the outside world. For example, if we're introduced to Peter who tells us his pronouns are he/him and that he identifies as a (trans) man, that is all we need to know. Even if we suspect that Peter was assigned female at birth, it is Peter's current self-definition that counts. (Of course, we're also going to abstain from asking intrusive or overly private questions, such as about planned surgeries, etc.)

Here's a small glossary of important terms:

"Cis" means that a person identifies with their assigned-at-birth sex. Example: a cis man is a person who was categorised as a boy or male at birth and still sees himself as a man today.

"Trans" means that a person does not identify with the gender they were assigned at birth - like Peter in the example above.

Many trans people feel the need to make changes in their lives so as to live more in line with their gender identity. This process is referred to as transitioning and is a highly individual (and indeed private) matter. Someone's transition may or may not include surgical procedures and/or hormone therapy, but it is valid either way; it is not up to us to question this. However, if a person does decide to undergo surgery, this is referred to as "gender-affirming surgery." This is much more respectful (and factual) than talking about "sex change surgery" or the like.

Another category that garnered attention in recent years is that of people who identify as "non-binary." This simply means that someone does not identify as male or female. As with any gender identity, however, this is not necessarily apparent from the outside – you might well come across a non-binary person whose appearance doesn't match what you imagine a person who defines themselves as neither male nor female might look like. A non-binary person does not necessarily have to look androgynous; in fact, there might well be nothing that implies that they are not cis. Again, this can be true for any gender identity – which is why we take people at their word, not at our preconceived notions about who or what they are.

By the way: there is no general rule regarding what might be someone's preferred pronouns, non-binary or otherwise. It's completely up to each individual person. (And yes, you too.) If you find yourself needing to write an email and you're not sure how someone would like to be addressed, you can get around this by using non-gendered language, such as "Dear Jane Smith" (instead of Dear Ms. Smith).

Of course, that's not all there is to say about gender. If you are curious to find out more, be sure to check out our reading list.

A note on neurodivergence

Our team may at any moment in time include people who have been diagnosed/identify as neurodivergent. Neurodivergence refers to a set of conditions such as ADHD, autism, and dyslexia, as well as chronic mental illness.

All of these conditions may present with symptoms and behaviours that non-affected (i.e. neurotypical) people may find hard to relate to. Oftentimes, it is precisely those things that neurotypical people do intuitively and easily that neurodivergent people struggle with. Just two examples: some ADHDers might find it difficult to process and remember

verbal instructions. Other neurodivergent people may struggle to maintain eye contact during conversation or with making small talk.

To be clear, there are absolutely people who are simply cold, unfriendly, inattentive, or disorganised because they don't care for other people or don't value good work. That is not what we are talking about here. We are talking about people who try hard, have good intentions, do really great work, but who might struggle in certain areas due to their specific neuropsychological condition/disposition. And when this is the case, we feel that they deserve understanding, support and reasonable accommodations.

What to do if you yourself are neurodivergent? Of course you are by no means obliged to disclose your condition to us or your colleagues. On the other hand, we can only support you and find accommodations for you if we are aware of your needs. Our team leads have received training on this subject and will be happy to find solutions with you.

5.) Sexual harassment & boundary violations within the team

5.1 – Definition and approach

We have already made it abundantly clear that sexual harassment is never OK under any circumstances - and you probably agree with us anyway. So far, so good. But where exactly does sexual harassment or assault in the team start? And what does it include?

As with the issue of discrimination, our definition is this: what is perceived as sexually transgressive, coercive and/or harassing is first and foremost up to the person who experiences the violation.

It follows, then, that boundary violations and sexual harassment don't just start at something clear-cut, such as groping someone without their consent. Rather, sexualised comments, remarks about someone's appearance, unwanted flirting and staring/checking someone out can all be considered boundary violations that can make your colleagues feel incredibly uncomfortable and/or harassed. This sort of issue most commonly affects women (people who present and/or identify as female), but it can of course also happen to men.

As with discriminatory behaviour, it might well happen that you make an honest mistake, especially if you haven't looked at these issues in any real depth before joining Nobelhart & Schmutzig. And again, if you do find yourself called out, please don't be defensive. Instead, try to understand what was unpleasant about your well-intentioned statement or action, be accountable, apologise, and ask what the person needs from you to feel comfortable working together in the future.

