



**AFRICAN INITIATIVE FOR MANKIND PROGRESS ORGANIZATION -
AIMPO**

Sexual -Harassment Policy

Introduction

Established in 2001, the African Initiative for Mankind Progress Organization (AIMPO) is a nationally recognized, non-governmental and non-profit organization dedicated to the advancement of Rwanda's indigenous, Batwa population, legally categorized as 'Historically Marginalized Peoples' (HMP) in Rwanda. The Government of Rwanda (GoR) required our organization to change its name from the African Indigenous Minority People's Organization to its current name in 2007, claiming that the recognition of ethnicity and indigeneity is not relevant to Rwanda.

- **Our vision** is to advance the cause and integration of marginalized people (i.e. the Indigenous Batwa population) into a society in which all citizens should be equal in terms of political decision-making, economic opportunities, and access to education and healthcare. This will contribute to a decrease in the discrimination against the Indigenous Batwa.
- **Our goal** is to deliver high-impact, cost-effective, and culturally competent capacity-building programs to Historically Marginalized People in our target regions in Rwanda.
- **Our missions** are to promote the individual and collective rights of HMP; to facilitate sustainable development in Historically Marginalized Communities; and to accelerate the social, political, and economic integration of these communities into Rwandan society.

The purpose of this cost allocation policy is to summarize, in writing, the methods and procedures that the African Initiative for Mankind Progress Organization (AIMPO) will use to allocate costs to various programs, departments, grants, contracts and agreements.

PURPOSE

To outline and define the AIMPO("AIMPO") policy regarding harassment prevention in the workplace.

SCOPE

This policy applies to all AIMPO personnel, that is, all employees (covering all employment categories including without limitation full-time, part-time, contract and temporary employees), board or advisory council members, interns and volunteers of AIMPO, including all AIMPO-registered offices throughout the country: AIMPO head offices, sub-offices. It also applies to non-employees such as vendors, independent contractors (consultants), visitors and others doing business with AIMPO, including donors and beneficiaries. This policy governs conduct in the workplace (any place where AIMPO employees perform work for AIMPO) as well as off-premises situations with a relationship to the workplace or that affect the workplace.

DEFINITIONS

Harassment: Harassment is conduct that denigrates or shows hostility or aversion towards an individual, or creates a hostile work environment because of his/her:

- a. Race, ethnic origin, ancestry, nationality, or color
- b. Age
- c. Gender
- d. religious convictions
- e. Denominational allegiance
- f. Disability
- g. Military service
- h. Sexual orientation
- i. Other legally protected basis

Examples of harassment may take many forms including but not limited to:

1. Verbal conduct such as epithets, derogatory comments, slurs, improper joking or teasing, comments, or conversation
2. Visual conduct such as derogatory posters, cartoons, drawings or gestures
3. Physical conduct such as attack, use of physical force, blocking normal movement or unwanted presence in work area
4. Use of computers, including the Internet and email system, text messages, to transmit, communicate or receive derogatory messages or material. Other communications may include telephone calls, letters, and faxes. Messages sent on company computer systems are recoverable and can be used in an investigation.
5. Non-sexual but gender-based acts of aggression, intimidation, hostility or treatment with an unequal intent
6. Retaliation for having reported unlawful harassment that could occur during or after an investigation

Sexual Harassment

Making unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where either:

- a. Submission to such conduct is made an explicit or implicit term or condition of employment
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals
- c. Or such a conduct has the purpose of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include but are not limited to:

- a. Unwanted sexual advances, including verbal sexual advances and propositions, including unwanted repeated requests for dates
- b. Offering employment benefits or exchange of goods and/or services in exchange for sexual favors
- c. Making or threatening reprisals after a negative response to sexual advances
- d. Leering, making sexual gestures
- e. Displaying pornographic or sexually suggestive objects or pictures, cartoons, or posters
- f. Use of the computer including the internet and e-mail system, text messages, to transmit, communicate or receive sexually suggestive, pornographic, or sexually explicit pictures, messages or material. Other communications may include telephone calls, letters, and faxes. Messages sent on company computer systems are recoverable and can be used in an investigation.
- g. Using inappropriate terms of endearment
- h. Graphic verbal commentaries about an individual's body
- i. Sexually degrading words used to describe an individual
- j. Suggestive or obscene letters, notes, or invitations
- k. Physical conduct such as an attack, uninvited or unwanted touching, deliberately blocking normal movement or persistent, unwanted invasion of personal space.
- l. Retaliation for having reported unlawful sexual harassment that could occur during or after an investigation.

