



**HATOF Foundation**  
(An Environment NGO)

# HATOF Foundation ANTI- SEXUAL HARASSMENT POLICY AND GUIDELINES

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HATOF Foundation

BM101 SKY RD, GT-261-3212, LASHIBI-KLAGON

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## **1. PURPOSE OF POLICY**

The HATOF Foundation's sexual harassment policy aims to safeguard employees of all sexes and gender identities in our organization from unwanted sexual advances and provide them with guidelines to report incidents. To achieve this objective, the organization seeks to provide an atmosphere of work and study in which all individuals are treated with respect and dignity. The policy defines how we handle complaints, act against offenders, and help survivors recover.

## **2. SCOPE**

This policy applies to all employees, volunteers, interns, part-time employees, as well as people who serve the HATOF Foundation and are under the control of the organization in all its locations and facilities.

## **3. POLICY STATEMENT**

The HATOF Foundation is committed to providing a safe environment for all its employees, free from discrimination on any ground and from harassment at work, including sexual harassment. HATOF 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 employee who is found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment will be taken seriously and treated with respect and confidence. No one will be victimized for making such a complaint.

## **4. SEXUAL HARASSMENT DEFINITION**

Unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature are defined as sexual harassment when:

- The offensive behavior creates an intimidating, abusive, or hostile work environment or interferes with work performance.
- An employment decision regarding an employee is made because of their response to offensive behavior (quid pro quo harassment).

Anybody can be a victim of sexual harassment, regardless of their sex or gender identity and that of the offender.

### **4.1. Acts that Constitute Sexual Harassment**

For the purpose of this policy, sexual harassment shall be defined to include acts or behaviors constituting sexual abuse and sexual assault that occur within the defined scope of this policy.

- Unnecessary and inappropriate touching, such as patting, pinching, hugging, or deliberate brushing against an individual's body; grabbing of parts of the body; kisses;
- commenting on somebody's appearance, sexual orientation, or gender in a derogatory or objectifying way, or in a way that makes them uncomfortable.
- Creating or posting sexually offensive materials in the workplace
- Flirting at an inappropriate time, for instance, in a team meeting, even if these advances would have been welcome in a different setting, These actions can damage a person's professional reputation and expose them to further sexual harassment.
- Flirting with somebody or pursuing them persistently against their will
- using obscene comments, gestures, pranks, and jokes that degrade or offend somebody.
- sending or displaying sexually explicit objects or messages.
- Invading somebody's personal space, for example, by touching them inappropriately
- Threatening, coercing, stalking, or intimidating somebody to pressure them to engage in sexual acts
- Proposing, demanding, or insinuating sexual favors
- Unwelcome jeering, whistling, heckling, and hollering at an individual on sexual grounds, including name-calling;
- passing on pornographic material in print or electronic form or passing written offensive messages of a sexual nature (including e-mails, WhatsApp, and text messages);
- Insults, jokes, or anecdotes that belittle or demean an individual or a group sexually;
- unwelcome sexually oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience;
- Using a position of power and authority to threaten or punish either directly or by implication, for refusing to tolerate harassment or submitting to sexual activity, or for reporting harassment for promised rewards in return for sexual favours;
- Sexual assault is an unwanted sexual act done without the consent of one party and/or that occurs under threat or coercion. Sexual assault includes, but is not limited to, attempted rape, indecent assault, forcible anal sex, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing for purposes of sexual gratification), and the threat of sexual assault;
- Suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments, or status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation
- discipline or dismissal of a subordinate who ends a romantic relationship;
- Retaliation from a person in authority due to a refusal of sexual favors may include limiting opportunities for the complainant, generating gossip against the employee, or other acts that limit access or change performance expectations after a subordinate refuses a repeated request for a date.
- Retaliatory and abusive behaviors directed towards either former relationship partners or individuals who have rejected the sexual advances of another.
- Sexual intimidation

## **5. THE OBJECTIVE OF THE POLICY**

- Prevent sexual harassment through education and awareness creation. Forbid and sanction sexual harassment offenses.
- Investigate allegations and reports of incidents of sexual harassment at the organization.
- Administer appropriate disciplinary measures when a violation is found to have occurred as provided by this policy.
- Ensure that victims of sexual harassment or anyone who participates in the investigation do not face retaliation or stigmatization.

- Ensure that all persons in responsible positions do not use their positions as tools for demanding sexual favors.

Treat all records regarding complaints of harassment with the utmost confidentiality.

## **6. COMPLIANT PROCEDURE**

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser (except in cases of sexual assault) that the conduct is unwanted and unwelcome. The HATOF Foundation recognizes that sexual harassment may occur in unequal relationships (i.e., between a supervisor and his or her employee) and that it may not be possible for the victim to inform the alleged harasser.