It is our sincere hope that we can all join forces in this effort and leave behind the toxic behaviours that were once considered completely normal (i.e. everything that came up in the context of #metoo). Our industry has a lot of catching up to do here, and we aim to be drivers of this sort of change. Again, as with building greater awareness around discrimination, our first step must be to develop greater sensitivity to what people affected consider as boundary violations or sexually coercive/unpleasant/creepy behaviour.

Similarly, we want to create an environment safe enough for people to come forward and speak up if they experience a violation of their personal boundaries or have been made to feel uncomfortable by a colleague. We know this is difficult: after all, in the past, reporting an issue was usually to the detriment of the victim. Nevertheless, we can only create real change if we break the silence - if people who behave inappropriately face appropriate consequences and we all learn from this.

Here are some concrete pointers on how to avoid situations that might be perceived as violating someone's boundaries, however inadvertently:

...please be aware that comments about other people's appearance/gender/sexuality might violate someone's personal boundaries and sense of safety and comfort, even if they were meant to be nice/funny/complimentary. Women in particular often find such things uncomfortable and inappropriate.

... please always ask people before you touch them - even if it is "only" a hug or another type of supposedly innocent touch. Different people (and cultures) have very different ideas regarding what sort of touch is or is not acceptable, and none of this is obvious. Yes, restaurants in particular can sometimes be a bit of a beehive, but that doesn't mean it's okay to move someone else out of the way by grabbing their hips. (And even if it is okay for the person in question, it would be unprofessional in the workplace or can negatively affect the culture in the team, e.g. by encouraging others to do so as well.)

Again, we would like to ask you to be proactive and to keep your eyes and ears open. Has something been said that has left someone feeling distressed or uncomfortable? What was said, and why was this problematic, transgressive, or distasteful? If anything of the sort comes to your attention, please don't wait to address this directly and confront the team member concerned. We all help to shape the culture at Nobelhart & Schmutzig and we would like to nip such behaviour in the bud.

5.2 – Consensual affairs

Of course, not all flirting is unwelcome. So what if a situation develops where you and another team member are interested in each other and you find yourself faced with a situation where something very much consensual could grow out of your working relationship?

That can be a tricky issue, which is precisely why plenty of companies strictly forbid any sort of romantic/sexual entanglements between staff members. As always, it is much easier to simply put a blanket ban on a complex issue. (Our favourite example: drug policy.)

Our approach is different. Yes, we want to keep you safe and comfortable at all times, but we don't believe that strictly forbidding consensual affairs is the way to do so. In fact, we are reasonably certain that a ban doesn't keep anyone from doing something they really want to do. It just forces them to keep it a secret – and that is when things can go really awry. And we would much rather you were able to come to us for support when you need it, without fearing the repercussions for merely entering into a consensual situation.

What it comes down to is this: we have been in this business long enough to know that chemistry can develop between people who share values and passions. That is just a fact of life. So we are not going to deny that or forbid you from acting on it. Instead, we would like to empower you to make well-informed, considered decisions, and to be sensitive to the needs and particular vulnerabilities of everyone involved.

So if you find yourself in a situation where something appears to be developing between you and a co-worker, we would urge you to...

... make absolutely 150% sure that the person you are interested in is actually also interested in you, and not just being friendly or appeasing you rather than flirting back. This, unfortunately, is a common point of misunderstanding between men and women. Studies have shown, for example, that men often believe that a woman reciprocates their interest, even if this is not the case at all. Women (and people assigned female at birth) are usually raised to placate men and to remain friendly and polite, rather than giving a clear rebuff – even or especially when they feel uncomfortable!

... please take a good long look at the power relations in your particular dynamic. Is the person you would like to take out for a drink below you in the hierarchy of the company? Is it possible that the person has reservations about turning you down because this could cause them professional difficulties? Would they be at a disadvantage if things ended between the two of you, because you hold more power in the company? If there is any sort of power differential, please address this between each other – and with us (or in confidence with our [contact person](#)) if needed.

Having said all this, there are many sound reasons why it's a terrible idea to shit where you eat (or cook). Relationships in the workplace can be tricky, especially when they end on a bad note and you're still working together and can't really get out of each other's way. If this happens, please approach us – we are not going to chide you, but will support you in finding a good outcome for both parties involved.

6.) Sexual harassment and boundary violations by guests, customers etc.

