

Policy for Prevention of Sexual Harassment

D.Net

Development Research Network



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Section IX	Policy for Prevention of Sexual Harassment		
	Heading/Subheading (in bold)	Text	Applicability
		It is the policy of D.Net to promote and maintain learning and working environment that is free from sexual harassment. All forms of sexual harassment by anyone are prohibited and are a violation of this policy.	
IX.1	Purpose		
		This policy to be included in Framework of Internal Governance (FIG) sets forth the Organization's policies and procedures to prevent sexual harassment. The objective of this FIG is to ensure that all persons in the Organization workplace enjoy an environment free from sexual harassment. While this FIG addresses conduct constituting sexual harassment, other types of harassment may constitute misconduct subject to the disciplinary measures and procedures set forth in CODE of CONDUCT.	
IX.2	Policy		
		The Organization will not tolerate any action or conduct by any staff member that reasonably could be viewed as sexual harassment. The Disciplinary Committee (DC) will take prompt action to deal with any incident of Sexual Harassment (SH). Any form of sexual harassment would be detrimental to staff morale and productivity and inimical to the interests of the Organization. The Organization will ensure that complaints regarding sexual harassment are taken seriously and handled impartially; that actions are taken promptly to ensure that sexual harassment stops; and that staff making complaints and those acting as witnesses are not retaliated against.	
IX.3	Scope		
		This FIG covers Management, professional and supporting staff, consultants who work for the Organization, the employees of the Organization's contractors when in the Organization workplace, as well as those seeking employment with the Organization, and other visitors to the Organization workplace including Trainers & Trainees; it applies at Headquarters, Regional and Representative Offices, and in the field, including staff, consultants and employees of contractors traveling and working on Organization missions (hereinafter "persons in The Organization workplace" includes all such individuals). Conduct outside the workplace, including sexual harassment, which is incompatible with Section 16 of the FIG, may also be subject to disciplinary action under CODE of CONDUCT.	
IX.4	Sexual Harassment		
		A. Sexual harassment is conduct of a sexual nature which is unwanted by the recipient and which the perpetrator knew or should have known was offensive to the recipient. It is very necessary for all staffs to understand the work environment and colleagues then try and get the	

	<p>level of colleague to colleague relationship. Sexual harassment is defined as any unwelcome sexual advance, request for sexual favors or other verbal or physical conduct of a sexual nature (i) which reasonably results in physical, sexual or psychological harm or suffering to another person in the Organization workplace, including threats of such acts, coercion or physical restraint; (ii) which unreasonably interferes with work or work productivity; or (iii) which is made a condition of employment, promotion or other personnel action or creates an intimidating, hostile or offensive environment. Both men and women are to be protected from sexual harassment. The following forms of conduct, if unwelcome, may be considered sexual harassment:</p>	
	<p>Physical conduct of a sexual nature which may range from unwanted touching, kissing, pinching, groping or patting to assault and coercive sexual intercourse;</p> <p>Verbal conduct of a sexual nature which may include unwelcome sexual advances, propositions or pressure for sexual activity, suggestions for social activity within or outside of the workplace, offensive flirtations, suggestive remarks, innuendoes or lewd comments or noises, Sexual gossiping related to colleagues, misinterpretation or misuse of relationships; and</p> <p>Non-verbal conduct of a sexual nature which may include, among other things, the display of pin-ups, sexually offensive pictures or other offensive materials, objects or written materials, leering, suggestive looks, whistling, and gestures which are sexually suggestive or rude, misuse of any electronic media or communicative way to express or urge or to show sexuality.</p> <p>B. All persons in the Organization workplace are expected to conduct themselves tactfully and with decorum and to avoid behavior that may be perceived as sexually offensive.</p>	
IX.5	Preventing Sexual Harassment	
	<p>A. Staff members designated as HR Communicators by the HR following the satisfactory completion of relevant training shall be available to provide confidential advice and referral services to those persons in the Organization workplace who believe they may be experiencing sexual harassment.</p>	
	<p>A list of those trained to provide such services is to be made available by HR to anyone in the Organization upon request.</p> <p>B. HR will be responsible for arranging informational materials and for providing training for all persons in the Organization workplace concerning sexual harassment. This policy will be discussed in orientation and other Organization training programs.</p> <p>C. Creating a work environment which is free of sexual harassment is every staff member's responsibility. Management, Heads of Departments/Offices, managers and supervisors bear added responsibility in this process including (i) setting the highest exemplary standards of behavior and conduct for themselves; (ii) clearly communicating the Organization's policy on sexual harassment to all their staff, including new staff; (iii) being responsive to and supportive of any person in the Organization workplace who complains about sexual harassment;</p>	

