

Discrimination, Harassment and Sexual Misconduct Policy

Nonviolent Peaceforce (**NP**) is committed to providing a work environment that encourages and fosters appropriate conduct among all persons and respect for individual dignity.

NP is committed to implementing and enforcing this Discrimination, Harassment and Sexual Misconduct Policy and Grievances and Misconduct Procedures at all levels in order to create an environment free from discrimination, harassment, sexual misconduct and/or retaliation. Such conduct violates the values and principles of NP, causes harm and disrupts the living and working environment for NP personnel, beneficiaries and partners.

NP will act promptly and appropriately when we become aware of or receive a complaint of discrimination, harassment or sexual misconduct. Where appropriate, NP will take disciplinary action up to and including summary dismissal in response to conduct prohibited by this policy.

1. Discrimination and Harassment

Discrimination based on an employee's race, gender, religion, nationality, ethnic origin, sexual orientation, age, language, disability, social origin or other status protected under applicable law is prohibited by NP in the workplace.

Harassment including, but not limited to words, gestures or actions that annoy, alarm, abuse, demean, belittle, humiliate or embarrass another, or which creates an intimidating, hostile or offensive working environment based on a protected class is also not acceptable conduct in the workplace at NP. This policy does not protect the overly-sensitive individual. The conduct must be severe and pervasive.

Examples of inappropriate conduct that may rise to the level of discrimination and/or harassment includes, but is not limited to:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group based on a protected class status;
- Racial slurs, derogatory remarks about a person's accent, or display of racially offensive symbols;
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands;
- Physical assault or stalking;
- Displays or electronic transmission of derogatory, demeaning or hostile materials; and
- Unwillingness to train, evaluate, assist, or work with an employee because of a protected class status.

Discrimination and harassment based on a protected class status may be illegal in the countries in which we operate and is prohibited by NP. If an employee is found to have engaged in discrimination and/or harassment, disciplinary measures up to and including summary dismissal may be taken by NP. For a full explanation of disciplinary procedures, refer to Section 1.14 of the NP Administrative Policies and Procedures (**APP**).

2. Sexual Misconduct

Sexual misconduct is prohibited by NP policy and may also be prohibited by the law of countries in which we operate.

NP is committed to providing a work environment that is free from sexual misconduct, including sex and gender discrimination; sex and gender based harassment; sexual abuse; sexual assault and rape; sexual exploitation; stalking; relationship violence (including domestic and dating violence), and retaliation.

2.1 Sexual Abuse and Exploitation

- No NP employee shall engage in any type of sexual activity with children (defined as persons under 18 years of age);
- No NP employee shall solicit sexual favors in exchange for food, money, employment, shelter, goods, services or other assistance from beneficiaries of assistance/members of local population¹;
- No NP employee shall exchange money, employment, goods or services for sex. Prostitution is strictly prohibited.

All NP employees have a duty to report in good faith any cases related to sexual abuse and exploitation that comes to his/her knowledge. All NP employees have a duty to cooperate with investigations which either relate to their conduct or the conduct of any other person.

Sexual misconduct is grounds for disciplinary measures, up to and including summary dismissal. For a full explanation of disciplinary procedures, refer to Section 1.14 of the APP.

3. Sexual Harassment

NP does not tolerate sexual harassment.

Sexual harassment is unwelcome conduct of a sexual nature, or other conduct based on sex affecting the dignity of women and men at work. This includes unwelcome physical, verbal or nonverbal conduct.

Sexual Harassment includes but is not limited to:

- unwelcome touching, hugging or kissing;
- staring or leering;
- suggestive comments or jokes;
- sexually explicit pictures, screen savers or posters;

¹ Local population means members of the populations of countries in which NP is present and nationals of other countries who may have sought refuge or who are beneficiaries of humanitarian assistance.

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- unwanted invitations to go out on dates or requests for sex;
- intrusive questions about an employee's private life or body;
- unnecessary familiarity;
- insults or taunts based on your sex;
- sexually explicit emails or SMS messages;
- accessing sexually explicit internet sites;
- behavior which would also be an offence under the criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Sexual harassment may also occur where a supervisor/manager demands that an employee/subordinate satisfy sexual demands in order to receive job benefits, to continue employment, or as a basis for making any other employment decision. Such sexual harassment occurs between a manager/supervisor and an employee due to the nature of the manager/subordinate relationship. A manager/supervisor for this purpose is someone who can affect or impact an employee's terms, conditions, or privileges of employment because he/she can take or impact action such as hiring, firing, promoting, disciplining, scheduling, training, or deciding how to compensate that employee.

A victim of sexual harassment can be a man or a woman. The victim can be of the same sex as the harasser. The harasser can be a supervisor, co-worker, other NP personnel, or a non NP employee.

4. Responsibilities Under this Policy

If the NP receives a complaint under this policy, or has reason to believe prohibited conduct is occurring, NP will take the necessary steps to ensure that the matter is promptly investigated and addressed. NP is committed to take action if it learns of a possible violation of this policy, even if an employee does not wish to file a formal complaint. NP will conduct a thorough and confidential investigation in which all employees must cooperate fully. NP will take prompt and appropriate action to end inappropriate conduct in the workplace.

Staff who observe, are informed of, or reasonably suspect violations of this policy must immediately report such incident(s) to their supervisor or manager. Failure to report such incidents will be considered a violation of this policy and may result in disciplinary action. Supervisors or managers should take effective measures to ensure no further apparent or alleged misconduct occurs pending completion of an investigation.

NP Country Directors or Acting Country Directors are required to report to the Executive Director at their first opportunity any conduct prohibited by this policy.

5. Resolving a Problem

You are encouraged to convey your concerns verbally or writing to your immediate supervisor in the first instance of any inappropriate conduct covered under this policy. If you are not comfortable doing so, you may convey your concerns to the next appropriate supervisor. Please follow the reporting channels below:

- Immediate supervisor
- Second-level supervisor
- Head of Programme or Office
- Executive Director
- The Board of Directors

5.1 Informal Procedure

It may be sufficient for the employee concerned to have an opportunity where she/he can explain to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends them or makes them uncomfortable, and that it interferes with their work.

5.1 Formal Procedure – Filing a Grievance

If the informal approach has not provided a satisfactory outcome, if the case is severe or if the conduct continues, it may be more appropriate to embark upon a formal procedure.

NP is committed to ensuring that all employees should feel that they are treated fairly, equitably, and with respect for their personal rights. Thus, employees are provided with the necessary opportunity to bring grievances to the notice of their immediate supervisor, second-level supervisor, Head of Programme or Office, Executive Director or the Board of Directors, and to get a fair hearing.

For a full explanation of Grievance Procedures, refer to Section 1.13 of the APP.

6. Protection from Retaliation

NP will handle complaints and grievances that are investigated in a manner that ensures confidentiality to the extent that it does not interfere with NP's obligation to conduct a thorough investigation. Retaliation against any witness, complainant or respondent involved in an investigation is prohibited and may result in disciplinary measures, including summary dismissal. For a full explanation of disciplinary procedures, refer to Section 1.14 of the APP.

7. Confidentiality

Staff must ensure that grievances about sexual harassment are investigated and handled in a manner that ensures that the identities of the persons involved are kept confidential.



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Only appropriate members of management, NP legal counsel and its agents, as well as the aggrieved employee, representative, alleged perpetrator, witnesses and interpreter if required, must be present in the disciplinary enquiry who have a need to know will be involved and made aware of the matter in order to investigate and take appropriate action.