



Executive Director's Circular (Human Resources Division)

Date: 01 March 2018

Circular No.: OED2018/007

Amends: OED2012-008, paragraph 7¹
Human Resources Manual Section VIII.1. 4.1(e) and VIII.1.5.2 (a)²

Supersedes: EDD2011/009

PROTECTION FROM HARASSMENT, SEXUAL HARASSMENT, ABUSE OF AUTHORITY, AND DISCRIMINATION

Introduction

1. WFP is committed to working environments that respect the inherent dignity of all persons, affording them the opportunity to reach their fullest potential and empowering them to deliver the best possible results for all the people that WFP serves.
2. Every person has the right to be treated with dignity and respect, and to work in safe environments free from harassment, abuse, and discrimination. Every WFP employee³ also has a corresponding responsibility to actively promote such an environment.
3. WFP is committed to a zero-tolerance approach to abusive conduct⁴. Abusive conduct is unacceptable, and will not be tolerated under any circumstances. This means that any reports of abusive conduct will be dealt with promptly, justly and effectively in accordance with the applicable regulatory framework and the procedures set out in this Circular. Failure to meet obligations under this Circular may lead to administrative or disciplinary action, up to and including summary dismissal.
4. Abusive conduct is contrary to the Charter of the United Nations, the Staff Rules and Regulations, and the Standards of Conduct of the International Civil Service.

¹ Amended by paragraph 53 of this Circular.

² Amended by paragraph 66 of this Circular.

³ See definition of "WFP employee" in paragraph 10.(x) below.

⁴ See definition of "abusive conduct" in paragraph 10.(i) below.

5. All WFP employees have a right to be protected against retaliation for reporting a suspected, witnessed and/or experienced abusive conduct, or for participating in an investigation of abusive conduct.

Purpose

6. The purpose of this Circular is to reinforce WFP's commitment towards protecting all employees from abusive conduct and to ensure that all employees are aware of their roles and responsibilities in maintaining a workplace free of any form of abusive conduct. This Circular also describes mechanisms meant to ensure the responsibilities of WFP as an employer and of each WFP employee, of promoting safe and harmonious workplace environments, and taking action when alerted to potential abusive conduct.
7. Finally, this Circular provides guidance for WFP employees on how to seek support and raise concerns regarding any abusive conduct they have experienced or witnessed.

Application

8. This Circular applies to all WFP employees. It extends to abusive conduct which occurs at or away from the workplace, during or outside working hours, if such conduct has a negative effect on working relationships, work effectiveness or the job security of a WFP employee or threatens or undermines the reputation of WFP.
9. Compliance with this Circular is mandatory.

Definitions

10. For the purposes of this Circular:
 - (i) Harassment, Sexual Harassment, Abuse of Authority and Discrimination shall collectively be referred to as "**abusive conduct**". Additional guidance is provided in [Annex I](#), which includes examples of specific behaviours constituting abusive conduct;
 - (ii) "**Abuse of authority**" is the improper use of a position of influence, power or authority against another WFP employee. This is particularly serious when a WFP employee uses his or her influence, power or authority to improperly influence the

- career or employment conditions of another WFP employee, such as their appointment, assignment, contract renewal, professional development or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment, such as the use of intimidation, threats, blackmail or coercion;
- (iii) **“Alleged perpetrator”** is the WFP employee⁵ against whom allegations of abusive conduct are made;
 - (iv) **“Affected person”** is the WFP employee, current or former, against whom the abusive conduct has allegedly taken place;
 - (v) **“Reporting person”** is the person who reports the allegations of abusive conduct. The reporting person may be the affected employee or another person (or persons) who witnessed the alleged abusive conduct, or was informed of it. The reporting person may remain anonymous;
 - (vi) **“Discrimination”** is any unfair treatment or arbitrary distinction in the workplace, based on a person’s race, sex, gender, religion, belief, nationality, ethnic origin, sexual orientation, disability, age, language, social origin, or other status;
 - (vii) **“Harassment”** is any improper conduct that might reasonably be expected or be perceived to cause offense or humiliation to another person;
 - (viii) **“Sexual harassment”** is any unwelcome sexual advance, verbal or physical conduct of a sexual nature, be it an act of sexual violence⁶ or any other behaviour of a sexual nature, that might reasonably cause offense or humiliation to another person;
 - (ix) **“Workplace”** includes any WFP facility and any place where WFP employees are present in the course of their official duties, or other settings linked to work with WFP;
 - (x) **“WFP employee”** (also referred to as “employee”) means any person employed by WFP, including international professional staff members, general service staff members, locally recruited staff members, short-term personnel, volunteers, interns, persons recruited on Special Service Agreements and Service Contracts. For the

⁵ This Circular addresses alleged abusive conduct by WFP employees, who are subject to WFP’s rules by virtue of their ongoing employment relationship with WFP. WFP also takes seriously cases in which employees experience abusive conduct by an external party, such as a WFP partner organization or vendor, in connection with the employees’ work. In those cases, employees should report such conduct to the Office of the Inspector General through any of the options listed on the OIG intranet site, including by email to OIGI@wfp.org. Confirmed cases of wrongdoing by an external party doing business with WFP may lead to sanctions in accordance with the party’s contract with WFP. In cases involving physical harm, employees are also strongly encouraged to seek immediate medical attention, and may contact the Critical Incident Management Hotline, which operates 24/7, at VSAT 1301-3333 or +39-06-6513-3333, for further guidance and support. WFP will also take appropriate action to inform, or remind, individuals entering WFP premises of the behavioural standards expected of them.

