



ANTI-HARASSMENT POLICY

Issue Date	Issue No.	Obsolete/Current/Archived	Reason/Notes
001	001	Current	Reviewed and approved

REVIEWERS AND APPROVALS

This document has been reviewed and approved by the undersigned.

Name	Position	Signature	Date
Prof. E. Gyimah-Boadi	Board Chair		12/09/2022
Joseph Asunka	Chief Executive Officer		12/09/2022
Felix Biga	Chief Operating Officer		12/09/2022
Kwaku Owusu-Yeboah	Human Resource Manager		12/09/2022

OWNERSHIP/CUSTODIAN OF THE POLICY

This policy document is vested in the Human Resources Manager, who has overall responsibility for its implementation in line with Afrobarometer’s (AB’s) legal and ethical obligations, monitoring its effectiveness, and dealing with queries with regard to its interpretation.

Supervisors at all levels are responsible for ensuring their direct reports are made aware of the policy and adequately trained on its application.

This policy shall be subject to review every year or as required to keep it up to date with changes to relevant regulations or best practice. All suggestions for review and amendment shall be forwarded to the Human Resources Manager for review, including obtaining Management/Board approvals of the amended policy.

DISTRIBUTION LIST

A current version of this document is available to staff on the Google drive labeled “Policies” and on the AB website.

POLICY STATEMENT

Afrobarometer’s Commitment to Staff

Afrobarometer (AB) strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of AB should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. AB will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of staff members, contractors, volunteers, funders, and any other third parties involved with AB, AB will seek to prevent, correct and discipline behavior that violates this policy.

All staff members, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any staff member who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or termination of employment.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment or retaliation, including the failure to immediately report such misconduct to human resources (HR), are in violation of this policy and subject to discipline.

Scope

This policy applies to all AB staff members, contractors, volunteers, funders, and any other third parties involved with AB, regardless of role, status, sex/gender, sexual orientation, and

other protected characteristic. This policy applies to all locations where work is done for AB, including out-of-office meetings, funder visits, fundraising events, and social gatherings.

Basic principles

The basic principles governing the anti-harassment policy are the following:

- a. In accordance with the Ways of Working document and anti-discrimination and antiharassment laws, every staff member of AB shall treat one another fairly, with courtesy, respect and dignity, without verbal or physical abuse, regardless of rank or contractual status.
- b. Harassment shall not be tolerated at AB, which is committed to ensuring an environment free of harassment or abuse of authority. Every staff member will contribute to such an environment.
- c. Focus shall be placed on preventive action against harassment. Priority shall also be given to the early detection of harassment and to swift action to stop it. Prevention of harassment is a shared individual/organizational responsibility. Each AB staff member, at any level, and in particular at supervisory level, is responsible for building a positive work environment and a climate of trust and tolerance, free of all forms of harassment. Prevention and resolution of harassment is also the responsibility of AB, which shall ensure that appropriate mechanisms are in place.
- d. All allegations of harassment are treated seriously. To this effect, the central management team (CMT) is committed to resolving all instances of harassment as soon as it becomes aware of them, even if there are no formal complaints. Staff members should, therefore, report any and all incidents of harassment in the workplace, especially before it becomes severe or pervasive.
- e. If proven, harassment shall be sanctioned and the harasser shall be subject to disciplinary measures. Sanctions may also be imposed against a manager who knowingly tolerates harassment once he/she has become aware of it. On the other hand, staff members must bear in mind that all allegations of harassment are very serious, and deliberately false or malicious allegations shall be sanctioned. They must therefore have serious grounds before making a complaint of harassment. Such complaints must be based on facts. The alleged harasser has the right and duty to respond to allegations of harassment.

Prohibited Conduct Under This Policy

AB, in compliance with all applicable anti-discrimination and harassment laws and regulations, enforces this policy in accordance with the following definitions and guidelines:

Discrimination

It is a violation of AB's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information or marital status.

Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination or disengagement.

Harassment

AB prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct that threatens, intimidates or coerces an employee, co-worker, or any person working for or on behalf of AB.

The following examples of harassment are intended as a guide and are not exhaustive when determining whether this policy has been violated:

- **Verbal harassment** includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, sexual orientation, pregnancy, appearance, disability, gender identity or expression, marital status or other protected status, including epithets, slurs and negative stereotyping.
- **Nonverbal harassment** includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.

