



Harassment Free Workplace Policy

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DOCUMENT CONTROL SHEET

DOCUMENT PREPARATION INFORMATION

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DOCUMENT CHANGE HISTORY

Date	Change Description	Approved By
3/2020	<ol style="list-style-type: none"> 1. Replaces the following from Chapter 2 Employee Manual: 14. Sexual and Other Unlawful Harassment Policy and Procedures 2. Updated investigating and reporting procedures to include Ethics Committee 3. Updated to include policy applies to volunteers, and the Board of Directors, subsidiaries, subrecipients 4. Added: ACDI/VOCA policies support the core principles of H.R. 1268 (109th) Sec 2110 and the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises. 5. Updated roles and responsibilities to include the chief operating officer (COO) and the vice president of human resources (VP of HR) have primary responsibility for maintaining this policy and developing procedures to ensure the policy is followed. 6. Added a statement outlining ACDI/VOCA Group's approach when responding to complaints 	Sylvia Megret
11/2021	<ol style="list-style-type: none"> 1. Introduce new Ethic Website 	Quanita Pokolo-Hassell

This policy supersedes all previous policies on the subject and is effective as of March 2020.

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1. PURPOSE

ACDI/VOCA Group is committed to providing a working environment for all employees that is free from sexual and other forms of harassment. The purpose of this policy is to set forth the expectations of conduct and the process for complaint resolution in accordance with our corporate values and policies.

2. POLICY STATEMENT

ACDI/VOCA Group's core values are the underpinning of our corporate culture, and our commitment to our core values is emphasized by preventing all forms of sexual and other harassment. All employees have the responsibility to help eliminate actions or circumstances which undermine our values.

ACDI/VOCA Group expects that all interactions among staff, board members, beneficiaries, clients, donors, subcontractors, vendors, or staff from these organizations will be business-like and free of bias, prejudice, and harassment.

ACDI/VOCA Group policies support the core principles of H.R. 1268 (109th) Sec 2110 and the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises. Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct.

This policy was developed in conjunction with the U.S. Equal Opportunity Employment Commission (EEOC) guidelines. Additional information can be found in the Corporate Code of Conduct, Anti-Bribery & Corruption Policy and Anti-Exploitation Policy.

3. SCOPE OF POLICY

This policy directly applies to all:

- ACDI/VOCA employees, volunteers, and the Board of Directors
- ACDI/VOCA subsidiaries and their employees
- Subrecipients

Complaints of prohibited conduct may be made by any staff member, consultant, contractor, implementing partner staff, donor personnel, and any other person who may have been subject to prohibited conduct in a work-related situation.

4. ROLES AND RESPONSIBILITIES

The chief operating officer (COO) and the vice president of human resources (VP of HR) have primary responsibility for maintaining this policy and developing procedures to ensure the policy is followed. ACDI/VOCA reserves the right to change or revise this policy, as appropriate. Material changes to this policy will be reviewed and approved by the president and chief executive officer (CEO) after review by the Executive Management Team and Ethics Committee.

Project heads and country representatives are responsible for implementing and enforcing this policy in the projects they operate. There may be policy addendums mandated by local governments that may supplement or supersede this policy. (Refer to Employee Policy Manual).

Supervisors should take all the necessary actions to ensure their employees are aware of and follow this policy.

All individuals covered by this policy are required to cooperate with investigations and to report or seek advice about how to report or appropriately handle potential violations of the policy.

5. POLICY PROCEDURES

If employees believe they been the victim of or witness to harassment, they should promptly submit a confidential complaint or report of observed acts as described in the chart below. Complaints filed should be as specific as possible, including the date, time, place, and nature of the incident, and any witness(es) to the alleged misconduct.