⁶ The expression **“sexual violence”** refers to any acts of a sexual nature against one or more persons or that cause such person or persons to engage in an act of a sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, or by taking advantage of a coercive environment or such person’s or persons’ incapacity to give genuine consent.

purposes of this Circular, it also includes any other person working with WFP or visiting the workplace, such as contract workers, personnel of WFP vendors and cooperating partners, suppliers, etc.

11. Disagreement on work performance typically is not considered abusive conduct and is not dealt with under the provisions of this Circular; it is addressed instead in the context of performance management.⁷

Prevention and deterrence

12. Prevention and deterrence play an essential part in promoting safe and harmonious work environments and protecting employees from abusive conduct. WFP and all WFP employees have a role in preventing and deterring abusive conduct.

WFP's Responsibilities

13. WFP has a duty to take all appropriate measures toward ensuring safe and harmonious work environments, and to protect its employees from exposure to any form of abusive conduct. WFP endeavors to do this through preventive measures or through remedial action when such conduct may have occurred.
14. WFP will provide information and training, as well as guidance on procedures, to raise awareness on the responsibilities of employees in fostering safe and harmonious work environments and WFP's zero-tolerance of abusive conduct, as well as guidance on procedures.
15. WFP will ensure that timely and appropriate action — including action to protect the safety and well-being of the affected person — is taken when abusive conduct is alleged, and that the confidentiality of the affected person is appropriately protected.
16. WFP will take timely and appropriate measures to protect employees from retaliation for reporting alleged abusive conduct. Such measures may include the temporary or permanent suspension of the action alleged to be retaliatory or the temporary or permanent transfer of affected employees, as well as disciplinary action against employees found to have engaged in retaliation.⁸

⁷ Persisting disagreement on work performance may be appropriately addressed in that framework, through available recourse mechanisms (e.g. PACE recourse procedure).

⁸ Reports of retaliation, as well as consideration of possible protective measures triggered by such reports, are governed by WFP's Whistleblower Protection Policy (Executive Director's Circular No. ED2008/003 of 31 January

17. In enforcing this Circular, WFP will act consistently and take the appropriate administrative, investigative and disciplinary action required by the severity of the infraction, regardless of the function, title, length of service or contractual status of the alleged perpetrator.

Inter-divisional Standing Committee

18. WFP recognizes the need to address issues of abusive conduct through a coordinated, multidimensional approach.
19. Accordingly, an Inter-divisional Standing Committee is hereby established at Director's level to advise the Executive Director, as and when appropriate, on addressing abusive conduct and to promote the prevention of and prompt response to abusive conduct. The composition and terms of reference of the Inter-divisional Standing Committee are outlined in [Annex II](#) of this Circular.
20. Members of the Inter-divisional Standing Committee, as well as any other person who may occasionally participate in its proceedings, are bound to maintain the highest levels of confidentiality with respect to all matters reviewed.

Obligations of WFP employees

21. Safe and harmonious work environments require a shared commitment by all WFP employees to actively promote the values and standards reflected in this Circular.
22. All WFP employees are expected to demonstrate tolerance, sensitivity and respect for diversity in their interactions with others. All employees must ensure that they do not engage in, or condone, abusive conduct.
23. WFP employees are responsible for being aware of WFP's relevant policies and options available for dealing with abusive conduct and attending any mandatory training related to this Circular.
24. WFP employees who experience or witness abusive conduct are strongly encouraged to notify the offender that the abusive conduct should immediately stop, if they feel

2008, entitled "Protection against retaliation for reporting misconduct and for cooperating with duly authorized audits and investigations").

comfortable doing so, and/or report it through the informal or formal channels outlined below.

25. WFP employees must cooperate fully with those responsible for investigating reports of abusive conduct, and must fully respect the confidentiality of the matter.
26. Failure on the part of WFP employees to fulfill their obligations under this Circular, including failure to maintain confidentiality, is a breach of duty that may lead to administrative or disciplinary action.