Sexual harassment

Sexual harassment is a form of unlawful employment discrimination under Labour Act 2003 (Act 651) and the Criminal Code, 1960 (Act 29) and is prohibited under AB's anti-harassment policy. According to the Equal Employment Opportunity Commission (EEOC), sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature ... when ... submission to or rejection of such conduct is used as the basis for employment decisions ... or such conduct has the purpose or effect of ... creating an intimidating, hostile or offensive working environment."

Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- Is made explicitly or implicitly a term or condition of employment.
- Is used as a basis for an employment decision.
- Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exhaustive when determining whether this policy has been violated:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.

- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Courteous, mutually respectful, pleasant, noncoercive interactions between staff members that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment.

Consensual Romantic or Sexual Relationships

AB strongly discourages romantic or sexual relationships between a manager or person(s) in supervisory position and a staff member who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the said staff.

Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different unit or other actions may be taken.

If any staff member of AB enters into a consensual relationship that is romantic or sexual in nature with another staff who reports directly or indirectly to that employee, or if one of the parties is in a supervisory capacity in the same unit in which the other party works, the parties must notify the HR Manager or other appropriate officer (COO or CEO). Because of potential issues regarding quid pro quo harassment, AB has made reporting mandatory. This requirement does not apply to staff members who do not work in the same unit or to parties where neither one supervises or otherwise manages responsibilities over the other.

Once the relationship is made known, AB will review the situation with human resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or unit. If it is determined that one party must be moved, and there are jobs

in other units available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the HR Manager and central management team will decide which party will be moved. That decision will be based on which move will be least disruptive to AB and its network. If no other jobs are available for either party, the parties will be given the option of at least one of them resigning.

Retaliation

No hardship, loss, benefit or penalty may be imposed on a staff member in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Appearing as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the staff or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.

Confidentiality

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the HR Manager will take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the HR unit.

Reporting Harassment

AB has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. AB will treat all aspects of the procedure confidentially to the extent reasonably possible.

1. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The HR Manager may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the HR Manager will prescribe the verbal complaint.
2. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the HR Manager will notify the central management team and review the complaint with AB's legal counsel.
3. The HR Manager will initiate an investigation with the advice of CMT to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
4. If necessary, the complainant and the respondent will be separated during the course of the investigation, either through internal transfer or administrative leave.
5. During the investigation, the HR Manager, together with legal counsel or other CMT member(s), will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
6. Upon conclusion of an investigation, the HR Manager or other person conducting the investigation will submit a written report of his or her findings to CMT. If it is determined that a violation of this policy has occurred, the HR Manager will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
 - a. the severity, frequency and pervasiveness of the conduct;
 - b. prior complaints made by the complainant;
 - c. prior complaints made against the respondent; and
 - d. the quality of the evidence (e.g., firsthand knowledge, credible corroboration).
7. If the investigation is inconclusive or if it is determined that there has been no violation of policy but potentially problematic conduct may have occurred, the HR Manager may recommend appropriate preventive action.

8. CMT will review the investigative report and any statements submitted by the complainant or respondent, discuss results of the investigation with the HR Manager and others as appropriate, and decide what action, if any, will be taken.
9. Once a final decision is made by CMT, the HR Manager will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.

Your Rights as a Member of the AB Community As

a part of the team at AB:

- You have the right to work and engage with our staff, network, and funder community in an environment that is free of harassment and inappropriate conduct.
- You have the right to report harassment, whether you experienced it first-hand or witnessed it.
- You have the right to report an incident without fear of repercussions or retaliation.
- You have the right to determine the amount of confidentiality you prefer in the investigation that will follow your report.
- You have the right to be fully informed of the steps involved in the investigation related to your report, as well as the outcome of each of the steps taken to come to a conclusion.
- You have the right to use employee benefits to help you cope with your experience, including paid time off and insurance or other benefits that aid with counseling costs.
- You have the right to contribute to the evolution of AB's harassment policy. Please contact the HR Manager at kowusu@afrobarometer.org to discuss your thoughts and suggestions as to how we can ensure that this policy can best serve our community as we grow.



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Document Control

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STAFF DECLARATION

I have read and understood the Anti-Harassment Policy of Afrobarometer. I understand that if I act contrary to the Anti-Harassment Policy as specified in this document, such action could constitute misconduct that may result in disciplinary action against me, which may result in dismissal.

NAME: _____

STAFF NO.: _____ UNIT: _____

SIGNATURE:

DATE:
