

CENTRE OF ABILITIES SEXUAL HARASSMENT POLICY



Prepared By	Reviewed By	Issue Date	Approved By
Premium Touch Consult	Aliska Business Advisory & Research	1 st August, 2023 (version 1.0)	Board of Directors and Management Council of Centre of Abilities

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1. OBJECTIVE

The objective of this policy is to define workplace sexual harassment and to outline procedures for filing complaints, investigating sexual harassment claims and issuing appropriate disciplinary measures in the case of violations.

CENTRE OF ABILITIES is committed to providing a safe environment for all beneficiaries, workers, volunteers, officials and stakeholders. CENTRE OF ABILITIES will operate a zero-tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from CENTRE OF ABILITIES.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence.

2. SCOPE

This policy applies to all Beneficiaries, workers, volunteers, Officials, Donors, the Management and all Stakeholders of CENTRE OF ABILITIES.

3. SEXUAL HARASSMENT

Sexual harassment is unwelcome conduct of a sexual nature that is persistent or offensive and interferes with a beneficiary and workers' job performance or creates an intimidating, hostile or offensive work environment. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment can involve one or more incidents and actions constituting harassment. It can be physical, verbal and non-verbal in nature. An aggregation of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassment.

All sexual harassment is prohibited whether it takes place within the assigned work premises or outside, including at social events, training sessions or conferences sponsored by the organization.

3.1 Examples of prohibited conduct

Though sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include but not limited to the following:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- The use of job-related threats or rewards to solicit sexual favours.

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering
- Sexual Innuendos

Others include: Sexual or discriminatory displays or publications anywhere on the work premises. Retaliation for sexual harassment complaints, preferential treatment or promises to beneficiaries, workers, volunteers, officials, donors and stakeholders for submitting to sexual conduct, including soliciting or attempting to solicit any beneficiaries and workers to engage in sexual activity for compensation or reward.

4. RESPONDING TO CONDUCT IN VIOLATION OF POLICY

Role	Responsibility
Beneficiaries, workers and volunteers	<ul style="list-style-type: none"> ▪ If beneficiaries, workers and volunteers feel that he/she is being subjected to sexual harassment, he/she may immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease or if the beneficiaries, workers, volunteers, volunteers is unable to or uncomfortable with addressing the alleged harasser directly, he or she may report the incident to his/her supervisor or to the Human Resource Manager (HR). ▪ It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses. ▪ If beneficiaries, workers and volunteers witness the harassment of co-worker or another individual and feel the victim is scared or requires help, he /she should report the incident.

	<ul style="list-style-type: none"> ▪ It is important to report all concerns of sexual harassment or inappropriate sexual conduct to the HR Manager or a supervisor as soon as possible. Management must be made aware of the situation in order to conduct immediate and impartial investigation and take appropriate action to remedy or prevent the prohibited conduct from continuing.
Supervisors, Officials, Donors and Stakeholders	<p>Supervisors, Officials, Donors and Stakeholders must deal expeditiously and fairly when they have any knowledge of sexual harassment in any step of engagement with the organization, whether or not there has been a written or formal complaint. Supervisors, Officials, Donors and Stakeholders must:</p> <ul style="list-style-type: none"> ▪ Take all complaints or concerns of alleged or possible harassment seriously no matter how minor or who is involved. ▪ Report all incidents to the HR Manager immediately so that a prompt investigation can occur. ▪ Take any appropriate action to prevent retaliation or prohibited conduct from recurring during and after any complaints or investigations ▪ Supervisors who knowingly allow or tolerate sexual harassment or retaliation, including the failure to immediately report such misconduct to HR, are in violation of this policy and subject to discipline.
Human Resource Manager	<p>The HR Manager is responsible for:</p> <ul style="list-style-type: none"> ▪ Guiding the process and work environment to ensure it is free of harassment. ▪ Ensuring that both the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a sexual harassment complaint. ▪ Explaining the sexual harassment policy and investigation procedures to all parties involved. ▪ Exploring informal means of resolving sexual harassment complaints. ▪ Notifying the police if criminal activities are alleged. ▪ Arranging for an investigation of the alleged harassment and the preparation of a written report.