Additional obligations of WFP managers and supervisors

27. A safe and harmonious workplace is only possible if those in positions of leadership actively promote respect toward all employees, and demonstrate their commitment to the principles of this Circular through their own behaviour.
28. Accordingly, in addition to the duties applicable to all WFP employees, those who are managers and supervisors have special obligations to prevent and deter abusive conduct. This follows from their duty to take all appropriate measures to promote safe and harmonious work environments and to act as role models.
29. Managers and supervisors shall keep communication channels open and ensure that employees who wish to raise their concerns can do so freely and without fear of negative consequences.
30. Behaviour that is not consistent with the principles set forth in this Circular should be denounced by managers and supervisors, irrespective of whether the behaviour may rise to the level of abusive conduct.
31. Managers and supervisors shall use standard supervisory and appraisal processes to raise any concerns about personal behaviours that are inappropriate but that do not rise to the level of abusive conduct, reiterating the required standards of conduct and demanding that the behaviour stops, and reflecting the behaviour in the employee's appraisal where appropriate.
32. Managers and supervisors must ensure that they promptly, fairly and respectfully address — in accordance with this Circular — reports of abusive conduct that they receive through the informal process referenced below.

33. Promotion of employees to managerial and supervisory positions should take into account whether they have demonstrated skills in fostering a safe and harmonious work environment, and in acting as role models in reflecting respect toward all employees.
34. Managers and supervisors are expected to engage proactively with employees to ensure knowledge and adherence to this Circular and their role in ensuring a safe and harmonious workplace. All WFP Directors are required to provide annual certification to the Executive Director, through the assurance statement, that during the preceding year: (i) they or their heads of unit have discussed with all WFP employees under their management or supervision their rights and responsibilities under this Circular and the courses of action and sources of support that are available to them; (ii) provided all new WFP employees with a copy of this Circular; and (iii) ensured that all mandatory training related to abusive conduct has been undertaken. They must also: (iv) certify that any potential breaches of the letter or spirit of this Circular have been expressly addressed with the WFP employees concerned or reported to the Office of the Inspector General.
35. Managers and supervisors should recognize that consensual intimate relationships are not appropriate where one employee reviews or takes administrative decisions concerning the other employee, is subordinate to the other employee in the line of reporting/authority, or is in a position in which a conflict of interest could arise. Such relationships may have negative repercussions on the morale of the office. The parties to any such relationship should bring the matter to the attention of the Ethics Office. Disclosures to the Ethics Office shall be kept confidential except to the extent required to address conflicts of interest (actual, perceived or potential) and/or possible abuse of authority.⁹
36. Failure on the part of WFP managers and supervisors to fulfill their obligations under this Circular may be considered a breach of duty leading to administrative or disciplinary action. Any such action shall take into account the heightened standards of conduct expected of those in leadership roles.

⁹ Employees should also refer to paragraphs 13 to 16 of WFP's Directive on Spouse Employment - AD 2006/011 of 26 July 2006.

39. Affected persons and reporting persons are encouraged to keep a written or electronic record of the details, dates, times, circumstances of incidents, as well as how the incident has affected them and their ability to work effectively. They should document the names of any witnesses and/or anyone who may have relevant information. They should also preserve any relevant documents or other potential evidence of the conduct or circumstances.
40. Affected persons may choose among the various channels for addressing abusive conduct. Informal conflict resolution mechanisms can in some cases resolve issues and prevent situations from escalating to the point where making a formal report becomes necessary. Options for informal conflict resolution may include a facilitated conversation to address or redress the abusive conduct, mediation or reconciliation. It is, however, the right of the affected person to choose to make a formal report, without first attempting informal resolution and regardless of the nature of the alleged abusive conduct.
41. Affected persons are entitled to reasonable and appropriate support from WFP. This includes:
 - guidance as to the options for remedial action and potential consequences of each course of action;
 - being accompanied by another colleague, family member or trusted friend during the key stages of the below processes, such as an investigation interview;
 - being assured of professional standards of conduct and respect for confidentiality while a report is being investigated; and
 - being informed in writing of the outcome of the investigation, once WFP's review of the matter is concluded (i.e., due process requirements fulfilled and any final decisions made).

For current employees, it may also include, as appropriate:

- access to medical care through WFP's medical service;
- access to free psychological support by a staff counsellor at any point after the alleged incident/s, throughout any of the processes described below, or even if the affected person decides not to pursue any of those processes;
- consideration of leave arrangements and other interim measures to ensure the safety, security and well-being of the employees concerned;

- assistance with reintegration into the workplace; and
 - review, where appropriate, of adverse administrative actions that are confirmed to have been part or a direct consequence of abusive conduct.
42. WFP will also provide reasonable and appropriate support to the alleged perpetrator, including:
- being accompanied by a colleague, family member or trusted friend during the key stages of the below processes, such as an investigation interview;
 - being assured of confidentiality and professional standards of conduct while a report is being investigated; and
 - upon completion of an investigation, being informed of the closure of the case, or provided due process if the allegations are substantiated.

For current employees, it may also include, as appropriate:

- access to free psychological support by a staff counsellor, respecting cultural sensitivities, at any point after the alleged incident is reported, throughout any of the processes described below; and
- assistance with reintegration into the workplace.

Confidentiality

43. All WFP employees who are aware of measures that have been taken or are underway to address alleged abusive conduct shall respect the sensitivity and confidentiality of the matter. In such cases, WFP employees must refrain from discussing the matter or otherwise sharing information or documentation among themselves or with anyone who does not have a 'need to know' in order to perform WFP official duties in connection with this Circular. Every effort must be made to preserve the dignity, rights and self-respect of the parties to the matter.

Informal Process

44. The objective of the informal resolution process is to address concerns and resolve conflict as soon as possible, in a fair, respectful, and non-adversarial manner. WFP encourages, but does not require, the use of informal channels and mechanisms where appropriate. WFP Employees should note that their choice to address the alleged abusive conduct through informal options does not prevent a later shift to the formal process (as outlined in paragraphs 55 to 69).

45. WFP employees who feel affected or witness abusive conduct are encouraged, if they are comfortable, to make this known to the alleged perpetrator as soon as possible and to ask the alleged perpetrator to stop. This can be done in person or in writing.
46. If the affected or witnessing person feels unable to raise the matter directly with the alleged perpetrator, or if the behaviour persists after raising it, the affected or witnessing person may seek assistance, including from any of the following WFP resources:
- her/his supervisor or another manager;
 - a human resources officer or focal point;
 - a staff counsellor¹¹;
 - the Ombudsman¹²;
 - a security officer;
 - a respectful workplace adviser¹³;
 - a peer support volunteer¹⁴;
 - a Staff Association representative;¹⁵ and
 - the Ethics Office (including on reports of retaliation).¹⁶
47. The affected or witnessing person may choose to use any of these WFP resources depending upon her or his level of comfort, and/or can consult with other trusted persons.
48. The WFP resources listed in paragraph 46 should advise the affected person of the available support and response options. With the exception of security officers, respectful workplace advisers, peer support volunteers and staff counsellors, who may not make such interventions, the WFP resource contacted may also assist in engaging the parties to informally resolve the matter.

¹¹ Contact information at: <http://newgo.wfp.org/how-do-i/talk-to-a-staff-counsellor>.

¹² By email at ombudsman@wfp.org; by phone at +39 06 6513 2024.

¹³ List of respectful workplace advisers: <http://newgo.wfp.org/documents/list-of-respectful-workplace-advisers-rwas>.

¹⁴ Contact information at: <https://docs.wfp.org/api/documents/WFP-0000015267/download/>.

¹⁵ For Professional Staff Association see <http://newgo.wfp.org/about/professional-staff-association> or contact by email at wfp.psa@wfp.org; for UGSS: contact by email at ugss@wfp.org.

¹⁶ Contact the Ethics Office by confidential e-mail at WFP.Ethics@wfp.org. Information on how to request protection from retaliation is available at: <http://newgo.wfp.org/how-do-i/request-protection-against-retaliation>.

Office of the Ombudsman and Mediation Services

49. The Office of the Ombudsman and Mediation Services offers confidential and impartial assistance in informally resolving concerns of abusive conduct and conflict. Available options are:
 - making an intervention, including through contacting the other party;
 - leading a facilitated conversation between the parties; and
 - reconciliation.
50. Moreover, if the affected person and the alleged perpetrator agree to mediation, they may request mediation services through the Office of the Ombudsman and Mediation Services.¹⁷
51. Without prejudice to the voluntary character of mediation, managers and supervisors may also recommend mediation to the parties in conflict, and are encouraged to seek guidance from the Office of the Ombudsman and Mediation Services to better understand the process.
52. The mediator will facilitate the process, but the parties themselves will decide on a mutually agreeable outcome.
53. If a resolution is reached, the affected person and the alleged perpetrator must document their agreement in writing. A confidential copy of the agreement will be kept by the Office of the Ombudsman and Mediation Services. Should mediation or the implementation of the mediation fail, the affected person may choose to submit a formal report of abusive conduct.
54. All participants will keep the contents of the mediation process, related discussions and any agreement strictly confidential, unless otherwise agreed.

Formal Process

55. In circumstances where informal resolution is not desired or appropriate, or has been unsuccessful, a formal report for investigation may be made.

¹⁷ In accordance with the Executive Director's Circular on Mediation Services (OED2012/008).

56. A formal report may be made at any time after the incident has occurred and the reporting person may identify himself/herself or decide to remain anonymous. However, employees are encouraged to report as early as possible after an incident and identify themselves, as that may significantly contribute to WFP's ability to address the alleged abusive conduct.
57. Formal reports must be submitted to the Office of the Inspector General (OIG), through any of the options listed on the OIG intranet site,¹⁸ including its confidential hotline. The report should be as detailed as possible and include any relevant documentation. In particular, the report should include the following information (when available):
- the name, work location, and title of the alleged perpetrator;
 - date(s) and location(s) of incident(s);
 - description of incident(s);
 - names of any witnesses; and
 - any other relevant information, including documentary evidence if available.

Reporting persons are encouraged to use the statement of report form in Annex III.