6.1 – Definition and approach

Of course, we would love to be able to say that guests, customers, journalists, producers etc. never behave in a way that is creepy or transgressive. Even if it isn't a regular occurrence, there are sometimes situations in which staff members feel uncomfortable.

First things first, though: what can be considered sexual harassment from people outside the company?

The answer is pretty much the same as it is regarding sexual harassment inside the team: boundary violations might be physical, e.g. groping or cosying up to the service staff, but can also include verbal transgressions, such as persistent flirting, comments on appearance, and/or sexualised remarks. All of these can make staff feel unsafe, devalued and uncomfortable. (Again, this mostly - but not exclusively - affects female team members.)

We believe you deserve to feel safe at work - no matter which branch of the business you work in. That's why our policy on this is very clear: if you feel pressured, unsafe or uncomfortable with someone outside the company, you don't ever have to just grin and bear it. It does not matter if the person concerned is an important journalist or a producer with whom we have worked for a long time. If something feels creepy or simply off, you should feel encouraged to speak up at any time; we are committed to supporting you.

What happens as a result of you speaking up then depends, above all, on the situation and your personal preference. If you would like to call out the person yourself, please rest assured that we have your back. However, we also understand that you might feel too uncomfortable or unsafe to approach them yourself. In that case, please talk to your team lead or another senior member of staff. We will then figure out together what you would like to happen. Perhaps the solution is simply that you don't have to come into contact with that person again.

We are well aware that you might feel very reluctant to take this sort of issue to your manager. However, we want you to be sure of one thing: if you come to us, we will listen to you, take you seriously, and advocate for you in a way that suits you. "It's not such a big deal" and "toughen up" might be the sort of phrases you've come to expect from our industry, but no more. With this Guide of Conduct and beyond, we have made a clear commitment to putting your safety first, honouring your experience, and advocating for

change in our industry at large. If you ever feel an issue is not treated with the sensitivity it deserves, please remind your superior of this commitment and/or get in touch with our independent respondent. (See section 7.)

6.2 – Our code system for evening services

The evening service at the restaurant is a special situation: we need to keep things moving smoothly and our open kitchen is not the greatest place to unpack an unpleasant experience in detail. To be able to respond to disrespectful or transgressive comments under these special circumstances, we have introduced a code system that cuts the need for lengthy explanations. Developed by Oakland's Homeroom Restaurant, this colour code system (yellow-orange-red) not only allows us to react instantly, but pays mind to the fact that there are different levels/types of harassment and that these can be perceived differently by different people - which is totally okay!

Most importantly, there is only one person who gets to decide what kind of code is called in response to something they experienced, and that is the person calling the code. While we all have different boundaries and might experience the same act or behaviour in very different ways, what matters is your individual comfort and safety in a given situation. Only you can decide what sort of code you would like to call and on what basis – your team leads must then follow through with the appropriate consequence.

Of course we'll make sure to practise this during onboarding. If you have any questions regarding the code system, your best point of contact is the restaurant manager.

IMPORTANT: When someone calls a code, this is absolutely not to be questioned by other team members or management. The person concerned does not have to provide any explanation or justification – indeed the need not to do this is precisely why the system exists in the first place. Their code must simply be accepted at face value, and the proper course of action has to be initiated without discussion or delay.

How it works

If you have run into a situation in which you're feeling uncomfortable in dealing with a guest during evening service, please approach your team leader and state the table number and the appropriate code, e.g. "code yellow at 29." You do not have to explain what exactly happened. Your team leader is now responsible for initiating what comes next.

Here is what the codes mean and what some of our team members would consider to be behaviours that fall into these categories. (These are merely examples; you get to decide for yourself what sort of incident warrants what colour.)

Code yellow:

DEFINITION

A code "yellow" means that you feel uncomfortable, but nothing really unpleasant has happened yet. However, you would like the team leader to keep an eye on the situation and support you proactively.

EXAMPLES

These are real-life examples provided by our team members regarding a code "yellow." Of course these are highly subjective. If you feel something deserves a different code or none at all, that's perfectly okay.

"I (female staff member) walk up to a table with three guys and I'm being blatantly stared at and checked out."

"I (female staff member) am called by my first name even though male staff members are addressed formally and by their surname."

"The guest is trying to flirt with me in sort of a persistent way and I just know that two glasses of wine further down the line, he is going to be even more eager."