	<ul style="list-style-type: none"> ▪ Submitting a written report summarizing the results of the investigation and making recommendations to designated Management. ▪ Notifying the complainant and the respondent of the corrective actions to be taken, if any and administering those actions. <p>The HR Manager will determine if an in-house investigation will be conducted or if a third party will be contracted to complete the investigation. All complaints involving senior management or above will be handled by an external third party.</p>
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5. COMPLAINT RESOLUTION PROCEDURES

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The HR Manager may assist the complainant in completing a written statement or, in the event beneficiaries, workers, volunteers, volunteers refuse to provide information in writing, the HR Manager will dictate the verbal complaint.

Sexual Harassment claims can also be filed on CENTRE OF ABILITIES's website (at the extreme right of the footer where it is written: "kindly report fraud or abuse").

To ensure prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much information as is possible, such information should include:

1. The name, department/assigned location and position of the person or persons' allegedly committing harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his/her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. Steps the complainant has taken to try to stop the harassment, if any.
6. Any other information the complainant believes to be relevant to the harassment complaint.

5.1 The Investigation Process

After receipt of a written statement with all the necessary details about the harassment, the HR Manager will carry out the investigation following below steps:

- a. Interview the victim and the alleged harasser separately.
- b. Interview other relevant third parties separately.
- c. Decide whether or not the incident(s) of sexual harassment took place.
- d. Produce a report detailing the investigations, findings and any recommendations
- e. If the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal).
- f. Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome.
- g. If it cannot be determined that the harassment took place, the HR Manager may still make recommendations to ensure proper functioning of the workplace.
- h. Keep a record of all actions taken.
- i. Ensure that the all records concerning the matter are kept confidential.
- j. Ensure that the process is done as quickly as possible and in any event within five (5) days of the complaint being made.

5.2 Support to Victim

Throughout the complaint process, a victim of sexual harassment is entitled to be helped by a counsellor within the organization. The organization will nominate counsellors with the requisite expertise to assist victims of sexual harassment. CENTRE OF ABILITIES recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward hence CENTRE OF ABILITIES understands the need to support victims in making complaints and assist them through the entire process.

6. DISCIPLINE

Beneficiaries, workers, volunteers and entities who violate this policy are subject to appropriate discipline. If investigation results establish harassment or reveal violation of this policy, necessary sanctions as prescribed below will be applied.

Persons who violate this policy may also be subject to civil damages or criminal penalties.

Offence	Sanctions
First time offenders	<ul style="list-style-type: none"> ▪ Written warning ▪ Demotion ▪ Suspension ▪ Transfer to another department or assigned location if necessary.

Repeat offenders	<ul style="list-style-type: none">▪ Dismissal
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7. CONFIDENTIALITY

- a. All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis.
- b. The identity of the complainant will only be revealed to the parties involved during the investigation and the HR Manager will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation.
- c. All information pertaining to a sexual harassment complaint or investigation will be maintained in secure files within the HR Department.

8. ADMINISTRATION

The Human Resource Manager will be responsible for policy interpretation, administration and enforcement.

It is the responsibility of all supervising officials to ensure that this policy is fully implemented in their area(s) of control.

9. REVIEW OF POLICY

This policy will be reviewed every 2 years to determine its effectiveness. The policy will also be reviewed regularly in the light of new regulations and other changes. The review process will be initiated and coordinated by the Human Resources Department. All beneficiaries, workers, volunteers, volunteers will be advised of agreed changes and arrangements for their implementation.

Term	Definition
COA	Centre of Abilities
COA Workers and Voluners	Centre of Abilities Workers and volunteers
Officials	Supervising workers and volunteers of the CENTRE OF ABILITIES Support Programmes or Administrative assistant
Stakeholders	Donors, General Public, Supervisory Agencies, Affiliates
Beneficiaries	Individual and Groups that participate and benefit from Center of Abilities Programmes and Activities

I, _____ do hereby certify that:

(Print Name Above)

- i. I have received and carefully read the SEXUAL HARASSMENT POLICY.
- ii. I understand the SEXUAL HARASSMENT POLICY.

Date: _____

Signature: _____

----- **THE END** -----