58. The reporting person should be aware that, in accordance with the principles of due process, the report or information from the report may be shared with the alleged perpetrator.
59. Where a report is submitted by an individual who is not the affected person, the Office of the Inspector General will consult the affected person prior to proceeding with an investigation. Consultation with the affected person should also address the suitability of informal resolution or mediation instead of formal investigation.
60. Malicious complaints — that is, reports made without genuine belief that abusive conduct has occurred — are considered as misconduct and can result in disciplinary action against the reporting person.

¹⁸ <http://newgo.wfp.org/how-do-i/report-an-act-of-misconduct>

61. The Office of the Inspector General has the authority to open an investigation into allegations of abusive conduct at its own initiative, including without reference to a specific written or verbal report, following consultation with the affected person, and with due regard for the suitability of informal resolution or mediation. Investigators of abusive conduct shall have specialized training in such investigations.
62. Upon receipt of a report of abusive conduct, where deemed appropriate, the Inspector General may bring it to the attention of the Inter-divisional Standing Committee for discussion of protection and any other urgent interim measures.
63. Following a preliminary review of a formal report, where appropriate, the Office of the Inspector General may refer the matter for action by management or to the Ombudsman for consideration — together with the parties concerned — of whether mediation or other informal resolution would be appropriate.
64. Where deemed appropriate:
 - the Director, Human Resources Division (HRM), for general service staff and short-term personnel in Headquarters as well as all international professional staff; or
 - the Country or Regional Director, in consultation with HRM and Legal Office, for general service staff and short-term personnel in the field,

may take interim protective measures to address concerns raised by a report of abusive conduct. This decision may be informed by a recommendation of the Inter-divisional Standing Committee, the Office of the Inspector General or, in instances of reports of retaliation under the WFP Whistleblower Protection Policy, the Chief Ethics Officer. Interim measures may include alternative duties or reporting lines, special leave for either the alleged perpetrator or the affected person, suspension of performance review and management processes concerning the affected person, or other arrangements. The employees concerned shall be informed of envisaged duration of interim measures. The alleged perpetrator may also be placed on suspension pending investigation in accordance with the relevant provisions of the Human Resources Manual.

65. If, based on the investigation report of the Office of the Inspector General, it is considered that abusive conduct has occurred, WFP will proceed in accordance with the applicable disciplinary procedures. This may result in the imposition of sanctions up to, and including, summary dismissal. Sanctions will be determined on a case-by-

case basis, taking into account such factors as the type of abusive conduct, the level of responsibility of the perpetrator, the impact of the abusive conduct, the existence of a hierarchical relationship, and prior instances of misconduct.

66. If the alleged perpetrator separated from WFP before the initiation of the disciplinary process, or if initiated, before its conclusion, the case will be reviewed and, if the conduct is confirmed, appropriate administrative measures can be taken. For employees governed by Human Resources Manual Section VIII.1, in exceptional cases the Director, HRM, may consider it appropriate to employ administrative measures other than those set forth in Manual Section VIII.1, such as a ban on future employment. In such cases, following due process, the Director, HRM, shall make a recommendation to the disciplinary Authorizing Officer as defined in that Manual Section for decision. For employees on service contracts or special services agreements in country offices or regional bureaux, the Country or Regional Director shall decide what administrative measures may be appropriate, in consultation with HRM.
67. If the review of investigation findings indicates that, although there was a factual basis for the allegations, it is not sufficient to warrant disciplinary proceedings, the disciplinary Authorizing Officer, or the Country or Regional or Division Director, as applicable¹⁹, shall — after the alleged perpetrator has been afforded due process — decide whether administrative measures are warranted and inform the employee concerned. Administrative measures may include mandatory training, reprimand, a change of functions or responsibilities, counselling or other appropriate measures.
68. The Director, HRM, will inform the affected person of the outcome of the investigation, once WFP's review of the matter is concluded (i.e., due process requirements fulfilled and any final administrative or disciplinary action taken).
69. In addition to the above procedures, an alleged perpetrator may be referred to national authorities where the conduct may constitute a criminal act.²⁰ A decision to refer is based on a case-by-case assessment, in consultation with the Legal Office and

¹⁹ For employees whose conduct is governed by Human Resources Manual Section VIII, the relevant authorities are set forth in that Manual Section. For employees on service contracts or special services agreements in country offices or regional bureaux, the Country or Regional Director shall decide what administrative measures may be appropriate.

²⁰ See Executive Director's Circular on "Delegation of Authority to Initiate Legal Action or Refer Cases to Local Authorities Where *Criminal Activity May Have Occurred*" (EDD2012/005).

taking into account the specific circumstances of the case, such as the views of the affected person and the potential consequences of referral on that person.

Requests for Review

70. Both the affected person and the alleged perpetrator may request a review of any decision or of alleged failure to take a decision in respect to this Circular, in accordance with the dispute resolution mechanism provided for by their terms of employment.

