

Plan International USA policy

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Freedom from Harassment

Policy Name:	Freedom from Harassment
Owner:	Sr. Director, Human Resources
Approved by:	Executive Team
Effective Date:	September 11, 2018
Version:	4
Applicable to:	All employees, Board Members, and Plan associates
Related Documents:	Code of Ethics and Conduct, Workplace Violence Policy, Whistleblower Policy, Confidentiality Policy, Child Protection Policy, Global Policy on Safeguarding Children and Young People, Trafficking in Persons Policy, Social Media Policy
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Freedom from Harassment

Summary

Plan International USA is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive. Plan will not tolerate actions, words, jokes or comments based on an individual's sex, race, color, religion, national origin, ancestry, citizenship, veteran status, physical or mental disability, sexual orientation, gender identity or expression, age, or any other characteristic protected by law. To reinforce this commitment, Plan will conduct regular, appropriate training, and has developed this policy against harassment and a reporting procedure for employees who have been subjected to or witnessed harassment. This policy applies in all environments that are related to the employment relationship, whether on Plan premises or elsewhere.

Please note that while this policy sets forth our goals of promoting a workplace free of harassment, the policy is not intended to limit Plan's ability to discipline or take remedial action that is unacceptable, regardless of whether that conduct satisfies the definition of harassment.

Each manager has a responsibility to keep the workplace free of any form of harassment. No manager is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or unwillingness to submit to sexual advances will affect the employee's terms or conditions of employment.

Prohibition of Sexual Harassment—Sexual harassment is defined as unwanted sexual advances, requests for sexual favors, and other visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person -- employee, donor, or other individual affiliated with Plan -- of the same or different sex as the harasser. It is important to note that someone may consider a behavior to be sexual harassment even if the offender did not mean it to be taken that way. The following is a non-comprehensive list of conduct which may constitute sexual harassment:

- Unwanted sexual advances.
- Exchange of money, employment or employment benefits, goods, or services for sex, including sexual favors or other forms of exploitative behavior.
- Visual conduct that includes leering, looking a person up and down, and making sexual gestures.
- Displaying or exposing other employees to sexually suggestive objects, photographs, cartoons, posters, and the like.
- Verbal conduct that includes making or using derogatory language. For example, comments about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene correspondence.

- Repeatedly asking out a person who is not interested.
- Physical conduct that includes kissing, touching, assaulting, impeding, or blocking.
- Inquiries into one’s sexual experiences or discussion of one’s sexual activities.
- Sexual activity with children (persons under the age of 18) regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defense.
- Sexual relationships between staff and beneficiaries.

Prohibition of Other Types of Harassment—It is also against Plan’s policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of sex, race, color, religion, national origin, ancestry, citizenship, veteran status, physical or mental disability, sexual orientation, gender identity or expression, age, or any other characteristic protected by law (or that of the individual’s relatives, friends or associates) that:

1. has the purpose or effect of creating an intimidating, hostile, or humiliating work environment;
2. has the purpose or effect of unreasonably interfering with an individual’s work performance; or
3. otherwise adversely affects an individual’s employment opportunities.

Depending on the circumstances, the following conduct may constitute harassment:

1. epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts that relate to a protected characteristic (such as race); or
2. written or graphic material that is circulated in the workplace, or placed anywhere in Plan’s premises such as on an employee’s desk or on any Plan equipment or bulletin boards that denigrates or shows hostility toward an individual or group because of a protected characteristic.

Note that the list above is not intended to be comprehensive. Other conduct may also constitute harassment if it falls within the definition of harassment set forth above. All such harassment is prohibited in all circumstances, including on social media and text messaging.

Reporting of Harassment: Plan cannot rectify situations involving harassment if it is unaware of the offensive conduct. An employee who believes that the actions or words of a manager, employee, volunteer, board member, consultant, or any other person associated with Plan constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible.

Anyone who believes that she/he has witnessed harassment directed toward other employees has a responsibility to report or complain about the situation as soon as possible.

The report or complaint should be made to one of the following:

- Any supervisor;
- A member of the HR Team;
- A member of the Executive Team;
- The Director, Ethics & Compliance;
- The CEO;
- The Board Chair; or
- Plan's Safecall hotline, by phone at 1-866-901-3295, online at www.safecall.co.uk/report or email at plan@safecall.co.uk. Refer to the Whistleblower Policy for details on how reports are handled by Safecall.

Investigations of Harassment—All allegations of harassment will be promptly investigated, and employees are requested to cooperate in any investigation. You will be requested, but not required, to put your complaint in writing. To the extent practicable under the circumstances, confidentiality will be protected against unnecessary disclosure. An investigation will generally include a private interview with the person making a report of harassment. It will also generally be necessary to discuss allegations of harassment with the accused individual or with other employees. Plan will inform relevant authorities and cooperate with investigations when applicable and as necessary. When Plan has completed its investigation, it will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct, of the general results of the investigation; however, Plan will not release the details of a confidential investigation.

For the purposes of a federal grant or contract, if Plan determines that the conduct of any Plan associate violates this policy, the Chief of Party must consult with the Agreement Officer, the USAID Mission Director, and the employee, and must recommend to Plan a course of action.

Plan will provide necessary medical and psychosocial support that is needed.

On an annual basis, Plan's Human Resources team will publicly (and confidentially) report on cases reported in the past year, in conjunction with the Communications team and President/CEO. On at least a monthly basis, the President/CEO will be informed of any allegations of misconduct in the prior month and be updated on any ongoing investigations.

Disciplinary Action—If it is determined that inappropriate conduct has been committed by an employee, Plan will take appropriate disciplinary action, up to and including termination of that person's employment, and may include other forms of disciplinary action that Plan deems appropriate under the circumstances, including disclosure of termination for cause, as necessary.

Retaliation or harassment against a person making a report in good faith will not be tolerated.

Other Information— Plan strongly encourages employees to bring concerns about possible harassment to its attention. Employees may also direct inquiries or file a formal complaint with either or both of the government agencies responsible for enforcement of employment discrimination laws. Using Plan's complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim. The laws prohibiting workplace harassment,

including sexual harassment, are enforced by:

In RI: Rhode Island Commission for Human Rights 180 Westminster Street, 3 rd Floor Providence, RI 02903 Phone: 401-222-2661 Fax: 401-222-2616 Website: http://www.richr.ri.gov/	In DC: DC Commission on Human Rights 441 4 th Street NW, Suite 570 North Washington, DC 20001 Phone: 202-727-4559 Fax: 202-727-9589 Email: ohr@dc.gov Website: https://ohr.dc.gov/commission
EEOC (Equal Employment Opportunity Commission)	
In RI: EEOC John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 Phone: 1-800-669-4000 Fax: (617) 565-3196 Website: www.eeoc.gov/field/boston	In DC: EEOC Washington Field Office 131 M Street NE Fourth Floor, Suite 4NW02F Washington, DC 20507-0100 Phone: 1-800-669-4000 Fax: 202-419-0739 Website: www.eeoc.gov/field/washington

This policy shall be posted on Plan International USA's external website.