
REGULATIONS ON MOBBING, SEXUAL HARASSMENT & ABUSE OF AUTHORITY

1. Purpose and Principles

These regulations reflect the principles and responsibility of HELVETAS Swiss Intercooperation to prevent and address mobbing, sexual harassment and abuse of authority.

All forms of mobbing, sexual harassment and abuse of authority are explicitly forbidden. Such behaviour or conduct manifest a considerable encroachment on the basic principles of equality and fundamental rights of those affected and is contrary to the principles and values of HELVETAS as stated in the Human Resource Policy, Code of Conduct and our mission statement.

HELVETAS promotes the respect and protection of all its employees, partners and primary stakeholders against all forms of emotional, physical and sexual misconduct and/or aggression. Everyone has a right to their physical and mental integrity, while those in breach will be held accountable. Employees of HELVETAS or any other person involved in our activities responsible for such behaviour or conduct shall be subject to sanctions and/or disciplinary measures.

HELVETAS is committed to the following principles:

Zero tolerance

HELVETAS prohibits all forms of mobbing, sexual harassment and abuse of authority.

Protection

All employees of HELVETAS or any other person involved in our activities have a right to work in a harassment-free and respectful environment.

Prevention

HELVETAS consciously promotes a positive work environment to prevent inappropriate behaviour in the workplace.

Reporting

HELVETAS establishes appropriate reporting mechanisms to deal with a suspicion on mobbing, sexual harassment and/or abuse of authority and prevent retaliation related to the reporting of allegations of harassment.

Rigorous sanction

HELVETAS is committed to address inappropriate behaviour by or towards its employees. If a case of mobbing, sexual harassment and/or abuse of authority is proven, involved employees or any other person contracted by HELVETAS are to be sanctioned.

Neutrality

Measures to deal with inappropriate behaviour will be based on principles of fairness and impartiality.

Confidentiality

Whistleblowers who express a suspicion of inappropriate behaviour are protected. Information concerning a suspicion is confidential. The presumption of innocence applies to suspicious persons.

Adequate information

All persons directly involved are informed openly about cases of mobbing, sexual harassment and/or abuse of authority while protecting the whistleblowers.

2. Definitions

2.1. Mobbing

Mobbing means to pick on, pester and exclude a person or a group systematically and to harass a person repeatedly and over a longer period of time at work. Mobbing can be expressed in verbal or non-verbal attacks which affect the physical or mental health as well as the self-esteem of the person(s) concerned.

2.2. Sexual harassment

Sexual harassment is an action with sexual references unwelcome to the person addressed. It can happen between peers, between a supervisor and subordinate level, between members of the opposite or same sex, between an older and younger person among others.

Sexual harassment can be expressed in the following ways (non-exhaustive list):

- remarks about physical advantages or weaknesses or about sexual orientation
- suggestive remarks
- sexist talk and jokes, in any form of verbal, written or non-verbal communication
- sharing suggestive material over email or social media
- ambiguous invitations
- making bodily advances
- making advances together with promises or threats of advantages or disadvantages

2.3. Abuse of authority

Abuse of authority means the improper use of a position of influence, power or authority by an individual against another colleague or group of colleagues, stakeholders or beneficiaries. This is particularly serious when an individual misuses his/her influence, power or authority to negatively influence the career or employment conditions (including - but not limited to - assignment, contract renewal, performance evaluation or promotion) of another. It can include a one-off incident or a series of incidents. Abuse of authority may also include misuse of power that creates a hostile or offensive and/or submissive work environment, which includes - but is not limited to - the use of intimidation, threats, blackmail or coercion.

2.4. Conclusion

Sexual exploitation and sexual abuse violate universally recognized international legal norms and standards and as such are unacceptable and prohibited behaviour for HELNETAS staff. Sexual exploitation or abuse, harassment and mobbing constitute acts of serious misconduct and are therefore reasons for disciplinary measures, including dismissal and legal prosecution.

3. Prevention & Responsibility

HELNETAS as employer

HELNETAS at Head Office and in project countries consciously promotes a safe, respectful and equitable working atmosphere at all levels and across all offices, teams and programmes and all its activities.