Employees	<p>Employees can report incidents through the internet-based independent hotline called the Ethics System of Record. Employees reporting the incident may choose to remain anonymous. The investigation protocol is outlined below. Employees can access the reporting system through the ACDI/VOCA website or directly via the Ethics Reporting System of Record.</p> <p>Employees also have the option to submit a confidential complaint to their immediate supervisor (see below). If the complaint is against the supervisor, the employees may submit a complaint directly to the VP of HR. If the complaint is against the VP of HR, employees may submit the complaint directly to the COO or chief legal officer (CLO).</p>
Supervisor	The supervisor should refer or submit complaints to the VP of HR.
Human Resources	After complaints are sent to the VP of HR, he/she will conduct a prompt and impartial fact-finding investigation. If the complaint is against the VP of HR, the complaint review will be conducted by the CLO.
Ethics Committee Ethics Charter (TBD)	Upon receiving a report through the Ethics Reporting System of Record or becoming aware of complaint, the committee shall meet within two business days to review each allegation and assign the matter for further investigation as necessary.

ACDI/VOCA Group has a responsibility to provide an environment that is free from harassment. The VP of HR reserves the right to investigate any claim of harassment, even if not brought by the parties alleged to have been involved. ***If employees believe harassment is occurring, they are obligated to report it.***

Our approach

ACDI/VOCA Group is committed to the highest standards of ethical and legal conduct in all of our actions. We respect the legal and human rights of all individuals who report allegations of violations of our any of our policies, or local and international laws. Based on these principles,

we treat all reporting parties with dignity and respect to ensure they are supported in terms of safety concerns, medical needs, emotional or psycho-social concerns, as well as any concerns about local customs.

We respect the confidentiality of the reporting party at all times and do not disclose information about the reporting party or any of the reported allegations without the informed consent of the reporting party. We work to ensure the reporting party receives comprehensive information required to make informed decisions. Decisions are made in consultation with the reporting party. We also take into consideration the legal rights of any individuals against whom any allegations are made, working to ensure due process, as required and appropriate. Lastly, we work with relevant authorities to ensure we remain compliant with local, international and US Federal laws at all times.

The inquiry and investigation process will be conducted in the following manner:

- Upon receiving a report or becoming aware of complaint, the two permanent administrators of the Ethics Committee and any member in whose subject matter the complaint resides, shall meet within two business days to review allegations and assign the matter for further investigation as necessary.

For cases determined to merit further investigation by the Ethics Committee, the Committee:

- Shall provide active oversight and management of the investigation until its completion.; the Committee will cooperate and coordinate closely with the concerned personnel, both at headquarters (HQ) and the field
- Shall undertake an objective and comprehensive investigation of the disclosures or claims received in a timely manner
- Shall determine whether harassment occurred and, if so, whether disciplinary or other remedial action is indicated, including termination
- Shall include relevant members of the management team to assist in the investigation when appropriate
- Shall prepare a final investigative report outlining the findings, recommendations for resolution and conclusion, and will submit its report to the president and CEO for appropriate action
- Shall work with the president and CEO to ensure that the recommended remedial actions are fully and promptly implemented

For cases determined to merit investigation by the VP of HR, the VP of HR:

- Shall interview the complainant, the individual against whom the complaint has been lodged, and any witnesses to determine the facts of the incident; the VP of HR will take the ultimate care to maintain confidentiality and only involve those necessary to complete the investigation
- Shall convene appropriate officers of ACDI/VOCA to review the facts of investigation, if the parties involved cannot reach a mutually satisfying outcome or if the results of the investigation indicate a policy violation; any employee who was the complainant or the named as subject of the complaint will not participate in this review
- Shall recommend appropriate resolutions actions to the president and CEO who will be responsible for determining the final actions to be taken; if the president and CEO is either

the complainant or the person charged in the complaint, the issue will be taken to the appropriate members of the Board of Directors to determine the final resolution

- Shall meet separately and confidentially with each party of the complaint to discuss the recommended outcome, the investigatory process, and findings
- Shall be responsible for implementing the decision and documenting all relevant information, including the outcome and submitting a confidential memorandum to the president and CEO on the resolution; notification to anyone not directly involved with the case (e.g., supervisors) will be at the discretion of the president and CEO

If the VP of HR and relevant ACDI/VOCA Group employees determine that prohibited harassment, as defined above occurred, then the offending party will be informed, and corrective action will be taken. Corrective action may include, but is not limited to mandated counseling or training, disciplinary actions, suspension and/or immediate termination of employment for cause. If the complaint is against a subcontractor, vendor, client, or donor, appropriate action will be taken, up to and including, informing the individual's employer of the harassment.