STATEMENT OF POLICY

Description

AIMPO endeavors to promote a corporate culture of dignity, respect, and courtesy, in line with AFRICAN INITIATIVE FOR MANKIND's Core Values - "respect and co- existence in diverse creeds". In keeping with this concept, AIMPO is committed to providing a work environment that is free of discrimination and prohibits unlawful harassment including sexual harassment and harassment based on race, color, national origin, age, gender, disability, or any other characteristic protected by discrimination laws. AIMPO expects all its personnel and others doing business with AIMPO to conduct themselves in a manner consistent with this goal. Accordingly, AIMPO will:

- Take appropriate measures to prevent harassment
- Rigorously investigate all complaints of harassment
- Take appropriate corrective action in cases of substantiated harassing behavior
- Take appropriate corrective action in cases of false claims
- Provide access to a safe place where personal support and counseling can be obtained.

Procedure

All allegations of harassment will be investigated promptly, impartially, and confidentially by a team or individual appointed by Executive Director. See Procedures for Reporting and Investigating Harassment Complaints, below, for further details. Any member of AIMPO personnel found to have acted in violation of this policy shall be subject to corrective action, up to and including termination, as deemed appropriate by AFRICAN INITIATIVE FOR MANKIND (AIMPO).

Legal Aspects

In some countries, employees of AIMPO could be held personally liable in certain cases of substantiated harassing behaviour. In some countries, harassment is also a criminal offense, possibly resulting in incarceration. Employees in Supervisory/Managerial positions with AIMPO could also be personally liable for failing to act upon a complaint made to them. AIMPO will consult appropriate local legal counsel as to the applicability of the national law. To the extent that the AIMPO policy is inconsistent with national law on this issue, national law should prevail. Where national law is consistent with the AIMPO policy or is silent, the AIMPO policy will apply.

Harassing Conduct - Non-employees

AIMPO expects its donors/customers, vendors, contractors/ consultants, and partner organizations to refrain from harassing behaviour. These individuals are expected to meet the same behavioral standards as AIMPO personnel. AIMPO may be liable to such individuals if they are harassed by a AIMPO staff member. Additionally, such individuals can report any harassing behaviour used toward them by a AIMPO staff member, to People & Culture.

Criminal Offenses (e.g., Sexual Assault)

In the event of alleged criminal offenses (such as rape and other forms of assault) AIMPO will report the incident to appropriate local authorities, local law enforcement and/or national authorities. AIMPO employees who are victims of such offenses in connection with their employment will be provided by AIMPO with appropriate and timely physical, medical and psychological support.

Reporting and Investigating Harassment Complaints

See Procedures below for procedures for reporting and investigating incidents of harassment.

Investigation Results:

Human resource will inform the complainant and the alleged harasser as soon as reasonable of the findings of the investigation and the final determination.

- a. If harassment is not established, there will be no permanent record made of the incident in the employee's file. However, the investigation report will be maintained in the file of a staff. Appropriate counseling may be provided to both the complainant and alleged harasser.
- b. If there is a reasonable basis to believe that harassment did occur, appropriate corrective action will be taken, and full documentation will be kept on record.
- c. If it is established that knowingly and nationally false allegations have been made, full documentation will be kept, and corrective action will be taken against the complainant as appropriate.

Treatment of the Complainant

The complainant will be treated respectfully and with dignity. Statements made by the complainant will be kept in appropriate confidentiality. The complainant will be:

- a. Given the opportunity to provide relevant information.
- b. Given the opportunity to participate in the investigation by providing names/identities of other witnesses and also recommend questions to be asked by the investigators during the investigation.
- c. If complainant desires, counseling or Staff Care may also be available.

Treatment of Alleged Harasser

The alleged harasser will be treated respectfully and with dignity. Statements made by the alleged harasser will be kept in appropriate confidentiality. The alleged harasser will be:

- a. Advised of the allegations, orally or in writing.
- b. Given the opportunity to provide relevant information and respond to specific allegations. This response may be made verbally or in writing.
- c. Given the opportunity to participate in the investigation by providing names/identities of other witnesses who may have knowledge of the specific allegations and also recommend questions to be asked by the investigators during the investigation.
- d. If alleged harasser desires, counseling or Staff Care may also be available.

Retaliation

Retaliation against any employee for filing a complaint covered under this policy or assisting in the investigation of a complaint covered under this policy is prohibited. AIMPO will not tolerate retaliation against anyone who complains of harassment in good faith or who participates in an investigation. If you believe that you have been retaliated against for reporting a complaint or assisting in the investigation process, you should report the incident to your AIMPO Executive Director/Board president.

Harassment Prevention

In a continued effort to prevent harassment, all employees will be educated on the Harassment Prevention Policy during new hire orientation.