Monitoring effective implementation

71. The Director, HRM, has overall responsibility for monitoring the effectiveness of prevention and management of abusive conduct in WFP. The annual report on disciplinary practice published by the Director, HRM, will include an account of disciplinary measures imposed in confirmed instances of abusive conduct.
72. In addition, the following reports will be submitted on an annual basis:
 - Head of Staff Counselling Service to the Executive Management Group; and
 - Ombudsman to the Executive Director, which shall be made public.
73. The Executive Management Group will review the reports referenced above, to evaluate how effectively WFP's policy objectives and principles are being implemented. This review will form the basis for ongoing identification of proposed improvements to this Circular and the actions taken by WFP to address abusive conduct.

Effective date

74. This Circular takes effect immediately.

David M. Beasley
Executive Director

Annex I

EXAMPLES OF BEHAVIOUR CONSTITUTING HARASSMENT, SEXUAL HARASSMENT, ABUSE OF AUTHORITY, AND DISCRIMINATION

Harassment

Harassment may be verbal or non-verbal, and may be physical in nature. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another person or persons or which create an intimidating, hostile and/or offensive work environment. Harassment does not have to be intentional or deliberate; rather it exists when it is perceived as offensive by a reasonable individual.

Examples of verbal harassment include:

- Verbal abuse, insults and name-calling;
- Using unwelcome 'pet' names, such as "honey", "doll", "babe", "princess", etc.;
- Shouting and aggressive behavior;
- Using a person as the constant or repeated target of jokes;
- Derogatory or offensive nicknames;
- Innuendo or other suggestive, offensive or derogatory comments or jokes about a person's gender or sexual orientation;
- Unwanted and/or demeaning comments on dress, appearance, or physical characteristics;
- Slandering or maligning another person's reputation by gossip, rumour and ridicule;
- Persistently making unwarranted critical or patronising remarks in front of others or 'behind a person's back';
- Unwarranted, intrusive or persistent questioning about a person's ethnic or racial origin including their culture or religion;
- Repeated and unwanted notes, messages or calls;
- Notes, messages or calls that are abusive, threaten, insult, attempt to coerce, humiliate or intimidate;
- Leaving an abusive, insulting or threatening message in work spaces;
- Putting pressure on a person to participate in political or religious discussions of groups;
- Suggestive remarks about a person's clothing, body, hairstyle, appearance or any aspect of their person or personal possessions.

Examples of non-verbal harassment include:

- Social exclusion, isolation or non-cooperation at work;
- Hostility demonstrated through sustained unfriendly contact or exclusion;
- Repeated use of offensive gestures;
- Displays of offensive material including posters, photographs, cartoons, graffiti, objects, or messages left on notice boards, desks or common areas;
- Repeated giving of unwanted gifts or invitations;
- Repeated staring or aggressive facial expressions;
- Keeping or sending inappropriate screensavers that may cause offence to others;
- Spreading malicious rumors;
- Using the e-mail or instant messaging system to send abusive, threatening or insulting images to, or about, another employee or employees;
- Repeatedly isolating, ignoring or excluding someone.

Examples of physical harassment include:

- Unwanted, uninvited or inappropriate touching, patting, hugging or other physical contact (e.g. massaging a person without invitation or deliberately brushing up against them);
- Punching, hitting, pushing, slapping, kicking, or biting another person.
- Tripping another person;
- Throwing an object at another person or attacking a person with an object.

Sexual harassment

While sexual harassment typically involves a pattern of behaviour, it can take the form of a single incident. Individuals of any gender can be affected persons or perpetrators.

Examples of sexual harassment include:

- Rape, attempted rape or other sexual assault;
- Any sexual act committed using coercion or without consent – even if between individuals who are in a consensual intimate relationship or know each other as acquaintances (prior relationship, excessive use of alcohol, or previous sexual involvement do not lessen the seriousness of such an incident);
- Repeated requests or other forms of pressure for a sexual or other personal — rather than professional — relationship (e.g. repeated requests for 'a date');

- Innuendo or other suggestive, offensive or derogatory comments or jokes about sex;
- Unwarranted, intrusive or persistent questioning about a person's marital status or sexual interests, history or orientation;
- Obscene messages sent by text message, email, video chat or left on an answering machine or voice mail;
- Open or implied threat that submission to sexual advances will be a condition of some form of commendation, work status or access to promotion or development opportunity or positive performance evaluation;
- Remarks speculating about a person's sexual activities or history, or remarks about one's own sexual activities or history;
- Displays of material of a sexual nature including posters, pinups, cartoons, graffiti, objects, or messages left on notice boards, desks or common areas;
- A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating distress and/or humiliation in another person.

