



Anti - Sexual Harassment Policy

Version 2
July 25, 2022

I. Policy Statement

All employees of Equality Myanmar have the right to be treated with dignity and respect and to be protected against harassment in the workplace. EQMM holds the responsibility to identify and prevent sexual harassment and to develop a culture of dignity and respect in the work environment. EQMM will respond to sexual harassment complaints, reports, and allegations with prompt and appropriate corrective action in order to stop prohibited conduct, eliminate any hostile environment, take steps to prevent the recurrence of sexual harassment, and address any effects in the workplace from such conduct. EQMM encourages all members of the organization to report any concerns or complaints of sexual harassment.

This policy is meant to inform the employees about what conduct constitutes sexual harassment, the ways and means EQMM adopts to prevent occurrence of any such event, and, in the event of such an occurrence, to enable a fair mechanism for dealing with such conduct.

II. Defining Sexual Harassment

Sexual harassment is a form of sex discrimination that involves unwelcome conduct of a sexual nature. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- An employment decision affecting that individual is made because the individual submitted to or rejected the unwelcome conduct; or
- The unwelcome conduct interferes with an individual's work performance or creates an intimidating, hostile, or abusive work environment.

Unwelcome actions such as the following are inappropriate and, depending on the circumstances, may contribute to a hostile work environment and meet the definition of sexual harassment:

- Sexually explicit statements, jokes, teasing, or innuendo, in person or via e-mail, text message, or written communication.
- Verbal abuse of a sexual nature.
- Touching or grabbing of a sexual nature.
- Unwelcome sexual advances whether they involve physical touching or not.
- Repeatedly standing too close to or brushing up against a person.
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated he or she is not interested.
- Giving gifts or leaving objects that are sexually suggestive.
- Repeatedly making sexually suggestive gestures.
- Making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace.
- Gender harassment, including sexist statements and behavior that convey insulting, degrading, or sexist attitudes.
- Direct proposition of a sexual nature and/or subtle pressure for sexual activity that is unwanted including direct or implied threats.
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment.
- Sexual violence such as domestic or intimate partner violence, sexual assault, sexual battery, sexual coercion, attempted rape, and rape.

Sexual harassment can occur between any individuals associated with EQMM. Those individuals can be of the same or different sexes, or of any gender identity or expression and of any sexual orientation.

Sexual harassment can occur between people of unequal power or between peers. A complainant is a person who feels they have been sexually harassed and a respondent is a person who is being accused of sexual harassment. A complainant does not have to be the direct recipient of the conduct but could be anyone affected and/or offended by the conduct.

The six principles for preventing sexual exploitation and abuse

1. **NO SEA:** Sexual exploitation and abuse can be grounds for termination of employment.
2. **NO SEX WITH CHILDREN:** Sexual activity with children (under 18) is prohibited regardless of the age of consent locally. On or off duty, no matter where in the world you are – this applies.
3. **NO EXCHANGE OF MONEY OR ASSISTANCE FOR SEX:** Exchange of money, employment, goods, or services for sex, including sexual favours is prohibited. On or off duty, no matter where in the world you are – this applies.
4. **NO SEX with BENEFICIARIES:** Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged due to unequal power dynamics.
5. **MUST REPORT:** Concerns or suspicions of SEA by a fellow worker, whether in the same agency or not, must be reported via established agency reporting mechanisms.
6. **MUST PREVENT:** Humanitarian workers are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct.

III. Rights and Responsibilities

Any employee who believes he or she has been the target of sexual harassment is encouraged to inform the offending person orally or in writing that such conduct is unwelcome and offensive and must stop. If the employee does not wish to communicate directly with the offending person, or if such communication has been ineffective, the employee should report the unwelcome conduct as soon as possible to his/her supervisor. If the immediate supervisor is involved in the harassing activity, the violation should be reported to the second-line supervisor or another responsible official, such as the Administrative and Finance Manager or Executive Director. All team managers and supervisors have an obligation to provide a work environment free from sexual harassment and to take corrective action.

EQMM's Management Committee (M-COM) is the main contact point for questions or concerns about sexual harassment. M-COM has responsibility for investigating or overseeing investigations of alleged sexual harassment, and is committed to ensuring that all investigations of sexual harassment are conducted in a prompt, thorough, and impartial manner.

All staff members who observe, are informed of, or reasonably suspect incidents of possible sexual harassment must immediately report such incidents to M-COM in the accordance with EQMM's Complaints and Incidents Response Mechanism Policy, which will initiate a prompt investigation. Once a potential violation of the policy has been reported, it is the responsibility of the organization, not the parties to the complaint, to gather the relevant evidence relating to the complaint, report, allegation, information or incident of sexual harassment, to the extent reasonably possible. All EQMM employees must cooperate with investigations into sexual harassment complaints. Refusal to cooperate with an investigation or to impede an investigation may result in disciplinary action.

If the allegation is determined to be credible, immediate and effective measures will be taken following the procedures outlined in EQMM's Human Resources Policy & Procedures Manual under Section IV, Disciplinary Action. EQMM is mandated to take action if it learns of possible sexual harassment, even if

the individual does not wish to file a formal complaint. Employees who have been found by the investigation to have subjected another employee to unwelcome conduct of a sexual nature will be subject to disciplinary sanctions (warning, suspension, or dismissal) outlined in Section IV of the HR Manual. If the investigation reveals that the charges were brought falsely and with malicious intent, the charging party may be subject to disciplinary action, including termination.

EQMM will respect the privacy and confidentiality of individuals fully involved in a sexual harassment investigation possible. In some cases, issues of confidentiality must be balanced against the organization's need to investigate and take appropriate action.

Any member of the EQMM community, including staff and project beneficiaries, has the right to raise concerns about or file a good faith complaint of sexual harassment without fear of retaliation, and EQMM will take the necessary steps to protect complainants from retaliation. It is a violation of this policy to retaliate against someone who has reported possible sexual harassment.

All EQMM employees, including but not limited to staff, supervisors, and senior management, are required to comply with this policy. Employees are also expected to behave professionally and to exercise good judgment in work-related relationships, whether with fellow employees, network partner colleagues, or members of the public with whom they come into contact in the course of official duties. Further, all employees are expected to take appropriate measures to prevent sexual harassment.

EQMM has a firm **Zero Tolerance** stance towards any form of sexual harassment, and concrete action will be taken against those who commit any form of unwelcome conduct as defined in the above policy.

I understand that any breach of the Sexual Harassment Policy is a violation of my obligations and may lead to disciplinary action up to and including dismissal, legal action, and/or criminal investigation and prosecution.

Signature:	
Date:	
Name:	
Position:	