- Training for staff and supervisors. AIMPO will provide training to staff every 2 years. AIMPO will provide all supervisors with a minimum of two hours of interactive training every two years (and within six (6) months of hire or transfer/promotion into a supervisory role) on the subject of methods to prevent unlawful harassment that complies with Rwanda regulations and standards on mandatory harassment prevention. This training will be required for all supervisors as well as board members.

Procedures for Reporting and Investigating Harassment Complaints

Typically, the following steps would be taken, but may be modified in the most appropriate manner for the circumstance and reflect local applicable laws.

- a. **Employee communication with person responsible for conduct** - If an employee believes they have been the victim of harassment, the employee should inform the offending individual directly that the conduct is unwelcome and must stop, if the employee is comfortable doing so. If the employee has questions or concerns about whether or how to address the person responsible for the conduct, the employee is in to consult with Human resource department.
- b. **Preferred reporting by employee using Harassment Complaint Form** - The employee is to submit to Human Resource a completed **Harassment Complaint Form** to report the facts of the incident/s.

Harassment Complaint Form

1. The employee is to please complete the **Harassment Complaint Form** (available in English, and Kinyarwanda). This will enable the employee to capture important and pertinent information about the complaint and enable the investigators to complete a thorough investigation.
2. After reporting such an incident to Human Resource/focal point (and to the employee's supervisor, if the complaint does not concern that supervisor), the employee should receive an acknowledgement verifying that a complaint was received within five (5) business days.
3. If the employee does not receive an acknowledgement within five (5) business days, the employee is to notify Executive Director.

Incident Report Form

1. Upon receipt of the Harassment Complaint Form from the employee, the Human Resource designated incident reporter must complete and submit the **Incident Report Form**, within the required time frame.
2. Required time frame: According to the AIMPO Incident Notification Reporting Protocol, complaints of sexual harassment and general harassment must be reported as a **"Code Yellow"** within 24 hours of receipt of the complaint, or immediately as a **"Code Red"** in the case of employee death, critical injury and/or sexual assault.
3. Once the Incident Report Form is submitted, Human resource sends automatic notification to key stakeholders involved, including executive director and President of board.

Manager responsibility to report harassment complaint

- I. Supervisor/ Manager is to immediately report any complaint of harassment to the H R department. The H R department will complete the Incident Report within 24 hours, or immediately in the case of employee death, critical injury and/or sexual assault.

- II. An office Supervisor/Manager is to complete the Incident Report within 24 hours, or immediately in the case of employee death, critical injury and/or sexual assault.

Investigating harassment complaints

- a. AIMPO will ensure that the incident is investigated immediately once a complaint has been made and will ensure appropriate confidentiality is maintained. Depending on the results of the investigation, AIMPO will ensure that the appropriate actions/corrective measures are taken.
- a. HR /or supervisor /manager, the AIMPO Legal Dept. (in conjunction with H R as appropriate for incidents involving national offices) will appoint an individual or team to conduct the investigation.
- b. Supervisors must not independently investigate complaints of harassment.
- c. During the investigation period, the complainant and the alleged harasser and any individuals involved in the investigation, including witnesses are not to discuss the case with other co-workers for the investigation to remain objective and unbiased.

Managers Notes:

Supervisors/Managers will be responsible to:

- A. Be familiar with the contents of: AIMPO's Harassment Prevention policy (this policy)
 - a) Incident Notification Reporting Protocol
 - b) Internal Investigations and Investigation Forms and Templates.
- A. Take appropriate measures to maintain a work environment free from harassment.
- B. If needed, the employee being investigated may be temporarily removed from the work environment and put on paid administrative leave until the investigation is concluded. Managers should exercise care in how this is communicated to the alleged harasser. This leave is not meant to be used as a punitive measure. It is to be used when it is determined that such a leave would serve the best interests of the alleged harasser, complainant and or the organization.
- C. Protect employee confidentiality to the appropriate extent. When an investigation is in process, supervisors must cooperate with H R on the investigation process and refrain from any communication about the investigation with other staff members who are not a part of the investigation and who do not have a need to know.
- D. Implement appropriate, corrective action in cases of substantiated harassing behaviour, in consultation with H R.
- E. The Final Investigation Report must be reviewed by Executive Director

- i) When appropriate and with H R involvement, the manager may request assistance to do the following:
 - A. Review the Harassment Prevention Policy with all employees.
 - B. Outline AIMPO's commitment to provide a working environment free of harassment, in which it is safe to make a complaint.
 - C. Emphasize that AIMPO does not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

Note: Because AIMPO is a diverse organization, it is important that staff exercise cross-cultural sensitivity. Conservative professional decorum should be exercised to prevent misunderstandings (for example refrain from greetings that involve kissing and hugging).