

NATIONAL DISABILITY & DEVELOPMENT FORUM (NDF) SHAHEED BENAZIR ABAD



GENDER & HARASSMENT POLICY

*ALL POLICIES HAVE BEEN APPROVED IN THE GENERAL ANNUAL BOARD OF DIRECTORS MEETING HELD
AT NDF OFFICE, NAWABSHAH ON DATED 14th of January 2021*

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Purpose

National Disability & Development Forum (NDF) is committed to the principles of gender equity and equality and to creating a gender-sensitive working environment. Any discrimination faced by women or men is addressed to ensure that all staff has equal opportunities and access to resources to contribute to the organization's vision and goals. Sexual harassment breaches the core values of NDF and is a violation of human and workers' rights. Although anyone may be subject to this behaviour irrespective of age, sex, marital status, education or profession, women are generally more victimized. The organization is committed to both preventive and corrective measures in this regard. A zero tolerance policy is applied to sexual harassment at NDF and the organization seeks to fully eradicate harassment at all levels, irrespective of position or tenure.

What is sexual harassment

Sexual harassment is inappropriate, unwanted and unwelcome conduct or behaviour of a sexual nature perceived as harassment by the receiver, which has an adverse effect on the dignity of women and men both inside and outside the workplace. Sexual harassment is defined as any direct or indirect form of the following behaviors:

- ❖ Unwanted physical contact or conduct
- ❖ Verbal abuse of a sexual nature
- ❖ Demeaning, insulting, intimidating or sexually aggressive comments
- ❖ Threats that refusal of sexual advances will have an adverse effect on employment conditions
- ❖ Demeaning comments or psychological pressure for refusing sexual advances.

Consequences of sexual harassment

The existence of sexual harassment in the workplace tends to be hidden and may not be known or acknowledged by employees or management. The consequences however, for both the organization and the individual, are serious. Victims of sexual harassment are affected psychologically and may feel humiliated or disoriented. Feelings of insecurity, anger, fear, unease, self-questioning and depression can occur in both their working and personal environments. Physical manifestations may result in inability to work, lowered productivity and motivation.

Prevention of sexual harassment

The organization NDF ensures a comfortable and safe working environment, where employees respect each other, conduct themselves in an acceptable manner, and where sexual harassment is not tolerated. The NDF Gender Policy requires that attitudes and behaviour by staff demonstrate commitment to the principles of equality and sensitivity.

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Orientation on the Sexual Harassment policy is provided to all staff, including management, and guidelines incorporated into the Staff Rules and Regulations.

Resources if they feel that another staff member is facing harassment

NDF has developed two resources of sexual harassment.

- Making a complaint
- Personal measures

There are several options for staff members to follow in addressing a complaint, informing the harasser that the advances are unwelcome and asking him/her to desist, documenting the experience, informing the designated Gender Focal Point, Gender Specialist, supervisor or Human Resources.

Confidentiality should be maintained by avoiding discussion of allegations with people not directly involved in addressing the issue.

Role of management

HR manager is designated as focal person for dealing complains/issues related with harassment or other gender. He/She is responsible for taking immediate action in dealing with harassment when the complaint is brought to their attention. S/he will ensure that no retaliatory action is taken against the complainant, either during the investigation or after its resolution.

Investigating a complaint

A complaint must be filed within 30 days of the event, after which an investigation committee will be formed, and immediate action will be taken if necessary to ensure that no further harassment occurs. The committee may seek legal advice at any time. If the alleged offender is a non-employee, their employer is informed of the complaint for appropriate measures to be taken.

1.a Establishing an Inquiry Committee

NDF shall constitute a standing Inquiry Committee to look into complaints under this Code. The Committee shall consist of three members, of whom at least one member shall be a woman. One member shall be from senior management and one shall be a senior employee. One or more members can be co-opted from outside the organization if the organization is unable to designate three members from within as described above. A Convener of the Committee shall be designated from amongst them.

1.b In case a complaint is made against one of the members of the Inquiry Committee that member shall be replaced by another for that particular case. Such a member may be from within or outside the organization.

Resolving a complaint

The investigation committee will complete the investigation within one week of receiving the complaint, and will communicate the outcome to the complainant and the accused.

Working of the Inquiry Committee

1. The Inquiry Committee set up under clause (1.a) will determine a convener among themselves and will fix the time and place for its meetings.

2. The Inquiry Committee after the receipt of a written complaint, shall—(a) within three days communicate in writing the charges and statement of allegations to the accused;

(I) require the accused, within seven days from the day the charge is communicated to him, to submit a written defense and on his failure to do so without reasonable cause, the Committee shall proceed ex-parte;

(II) Enquire into the charge and may examine such oral or documentary evidence in support of the charge or in defense of the accused as the Committee may consider necessary and each party shall be entitled to cross-examine the witness's against him/her.

3. The Inquiry Committee shall have the power to:

(a) Summon and enforce attendance of any person and examine him on oath;

(b) Require the discovery and production of any document;

(c) Receive evidence on affidavits; and

(d) Record evidence.

(e) Get the complaint or the accused medically examined by authorized doctor, if necessary,

4. The Inquiry Committee shall have the power to inquire into the matters of harassment :

Inquiry committee may recommend appropriate penalty against the accused. The following provisions inter alia shall be followed by the Committee in relation to the

(a) The statements and other evidence acquired in the inquiry process shall be considered as confidential;

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(b) The Inquiry Committee can instruct to treat the whole proceedings Confidentially, if necessary.

(b) An officer in an organization, if considered necessary, may be nominated to provide advice and assistance to both parties;

(c) Both parties, the complainant and the accused, shall have the right to be represented or accompanied by a Collective Bargaining Agency representative, a friend or a colleague;

(d) Adverse action shall not be taken against the complainant or the witnesses;

(e) The Inquiry Committee shall ensure that neither the employer nor the accused shall initiate any action that would create a hostile environment for the complainant so as to pressurize him/her from freely pursuing his/her complaint

(f) The Inquiry Committee shall give its findings in writing by recording reasons thereof.

5. Findings, Recommendations and Penalties:

The Inquiry Committee shall submit its findings and recommendations to the competent authority within thirty days of the initiation of inquiry. If the Inquiry Committee finds the accused to be guilty it shall recommend to the Competent Authority for imposing one or more of the penalties and if there is insufficient evidence to substantiate the complaint, there will be no further action, but the staff member is encouraged to report any future incidences of harassment.

Disciplinary actions

The full range of disciplinary processes at NDF is possible outcomes of the investigation. Depending on the seriousness of the incident the disciplinary measures may include:

- Oral warning
- Written warning
- Withholding of increments
- Suspension of up to a maximum of 14 days without pay
- Re-assignment/demotion
- Dismissal from service

The complaint and the results of the investigation are recorded in the personal files of the complainant and the alleged harasser.