Abuse of authority

Examples of abuse of authority include:

- Unfair delegation of duties or request that an employee undertake personal services unrelated to their official duties;
- Excessive supervision and over-checking of a person's work;
- (Mis)Use of power of personal authority to force an individual not to exercise her/his right to complain, or raise concerns, about potential breaches of standards of conduct or ethical obligations;
- Regularly 'putting down' or singling out an individual and treating him/her differently, typically in a demeaning way;
- Regularly picking on an individual and/or group of people and making them the target of offensive language or gratuitous personal remarks, and/or offensive teasing;
- Regularly taunting, humiliating or embarrassing someone, or a group of people, especially in front of others;
- Forced or offensive or humiliating initiation rites or practical jokes, any or all of which may cause physical or psychological distress;
- Imposing sanctions or other forms of punishment without reasonable justification;

- Preventing an individual's progress by intentionally blocking or interfering with promotion for unjustifiable reasons;
- Reacting to a minor problem or issue with the same severity as a major one;
- Inappropriately disclosing or threatening to disclose confidential information about an individual, whether relating to personal or professional matters;
- Changing the duties or responsibilities of employees without reasonable justification;
- Over-monitoring an employee with malicious intent, such as deliberately focusing on 'tripping them up';
- Manipulating the nature of the work to undermine the person being bullied, such as by unfairly and unjustifiably overloading an employee with work, inappropriately withholding information, or repeatedly setting meaningless or trivial tasks;
- Inconsistent management style where some individuals are unfairly favoured over others;
- Persistently and inappropriately finding fault with a person's work and using this as an excuse to humiliate the person rather than trying to improve performance;
- Constantly picking on a person when things go wrong even when he/she is not solely or primarily responsible for any perceived shortfall in performance;
- Persistently making negative attacks on personal or professional performance or competence without good reason or legitimate authority;
- Persistently setting objectives with unreasonable or impossible deadlines or unachievable tasks;
- Asserting a position of intellectual superiority in an aggressive, abusive or offensive manner.

Discrimination

Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or may manifest itself through harassment or abuse of authority.

Any of the examples of harassment and abuse of authority above, when based on the person's race, sex, gender, religion, belief, nationality, ethnic origin, sexual orientation, disability, age, language, social origin or other status, also constitute discrimination.

Examples of discrimination include:

- Not recommending or considering an employee for promotion or other advancement because of his or her race, nationality, age, sex, gender, sexual orientation, religion, disability, or other status;
- Derogatory or offensive nicknames based on a person's race, nationality, age, sex, gender, sexual orientation, religion, disability, or other status;
- Demeaning comments about a person's language, dress, or physical characteristics. This also includes criticizing people for items worn for religious or cultural reasons;
- Denigrating specific cultural or religious festivals, or making derisory comments against an individual's beliefs;
- Social exclusion on the basis of a person's race, nationality, age, sex, gender, sexual orientation, religion, disability, or other status;
- Jokes or inappropriate comments and questioning about a person's abilities.

Annex II
TERMS OF REFERENCE OF THE INTER-DIVISIONAL STANDING COMMITTEE

Terms of Reference

1. The purpose of the Inter-divisional Standing Committee is to support the implementation of this Circular in letter and spirit through ensuring a centralized, coordinated, multidimensional approach to the prevention of abusive conduct; support protection from retaliation as permissible under the framework of WFP Whistleblower Protection policy; and prompt and comprehensive response to reports of abusive conduct that should be brought to its attention, pending their informal or formal resolution.
2. In particular, the Inter-divisional Standing Committee:
 - (i) Reviews matters reported to its attention by any of its members and – without prejudice to existing frameworks and delegated authorities - considers what actions may be necessary or appropriate in the interests of the safety, security and wellbeing of the parties, including whether timely interim measures need to be taken such as separating the alleged perpetrator and the affected person on a temporary basis;
 - (ii) Advises the Executive Director in connection with incidents and matters related to the implementation of this Circular that are brought to its attention, as well as on lessons learned and best practices relating to the prevention of abusive conduct that should emerge from its work and to potential procedural adaptations to facilitate reporting of misconduct and to support affected persons and witnesses; and
 - (iii) Advises the relevant head(s) of office on steps to reestablish safe and harmonious work environments following an investigation of abusive conduct and any related administrative or disciplinary action, as appropriate, or upon request.

Composition and procedures

3. The Inter-divisional Standing Committee chaired by the Director, HRM and is comprised of the following other members:
 - Chief Ethics' Officer and Director, Ethics Office
 - General Counsel and Director, Legal Office;
 - Inspector General; and

- Ombudsman.
4. The Director, HRM is hereby delegated authority to request other senior managers (for example, Director Wellness Division; Chief Medical Officer; Director, Gender Office; Director, Office of Inspections & Investigations; Director, Security Division; etc.) to provide information or participate to meetings, as deemed necessary.
 5. In case of conflict of interest or perception of conflict of interest in relation to an incident, the concerned member or senior manager will not participate in the relevant Inter-divisional Standing Committee discussion.

Annex III
Office of Inspections and Investigations (OIGI)
STATEMENT OF REPORT OF ABUSIVE CONDUCT

Name of Reporting person: _____
Last name First name

I prefer to remain anonymous, understanding that OIGI may not be able to obtain additional details from me or pursue appropriate action on the matter due to my anonymity.

I am the affected person related to this complaint.

Date of statement: ____/____/____
DD/ MM/ YYYY

INSTRUCTIONS FOR COMPLETING THIS FORM

For each allegation, please include as much detail and specific information as possible including:

- Date, time and place of incident (city, state, country, office location);
- Description of incident (s)
- Name of alleged perpetrator;
- Names and contact details of witnesses, if any; and
- Any other relevant information including documentary and/or any other evidence, if available.