If a victim cannot directly approach an alleged harasser, he or she can lodge a written complaint with the Head of Human Resources via email at [environ@hotmail.com](mailto:environ@hotmail.com). Your complaint will be documented and resolved within 14 working days. All complaints will be treated as confidential.

Both the HATOF Foundation and Ghanaian law prohibit any form of retaliation against somebody claiming sexual harassment.

### **6.1. Informal complaints mechanism**

If the victim wishes to deal with the matter informally, the responsible department will:

- give the alleged harasser an opportunity to respond to the complaint.
- ensure that the alleged harasser understands the complaint mechanism.
- facilitate discussion between both parties to achieve an informal resolution that is acceptable to the complainant or refer the matter to a designated mediator within the company to resolve the matter.
- ensure that a confidential record is kept of what happens.
- Follow up after the outcome of the complaint mechanism to ensure that the behavior has stopped.
- ensure that the above is done speedily and within 14 working days of the complaint being made.

### **6.2. Formal complaints mechanism**

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint will refer the matter to the Deputy Chief Executive to initiate a formal investigation. The Deputy Chief Executive may deal with the matter himself or herself.

## **7. INVESTIGATION PROCESS**

HATOF Foundation will:

- Record the dates, times, and circumstances of the incident.
- Ensure that the complainant understands HATOF's procedures for dealing with the complaint.
- Discuss and agree on the next steps: either an informal or formal complaint, with the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he or she is not satisfied with the outcome.
- Keep a confidential record of all discussions.
- respect the choice of the victim.
- ensure that the victim knows that they can lodge the complaint outside of the company through the Ghanaian legal framework.
- Determine what outcome the complainant wants.
- investigate the matter.

Based on the above, the HATOF Foundation will further:

- Contact the offending party and set up a meeting to explain the complaint and ask them to stop this behavior.
- If the complainant agrees, arrange for mediation sessions with the complainant and the alleged perpetrator to resolve the issue.

## **8. SANCTIONS AND DISCIPLINARY MEASURES**

Employees who are found guilty of sexual harassment (excluding sexual assault, for which they will be dismissed) will be liable to any of the following sanctions:

- Receive a verbal or written warning.
- Be demoted.
- Be suspended.
- Get a negative performance review.
- be denied promotions and/or salary increases for 12 months.
- be transferred to another department or branch if necessary.

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence and sexual assault, will result in the immediate dismissal of the harasser.

We will dismiss repeat offenders after a second offense.

## **9. SUPPORT STRUCTURES FOR SURVIVORS**

The HATOF Foundation offers survivors of sexual harassment the following support structures:

- Guidance from our Employee Assistance Program Officer to explore your options.
- Access to in-house counseling.
- Sick leave.

## **10. IMPLEMENTATION OF THIS POLICY**

HATOF Foundation will ensure that this policy is widely disseminated to all relevant persons and will be included in the employee handbook. All new employees will be trained in the content of this policy as part of their induction into the organization. Every year, HATOF will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every manager to ensure that all his or her employees are aware of the policy.

## **11. MONITORING AND EVALUATION**

HATOF Foundation recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Supervisors, managers, and the responsible department for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the HATOF Foundation will evaluate the effectiveness of this policy and make any changes needed.

**April 30, 2018**



**Chief Executive Officer**

**APPENDIX A: EMPLOYEES PERSONAL DECLARATION**

I, ..... acknowledge that I have received a copy of the HATOF Foundation’s Sexual Harassment policy written in the language that I comprehend. I agree to adhere to the policy throughout the period I work for or on behalf of the organization. I also understand that should I have any complaints; I should lodge a written complaint with the Head of Human Resources via email at [environ@hotmail.com](mailto:environ@hotmail.com).

Full name: .....

Job title: .....

Department: .....

Signature: .....

Date: .....

**ANNEX B: COMPLAINT FORM**



**HATOF Foundation SEXUAL HARASSMENT COMPLAINT FORM (CONFIDENTIAL)**

**A. COMPLAINANT’S PROFILE**

Name.....Age:.....  
Contact Number.....  
Email: .....  
Address.....  
Staff Level.....  
Date (s) & Time (s) of Incident (s).....

**B. ALLEGED PERPETRATOR’S PROFILE**

Name.....Age.....  
Contact Number.....  
Email.....  
Status: Staff/ Other.....  
Department.....  
Student/ Staff No.& Level.....

**C. RELATIONSHIP WITH ALLEGED PERPETRATOR**

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**D. DESCRIPTION/ NATURE OF COMPLAINT**

**(PROVIDE A SUMMARY OF THE INCIDENT (S) BELOW.**

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