HELNETAS screens possible partners carefully before starting collaboration. The regulations on mobbing, sexual harassment and abuse of authority as well as any other policies and regulations are actively discussed with all partners.

In implementing the present regulations, HELNETAS shall act consistently and undertake the appropriate investigative and disciplinary actions required. HELNETAS ensures that persons who report alleged incidents in good faith are not put at a disadvantage. Their identity is kept anonymous as far as possible and if necessary, also after the ending of an investigation. HELNETAS ensures that in cases of alleged mobbing, sexual harassment and/or abuse of authority the reputation of suspects is not damaged unnecessarily. Persons who maliciously raise suspicions or damage the reputation of others are liable to face sanctions.

HELNETAS provides training to their employees regarding prevention of mobbing, sexual harassment, and abuse of authority. All employees are required to participate in the training.

Supervisors

All supervisors should act as role models by upholding only the highest standards of conduct in order to achieve a harassment-free environment. All supervisors are responsible for ensuring that new collaborators are made aware of the mobbing, sexual harassment and abuse of authority regulations and guidelines during their introduction and/or on-boarding. They provide guidance on prevention and dealing with such form of misconduct.

Supervisors commit themselves to both prevent and address mobbing, sexual harassment and abuse of authority within their sphere of responsibility. They follow up any signs of mobbing, sexual harassment and/or abuse of authority according to HELNETAS organisational principles, policies and regulations, and governing legal framework as relevant. Should an incident occur during or after work, the supervisors ensure that the incident is promptly and adequately addressed. Failure to do so may result in disciplinary action.

Colleagues

HELNETAS demands that all employees value and safeguard basic principles of equality and fundamental rights. Reporting of incidents is essential to prevent the continuation of mobbing, sexual harassment and abuse of authority. Cases are normally detected quickest in the immediate environment where they occur. Any concerns or suspicions regarding sexual exploitation or sexual

abuse, regardless whether or not within HELVETAS, must be reported through the established mechanisms in the guidelines.

4. Confidential advice and initial support

Collaborators subjected to or witnessing mobbing, sexual harassment and/or abuse of authority are encouraged to seek emotional, professional and legal support, first and foremost from a person of trust. This person can be internal to the organisation (Supervisor, Human Resource Team Leader at Head Office / HR responsible in the country or Personnel Committee (PEKO) where existing and/or external (e.g. BeTrieb in Switzerland offers confidential advice in English and German). Supervisors and the Human Resource Team have a duty of care to take action if required.

The person of trust can provide direct or indirect assistance by means of emotional support, accompanying support, information support, redirecting to relevant services or authorities and more. The internal as well as the external confidants are bound by confidentiality.

In all cases across the organisation, the Human Resources Team Leader at Head Office is to be informed.

5. Investigation and Sanctions

Employees have the right to seek informal advice or lodge a formal complaint. In case of a formal complaint and depending on the severity of the incident the Management (Management Board member at Head office or Country Director) can decide about building a grievance committee with internal and/or external specialists. The grievance committee leads the investigation. To the extent possible, safety, impartiality, and confidentiality during the course of the investigation is ensured.

In case of a proven incident, pending its severity, different types of sanctions are applicable; from apologies to warnings to summary dismissals.

The right to civil or criminal prosecution is reserved. The same sanctions apply to anyone knowingly accusing someone falsely of mobbing, sexual harassment and/or abuse of authority.

For feedback and complaints HELVETAS has established reporting and investigation mechanisms, as described in the guidelines on mobbing, sexual harassment, child abuse and abuse of authority.

6. Area of applicability and date of enforcement

These regulations apply to all employees worldwide in any contractual relationship with HELVETAS (including interns & volunteers, Board of Directors and its Advisory Council as well as consultants) at all times during their assignment with HELVETAS – both during and after working hours. The regulations are an integral part of the employment contract.

All partners we collaborate with are made aware of our policies and regulations during partnership negotiations.

These regulations will be supplied to all employees and become effective from March 02, 2018.

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