

# UNDP –GAMBIA COUNTRY OFFICE - WORKPLACE HARASSMENT POLICY



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## **Introduction**

UNDP prohibits harassment and/or abuse of authority at the workplace. The Charter of the United Nations, and the staff rules to the standards of conduct for the international civil staff are both explicit on harassment. Rule 1.2 (e) provides that “any form of discrimination or harassment, including **sexual or gender harassment**, as well as physical or verbal abuse at the workplace or in connection with work, is prohibited.” Staff members exhibiting such behavior or conduct may be subject to administrative, disciplinary or contractual measures, as appropriate.

### **Definition:**

Workplace harassment is any improper and unwelcome conduct by a staff member against another staff member or a group thereof that has or that might reasonably be expected or be perceived to cause offence or humiliation to another.

Sexual Harassment, as one form of workplace harassment, is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behavior of a sexual nature (including pornography, sexually-colored remarks) that has or that might reasonably be expected or be perceived to cause offense or humiliation to another.

Sexual harassment may occur when it interferes with work, is made a condition of employment or when it creates an intimidating, hostile or offensive environment. Sexual harassment normally implies a series of incidents. However, a one-time incident could fall within the definition of sexual harassment if it has an unambiguously offensive sexual character. Both male and female staff members can be either the injured party or the offender.

The abuse of authority is the improper use of a position of influence, power or authority by a staff member against another staff member. This is particularly serious when the person in question uses his or her influence, power or authority to arbitrarily influence the career or employment conditions (including, but not limited to, appointment, assignment, contract renewal, performance evaluation or promotion) of another staff member or non-staff personnel.

### **Responsibilities of staff members**

Staff must:

- a) Be respectful to their colleagues and maintain the highest standards of conduct;
- b) Maintain a harmonious working environment for other staff members by behaving in a manner that is free of intimidation, hostility, offence and any form of workplace harassment or abuse of authority;
- c) Familiarize themselves with UNDP’s policies, including an understanding of conduct that constitutes workplace harassment or abuse of authority, in particular. In addition, staff members

must take the compulsory on-line Training and Certification Programme on the Prevention of Harassment and Abuse of Authority and the Training Course on Ethics available in UNDP's Learning Management System;

d) Be aware of the various options and internal channels available to them for addressing such behaviors; and

e) Respect confidentiality and cooperate with the investigation (for staff members, see Staff Rule 1.2(c).

### **Responsibilities of Managers and Supervisors**

Managers and Supervisors must:

a) Create a harmonious working environment, free of intimidation, hostility, offence and any form of harassment and abuse of authority. In order to achieve such an environment, managers and supervisors must act as role models by upholding only the highest standards of conduct;

b) Communicate the policy on workplace harassment and abuse of authority to all staff members, ensure that staff take the compulsory on-line Training and Certification Programme on the Prevention of Harassment and Abuse of Authority, and the Training Course on Ethics, and act as a resource for staff.

c) Ensure that staff do not engage in workplace harassment or abuse of authority. Special attention needs to be given to staff members supervising others.

d) Take measures consistent with the present policy should they witness any acts of workplace harassment or abuse of authority;

e) Ensure that incidents of workplace harassment or abuse of authority are promptly addressed. In such cases, managers and supervisors must demonstrate fairness, impartiality, and be free from intimidation or favoritism;

f) Ensure that all discussion, communication and action are handled with extreme sensitivity and utmost confidentiality; and

g) Ensure that no staff is retaliated against.

**Prevention Plan:**

Having policy on harassment at the workplace does not guarantee that there will be no incidence of harassment. However, having an effective policy, procedures and online training course on sexual harassment, coupled with harassment training sessions to refresh them and make it clear that harassment is zero tolerance in UN/UNDP for all staff members will assist in preventing harassment and assign relevant focal points to support individuals who are being harassed to come forward.

In order to promote principles or measures for preventing harassment and abuse at workplace, UNDP Gambia CO ensures awareness of all staff members and non-staff personnel on UN/UNDP policies of zero tolerance to harassment, (including sexual harassment) and abuse at workplace. HR will support Senior Management on the following activities:

- 1) Disseminate to all staff information on harassment at the workplace, and/or organize a refresher training on sexual harassment policy, complaining process and prevention. This will be planned annually or semi-annually for all staff, managers and supervisors.
- 2) Advocate and conduct staff awareness sessions on workplace and sexual harassment.
- 3) Ensure that staff members complete and obtain certificates online trainings on UN Prevention of Harassment and Ethics.
- 4) Set up learning sessions for all holders of UNDP contracts, Country Office and Project staff.
- 5) Ensure the sexual harassment policy is available on share point for staff to visit at all times
- 6) Ensure the sexual harassment policy is included in the "Induction Kit" handed to all newly recruited staff and that newcomers do the on-line courses within their first 3 months of start of duty.
- 7) Human Resources focal point may be contacted for clarification on the policy, if required.
- 8) Identify and liaise with Learning Manager on other Gender related topics/sessions provided by Gender Specialist.

**Dispute Resolution Processes:**

Staff members have two main dispute resolution processes available to them depending on their contractual status and prior to filing a complaint.

- 1) **Informal channels of settling cases** by talking to the staff association representative, the human resource manager or the supervisor about the situation to seek advice before filing a complaint. Staff members are encouraged to first utilize this option.
- 2) **Formal redress:** Staff members who wish to seek formal redress should file in a written complaint sent to the sexual harassment committee headed by the DRR.

The HR Associate and Staff Association Representative are assigned to assist in coordinating the complain process for addressing cases of sexual harassment at workplace, including formal and informal procedures, ensuring that any staff member can apply and seek remedy without fear of retaliation from perpetrator, including complaint mechanism, assessment, and to take appropriate measure that **may lead to HQ disciplinary measures**, if requested by affected staff member.

### **Complaints procedure**

Any staff member may file in a complaint, regardless of the type of contract they hold with UNDP and submit it to the DRR.

Anonymous complaints will not be accepted.

#### **Complaint to state:**

- Name of perpetrator/offender
- Describe type and nature of harassment
- The date(s) and location of alleged incident(s) of harassment
- Names of any witnesses and physical and /or documentary proof which correspond with allegation i.e. letters, text messages, emails, voice messages, photos letters etc.

Complaint to be shared with alleged offender to give individual an opportunity to defend the allegation.

#### **Monitoring tools:**

- Global Staff Survey
- Staff Association
- Performance Management and Development to monitor sudden changes in the quality of staff performance through Human Resources review as well as the Talent Management Review group.
- Monitoring staff completion of mandatory on-line training on UN Prevention of Harassment as well as on-line training on Ethics.
- Leave monitoring
- Exit interview
- Suggestion box

- Other channel (that could encourage and track friends/colleagues of injured party to report)

**References:**

HR User Guide, Chapter I, Duties and Responsibilities, Section Workplace Harassment and Abuse of Authority

<https://intranet.undp.org/unit/bom/iso/Administrative%20Law%20Documents/UNDP%20Policy%20on%20Workplace%20Harassment%20and%20Abuse%20of%20Authority.pdf>