Mpingo Conservation & Development Initiative

MCDI Tanzania Community-Managed Forests FSC Group

ED 05 Sexual harassment and discrimination Guideline

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INTRODUCTION

Sexual harassment in the workplace is a form of sex discrimination which negatively affects the working environment, undermines gender equality at work, creates unfair practices in employment, and adversely impacts the dignity and well-being of workers. It creates psychological anxiety and stress for victims and if ignored, can result in high costs for the organisation through loss of productivity, low worker morale, absenteeism, and staff turnover.

DEFINITIONS, IDENTIFICATION AND FORMS OF SEXUAL HARASSMENT

WHAT IS SEXUAL HARASSMENT "Sexual harassment" is defined as any behavior of a sexual nature that affects the dignity of women and men, which is considered as unwanted, unacceptable, inappropriate and offensive to the recipient, and that creates an intimidating, hostile, unstable or offensive work environment.

Quid pro quo" (this for that) sexual harassment is committed when an employer, supervisor, manager or co-worker, undertakes or attempts to influence the process of recruitment, promotion, training, discipline, dismissal, salary increment or other benefit of an existing staff member or job applicant, in exchange for sexual favours. The worst forms of sexual harassment are criminal acts such as sexual assault or rape, which are covered under the Penal Code.

WHAT IS NOT SEXUAL HARASSMENT? Occasional compliments that are socially and culturally acceptable and appropriate are not considered sexual harassment. Any interaction of a sexual nature which is consensual (except for those prohibited by the law such as sexual intercourse with children), welcome or reciprocated is not considered sexual harassment.

FORMS OF SEXUAL HARASSMENT Sexual harassment in the workplace can be physical, verbal or non-verbal, and include the major forms as follows:

(a) Physical forms of sexual harassment such as any unwanted contact, ranging from intentionally touching, caressing, pinching, hugging or kissing to sexual assault or rape.

(b) Verbal forms of sexual harassment include socially and culturally inappropriate and unwelcome comments with sexual overtones such as sexually suggestive jokes or comments about a person's dress or body made in their presence or directed toward them. They also include persistent proposals and unwelcome requests or persistent personal invitations to go out.

(c) Non-verbal forms of sexual harassment include unwelcome gestures, suggestive body language, indecent exposure, lascivious looks, repeated winks, and gestures with fingers. It also includes the unwelcome display of pornographic materials, sexually explicit pictures and objects, screen savers or posters as well as sexually explicit e-mails, notes or SMS messages.

ROLES AND RESPONSIBILITIES

1. Employers have the role and responsibility of every employer, to create and maintain a working environment which is free from sexual harassment.

2. Workers, regardless of their sex, age, position, type of contract or status, have a responsibility to ensure that the workplace is free from sexual harassment, to discourage and report unacceptable behavior and to comply with sexual harassment policy.

PROCEDURE OF REPORTING SEXUAL HARASSMENT

Complaints should be submitted as soon as possible after an incident has occurred, by filling *Sexual Harassment Complaint Form SF30* or writing a complaint letter. It is important to report all concerns of sexual harassment or inappropriate sexual as soon as possible

To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name position of the person or person's allegedly committing harassment.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar harassment.
5. What, if any, steps the complainant has taken to try to stop the harassment.
6. Any other information the complainant believes to be relevant to the harassment complaint.

A thoroughly Investigation will be done to ensure both parties receive honest punishment investigation will be done confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All people involved, are required to cooperate with any internal investigation of sexual harassment.

a. Discipline

Employees/communities who go against are subject to appropriate discipline. If the investigation findings reveal presence of violation, the mandatory minimum discipline is a written warning. The discipline for very serious or repeat violations is termination of employment or removing from their position.

b. 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 person responsible to conduct investigation takes adequate steps to ensure that the complainant is protected from vengeance during and after the

investigation. All information pertaining to a sexual harassment complaint or investigation is maintained in secure files.