If there is insufficient space on the form, please attach the extra information to the end of the form, clearly stating to which area of the form it relates.

Please return the form to OIGI at the following email address: hotline@wfp.org

Note: If your complaint requires further investigation, the content of your complaint and/or any relevant information provided by you may be shared with the alleged perpetrator to provide them with due process in the assessment of your complaint. [Staff members and other personnel are encouraged to examine options for informal dispute resolution.]

1. Details of the alleged perpetrator

Who is/was engaged in the possible act(s) of misconduct? Provide name, title and any other relevant details.

First Name: _____

Last Name: _____

Title: _____

Work location: _____

Other details: _____

The relationship of the alleged perpetrator to the affected person is:

Direct Supervisor

- Indirect Supervisor
- Manager of the Unit
- Supervisee
- Colleague
- Other (please describe) _____

2. **When was the possible misconduct committed?** (Where possible include detail such as the first instance of the misconduct and latest)

Dates:

Is there a current threat to the physical safety of the affected person? Yes/No

If there is believed to be a threat to the personal safety of the affected person the reporting person is strongly encouraged to report the matter to their local security and/or the Critical Incident Management Hotline, which operates 24/7, at VSAT 1301-3333 or +39-06-6513-3333

3. **Where was the possible misconduct committed?**

Country/city: _____

Describe the location:

4. **What happened? Please provide the details of the possible misconduct.** (Be as precise as possible)

5. **Is there any specific evidence (e.g. documentation, witnesses, cctv footage) that you are aware of and how can they be located or contacted?**

Witnesses (please record names, contact details)

- 1.
- 2.
- 3.
- 4.

5.

Evidence:

1.

2.

3.

4.

5.

6. Is there any other relevant information you wish to add that may assist OIGI in their enquiries?

7. Your Contact details

Please provide contact details for OIGI to contact you. The provision of your contact details allows us to contact you for further details if required. Please fill in only the details which you are comfortable in providing.

Provision of your personal contact information ensures that you can be reached even if you are on leave or have separated from WFP. OIGI will maintain the confidentiality of your contact information and not share these details, including your name, without your agreement.

If you do not wish your name or details to be used during investigation, please check the below box and OIGI will not use your name or identifying details in reports or during enquiries. Please keep in mind this may limit the ability of OIGI to effectively investigate the matter.

*If you prefer not to disclose your name to OIGI, but are happy to be contacted for follow up questions, please include a mode of contact email or phone number. **Note:** The contact details provided **should not** include your name or other details that could inadvertently identify you.*

You are requested to keep your communications with OIGI confidential.

I prefer to remain anonymous, however am happy to be contacted by OIGI if further information is required.

I am not willing to be contacted by OIGI.

Contact Information:

Telephone (Office): _____
Country code, Area Code, Number

Telephone (Home): _____
Country code, Area Code, Number

Mobile (Office): _____
Country code, Area Code, Number

Mobile (Personal): _____
Country code, Area Code, Number

Email Address (Office): _____

Email Address (Personal): _____

Preferred Method of Contract: _____

Contact details of the affected person (if different to above)

The affected person is aware I am submitting this statement.

The affected person is not aware I am submitting this statement.

First Name: _____

Last Name: _____

Title: _____

Work location: _____

Other details: _____

Contact Information:

Telephone (Office): _____
Country code, Area Code, Number

Telephone (Home): _____
Country code, Area Code, Number

Mobile (Office): _____
Country code, Area Code, Number

Mobile (Personal): _____
Country code, Area Code, Number

Email Address (Office): _____

Email Address (Personal): _____

Preferred Method of Contract: _____

End of Statement

Attestation:

This statement is made in good faith and is true to the best of my knowledge.

I understand that I may be held accountable for any false statements that I knowingly make.

I also understand that, in accordance with WFP's policy on "Protection from Harassment, Sexual Harassment, Abuse of Authority, and Discrimination" (the "Policy"), the person who is accused of committing workplace harassment or abuse of authority, has the right to be assured of due process during the handling of the complaint or the investigation into the complaint and has the right to be informed of the allegations levelled against him/her.

I also understand that if my complaint requires further investigation, the content of my complaint and/or any relevant information provided by me may be shared with the alleged perpetrator to provide him/her with due process in the assessment of your complaint (if you believe that disclosure of your complaint might cause a risk, please notify OIGI immediately and provide all relevant information so that appropriate action can be considered).

I am aware of and have considered the option of seeking informal resolution of my complaint by contacting any of the persons mentioned in the Policy namely: my supervisor; another manager; a human resources officer or focal point; a staff counsellor; the Ombudsman; a security officer; a respectful workplace adviser; a peer support volunteer; a Staff Association representative; or the Ethics Office; but do not currently wish to pursue such a process / or have already exhausted that process.

Signature

Print name in full

Date

Anonymous complaints:

I have read and understood the above.