

ANTI-HARASSMENT POLICY

The Union strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment should be characterised by mutual trust and the absence of intimidation, oppression and exploitation, allowing employees to be able to work and learn in a safe, yet stimulating atmosphere.

The Union is committed to maintaining a workplace free from bullying and harassment. It does not accept, condone or tolerate actions of bullying and harassment of any kind by any employee, consultant, staff of a partner organisation/entity, guest, client, vendor or any other outside business employee on the basis of any personal characteristic. Any words and conduct that demean, stigmatise, intimidate, or singles out a person because of their protected group status is prohibited.

This policy applies to employees working away from their office/workbase. Furthermore, unacceptable behaviours are not only unacceptable in the Union's workplace, but also in any work-related settings outside the workplace, such as business trips, conferences, and business-related social events.

PROTECTED CHARACTERISTICS

Harassment can be on the basis of any protected characteristic. These are: age, disability, gender reassignment, marriage and civil partnership (in employment only), pregnancy and maternity, race, religion or belief, and sex. The protected characteristics listed are those defined by UK laws under the Equality Act 2010, and which shall serve as the standard to be adhered to by all Union offices when dealing with cases of harassment. Note: Even if a harassing behaviour does not rise to the level of unlawful, inappropriate behavior, or is not legally protected in countries where The Union is present, it may still be a breach of The Union's policy, and which may lead to disciplinary action up to and including suspension or termination of employment.

DEFINITIONS AND EXAMPLES OF HARASSMENT

An employee may not think that their behavior is offensive or that s/he did not mean it to be offensive. Nevertheless, the point to keep in mind is that that perception, not intent, is the measure by which an action is considered harassment. If it makes someone uncomfortable, it is harassment.

There are many definitions of bullying and harassment.

For the purpose of this policy:

- **Harassment** is unwanted conduct (verbal or physical) which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual, and may impair the employee's ability to perform his or her job.

Harassment may include verbal taunting that is related to race, religion or belief, age, disability, gender reassignment, sex, and sexual orientation. It may take different forms and may involve, but is not limited to, visual displays, suggestive remarks or comments, jokes or pictures, gestures, sexual demands, e-mails or other interoffice communications displaying inappropriate materials, propositions, or unwanted physical contact. Whatever form it takes, harassment is insulting and demeaning to the recipient and will not be tolerated in The Union.

- **Sexual harassment** is an unwelcomed, unsolicited conduct of a sexual nature, or because of one's sex, which is regarded by an employee as undesirable or offensive. It includes unwelcome sexual advances, requests for sexual favours, and other conducts of physical, verbal or non-verbal nature where:
 - Submission to such conduct is either an explicit or implicit condition or term of employment
 - Submission to and/or rejection of such conduct impacts upon or is used as a basis for employment decisions affecting the individual in question
 - Such conduct unreasonably interferes with an individual's work performance; or
 - Such conduct has the effect of creating an intimidating, hostile or offensive work environment.

The following are some examples:

- Unwanted sexual advances and/or propositions
- Sexual comments, innuendos or jokes
- Physical touching or other physical conduct of a sexual nature
- Standing or sitting too close to someone, following an employee, or blocking their way
- Obscene or sexually oriented messages (inappropriate e-mails, graphics or computer screens, text messages)
- Offering/denying benefits for submission to unwelcome sexual conduct

Other forms of harassment:

- Verbal abuse and offensive jokes
 - Threatening or profane language
 - Fighting, assaulting or injuring another person
 - Mimicking an accent of a particular race or national origin
 - Pranks and practical jokes
- **Bullying** may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the

recipient. The impact on the individual can be the same as harassment and the words bullying and harassment are often used interchangeably in the workplace.

REPORTING A HARASSMENT AND/OR BULLYING

If a person's behaviour makes an employee uncomfortable, the employee should feel free to immediately advise the person that, in the employee's opinion, the behaviour is inappropriate and that the employee would like such conduct stopped.

Complaints of harassment and/or bullying may be dealt under the Grievance and Disciplinary procedures.

This policy forbids retaliation against the employee who reports, in good faith, an incident of harassment or discrimination, assists in making such a complaint, or participates in a harassment or discrimination investigation. In such instances, the employee will not be adversely affected in terms and conditions of his/her employment, nor shall s/he be discriminated against or dismissed from employment because of the complaint.

The Union also recognises that false accusations of harassment and discrimination can have a serious impact on innocent employees. If an employee makes a false accusation of harassment or discrimination, he/she will be disciplined, up to and including termination of employment.

PROCEDURE

All information related to complaints of harassment and/or bullying will be held in the strictest confidence and will only be disclosed on a need-to-know basis in order to investigate and resolve the matter. If, after the investigation, The Union determines that the harassment and/or bullying has occurred, the offending employee will be disciplined, up to and including termination of employment.

Employees who believe that they have been subjected to harassment and/or bullying may also raise a grievance, in which case, the complaint will follow the grievance procedure under Section 18.1. In some cases it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from Human Resources, the supervisor, an employee representative, or a counsellor.