CONSEQUENCE:

When you communicate the code to the team leader, you can decide whether you want to continue to serve this particular table or party, or whether someone else should take over.

Code orange

DEFINITION

Someone says or does something that makes you so uncomfortable that you no longer want to deal with that particular table. This should be more than just a strange feeling or unspecific discomfort - but ultimately it's your decision!

EXAMPLES

These examples come from the team for a code "orange":

"When we still had the caramel vulvas as a snack, a guest asked me which one was my pussy. That was orange-red for me."

"There are always these groups of gentlemen who are clearly looking to pick up women, and they keep trying to buy you a drink - and just won't take no for an answer."

"A young cook brought the guest apple sorbet with spruce needles from the Schorfheide. The guest said: 'Himmler used to hunt there. Do you even know who that is?' It came across as if the guest wanted to insinuate that the cook was stupid because he was young and/or 'only' a cook. It was totally disrespectful."

CONSEQUENCE

Someone else takes over; the person involved does not need to interact further with the guest.

Code red

DEFINITION

A code red is a misconduct or boundary violation that is so serious that the person is asked to leave the restaurant right away.

EXAMPLES

"Any physical violation of boundaries, such as groping, would be a code red for me."

"When people just can't behave, so they get totally drunk and then become verbally abusive and you have the feeling that they can't control themselves at all".

CONSEQUENCE:

The guest has to leave the restaurant .

7.) Reporting violations and finding support

7.1 – Reporting an incident

So what happens when something does happen, perhaps within the team, and you were discriminated against, disrespected, bullied or even assaulted on one or several occasions?

At the most basic level, we are of course tied to the German labour law, which has clear guidelines on discrimination and harassment, as well as deadlines for reporting.

Depending on the specific case, this legal framework determines whether Nobelhart & Schmutzig has to issue a warning or can opt for an immediate termination of the culprit's contract. In the case of more minor missteps that are not covered by labour law but still constitute violations of this Guide of Conduct, we have more leeway in figuring out the right course of action, e.g. sending someone to training or sitting down together for a discussion with a mediator present. In the end, it is always about looking at each individual case, to examine it closely and to learn from it for the future.

However, there is something that we need from you if you have experienced any such misconduct, whether large or small: in order for the offending person to face consequences, it is absolutely imperative that you inform us of such incidents without delay. For example, if you experience discrimination, the statute of limitations is only two months – meaning that we have only two months from the date of the event to do anything about it. If you tell us too late, our hands are tied legally and we have much less room for manoeuvre. The sooner you come forward, the more options YOU have – and the sooner we can make sure that the same thing doesn't happen to you or anyone else in the team. Nonetheless, even if the legal deadline has passed, there are always other ways we can support you, advocate for you, or find an internal solution. We are always happy to talk to you about what options we have. Either way, please rest assured that nothing will happen without your consent.

Of course we are all too well aware that the barriers to reporting an incident are incredibly high – especially if you experienced a violation from someone who is above you in the company hierarchy. We are very much aware that in the past, reporting such an offence would usually be to the detriment of the victim.

For this reason we have appointed an external “person of confidence.” This person is not part of the company, and they are not an HR representative whose main job is to cover our backs. Their explicit task is to hear you and advocate for you. There is also the German government's [anti-discrimination agency](#), which offers free consultations and other resources.

7.2 – Independent respondent

What to do if you have had a bad experience yourself, or even when several situations have arisen in which you did not feel well and at the same time you did not know whether and how to turn to your team leader? Maybe your problem also concerns the team leaders themselves? Or you are not really sure yet whether something was problematic and how you should position yourself, and would like to talk it over with someone in confidence?

Lisa Ertl is available to you our independent respondent for precisely such cases. You can go to her in confidence with anything that bothers you, whether it is simply to get a second opinion or to report/address an incident.

Again, Lisa is not our HR person and is not employed by Nobelhart & Schmutzig. She is a self-employed systemic consultant who works primarily on issues surrounding diversity and inclusion – her mandate is to advocate for you. She will deal with your concerns with empathy, expertise, and absolute discretion. Lisa will not give us any information about what you are discussing if you do not want her to.

This is how you can reach her:

Lisa Ertl +49 (0) 178 614 05 91, info@lisaertl.de

Important: If Lisa does not answer her mobile phone, please write her an email so that it does not get lost.