		(iv) encouraging a positive working environment of dignity and mutual respect, and in which any form of sexual harassment is not tolerated; and	
		(v) ensuring that any incident of unacceptable behavior or conduct, including intimidation and hostility, is promptly dealt with and appropriate corrective action taken. As soon as an incident is reported to HR, consideration should be given to redeploy either party pending resolution of the matter. Following up on any incident is also important to ensure the sexual harassment has stopped and the complainant is not the subject of retaliation. D. While on a mission, staff must take particular care to avoid behavior that could constitute, or be interpreted as constituting, sexual harassment. If a need to act should arise, mission members should intervene, and mission leaders must act firmly and decisively to put an end to any such behavior, whether perpetrated by mission members or others. Necessary procedures under the formal approach described below may be initiated in a Regional or Representative Office or upon return to Organization Headquarters.	
IX.6	Procedures for Dealing with Sexual Harassment		
		A. Cases of alleged or actual sexual harassment within the Organization must be handled so as to safeguard the rights and reputations of individual staff members, to protect the Organization's interests, and to guard against any future occurrences.	
		B. The circumstances of each case of sexual harassment will determine the most appropriate approach for handling the situation. Regardless of whether a formal or informal approach is employed, all reports of sexual harassment should be handled discreetly to protect the privacy of the individuals involved. C. Behavior or conduct which is, or is perceived to be, offensive may be unintentional, due to misunderstandings or ignorance. Many such incidents of sexual harassment may be resolved informally by the aggrieved person in the Organization workplace explaining to the offender directly (by a meeting or through a letter) that his or her behavior is not welcome and that it should cease. D. If the aggrieved person in the Organization workplace is not comfortable in handling the situation on his or her own for any reason, including his or her employment level, status, culture or similar considerations, he or she may seek the advice or assistance of designated staff members trained to provide such assistance (as contemplated in paragraph VIII.5.A). Designated staff, with the aggrieved person's permission, may discreetly discuss the matter with the alleged offender with a view to achieving an informal resolution.	

	<p>E. In circumstances where informal resolution of an incident of sexual harassment is not an appropriate approach or the informal approach has not resolved the incident to the satisfaction of the aggrieved individual, the case may be pursued through formal channels. Under the formal approach an aggrieved individual should address his or her complaint, in confidence, to HR. In filing such a complaint, the aggrieved individual may seek advice or assistance from designated staff members. The complaint should describe the specific offensive act or acts, the time, location and circumstances under which it/they took place, and any other information relevant to the case including explicit steps taken by the complainant to discourage unwanted behavior. The complaint should identify the individual who is alleged to have harassed the complainant (the alleged harasser) as well as any witnesses to the incident. The complaint must be signed and dated by the complainant.</p> <p>F. The following is a brief outline of procedures to be followed by HR once such a signed complaint has been filed.</p> <p>i. The alleged harasser is to be advised and given a copy of the complaint and any related report. Complaints about SH should be logged immediately after the harassment and necessary actions should be taken by the HR within 7 days after the complaint. Besides, the total time frame to solve the matter should not be more than 5 weeks.</p>	
	<p>ii. The alleged harasser is given the opportunity to respond in writing to the allegations. He or she may designate a representative to provide assistance in preparing a response.</p> <p>iii. HR then sends all documentation to the Disciplinary Committee (DC). DC then with Management's advice creates an investigatory body, Investigators.</p> <p>iv. The Investigators in consultation with the aggrieved individual and the alleged harasser, determines the facts in the case as well as whether a prima facie case of sexual harassment exists.</p> <p>v. The alleged harasser and the aggrieved is to be informed of the results of the investigation and given the opportunity to respond in a meeting with the Investigators conducting the investigation.</p> <p>vi. The facts determined in the initial investigation and fact-finding exercise, including the response of the alleged harasser and the aggrieved, are then reviewed by the DC, who decides whether to:</p> <ul style="list-style-type: none"> (i) Dismiss the complaint; or (ii) Orally counsel the alleged harasser; or (iii) Orally counsel the aggrieved; or (iv) Commence formal disciplinary proceedings pursuant to the CODE of CONDUCT. <p>vii. In accordance with FIG IX.2 (Appeals procedures), the complainant or the alleged harasser may appeal a decision of the DC to the Executive Committee (EC), made pursuant to the above section vi.</p> <p>viii. The appeal must be filed within 7 days of the decision. A case cannot be appealed more than once unless new evidence can be introduced. In all</p>	

	<p>circumstances, the DC may require staff members involved in the incident which has been the subject of a complaint to receive counseling or undertake training.</p> <p>ix. Persons in the Organization workplace who report incidents of sexual harassment in good faith will not be punished or subjected to any disciplinary measures. Anyone attempting retaliation against an individual, who has reported sexual harassment, or a witness in a sexual harassment investigation, or an advocate, will be subject to disciplinary action.</p>	
	<p>x. The Organization reserves the right to investigate staff that abuse the process for reporting sexual harassment and make unfounded accusations. Unfounded accusations brought with intent to harm the career or reputation of another staff member can be the basis of disciplinary action.</p> <p>xi. (a) All Organization personnel involved in the handling of sexual harassment matters shall treat such matters as confidential. Such Organization personnel shall treat all information in respect of each such matter on a confidential basis to the maximum extent which is consistent with the procedural requirements for the handling of such matters pursuant to this policy. Conduct not compatible with these standards will be subject to appropriate disciplinary action.</p> <p>(b) Evidence of anything said or done pursuant to the provisions of paragraphs VIII.6 (c) through VIII.6 (e) to resolve informally an incident of sexual harassment may not be used in subsequent formal proceedings pursuant to paragraph in (x) above or before the Appeals Committee or Administrative Tribunal.</p> <p>xii. The DC and the Office of Administrative Services shall take necessary measures to implement this policy, including amendment as necessary of contracts with Organization consultants and contractors.</p>	