Appeal

A written appeal of the decision by either party or parties included in the complaint may be made and sent within two weeks of the decision to the VP of HR who will review the appeal with the appropriate officers. The president and CEO, or designated substitute, will decide if any additional action should be taken based on review of the appeal. Apart from the protections provided by ACDI/VOCA Group policies, employees have rights enforceable under federal and local legislation through the local human rights office that represents their work location and/or the EEOC. Additional information regarding employee rights is available on the EEOC website and through posters displayed at ACDI/VOCA HQ. Employees with questions or concerns regarding harassment are encouraged to speak to the VP of HR.

5.1 RETALIATION STATEMENT (STATEMENT AGAINST RETALIATION OR PREVENTION OF RETALIATION)

ACDI/VOCA Group will not retaliate against anyone who has made a good faith report of harassment or allow anyone who has allegations made against him/her to retaliate against the complainant. Any such acts of retaliation must be reported immediately and will be subject to appropriate disciplinary action. Employees can report incidents through the Ethics System of Record.

See Retaliation/Whistleblower Policy

ACDI/VOCA Group trusts that its employees will act responsibly to establish and maintain a working environment free from harassment and discrimination.

6. EXCEPTIONS

N/A

7. DEFINITIONS

Age discrimination: Age discrimination involves treating an applicants or employees less favorably because of their age.

It is unlawful to harass a person because of his or her age. Harassment may include offensive or derogatory remarks about a person's age. Harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser may be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

Harassment: Harassment may be verbal or physical and may include the use of email, mobile communications, social media, and the internet which denigrates, bullies, or shows hostility or aversion toward an individual because of an individual's race, age, family responsibilities, color, marital status, matriculation, sex (including pregnancy and reproductive health), personal appearance, political affiliation, national origin, veteran status, sexual orientation, genetic information, religion, caste, gender identity or expression, disability, and/or any other characteristic protected by law and:

- Such conduct has the purpose or effect of creating an intimidating, hostile, or abusive work environment
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance
- Such conduct otherwise adversely affects an individual's employment opportunities

Sexual harassment: Sexual harassment includes repeated and continuous behaviors of a sexual nature said or written either to a person directly, near them or about them. It can include but is not limited to, inappropriate sexual comments said about a person's appearance or sexuality, sexually suggestive emails, and lewd requests for dates or sexual favors. It can also include idle chatter of a sexual nature, graphic sexual descriptions, sexual slurs or innuendos, jokes or kidding about sex or gender traits, repeated flirting or unsolicited requests for dates and/or sexual relations, and asking about sexual fantasies, preferences, or history.

Under this policy, harassment is defined as verbal, written, or physical conduct including, but not limited to the use of electronic communication that denigrates or shows hostility or aversion toward an individual because of an individual's race, age, family responsibilities, color, marital status, matriculation, sex, health status, personal appearance, political affiliation, national origin, veteran status, sexual orientation, genetic information, religion, gender identity or expression, disability, and/or any other characteristic protected by law and:

- Such conduct has the purpose or effect of creating an intimidating, hostile, or abusive work environment
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance
- Such conduct otherwise adversely affects an individual's employment opportunities

Sexual harassment may involve behavior by a person of either gender against a person of the same or opposite gender. Unwelcome sexual advances and behaviors are prohibited, particularly when:

- Such conduct creates an intimidating, hostile, or abusive work environment or negatively impacts an individual's work performance
- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's employment

8. . REFERENCES

Anti-Exploitation Policy

Corporate Code of Conduct (TBD)

Anti-Bribery & Corruption Policy

Ethics Charter (TBD)

[H.R. 1268 \(109th\) Sec 2110](#)

Retaliation/Whistleblower Policy