

STOPPING SEXUAL MISCONDUCT IN THE WORKPLACE

A Guide to Understanding Mercy Corps Sexual Misconduct Policy

This document provides additional guidance around Mercy Corps policy concerning sexual misconduct in the workplace. This guide is not a replacement for the stated policy but instead highlights key issues that team members may encounter in their roles and steps to seeking assistance. Mercy Corps is committed to a work environment in which everyone is treated with respect and dignity and the organization will not tolerate sexual harassment or assault by or of team members.

An organizational cultural change does not happen through policy alone. Real change requires that all team members take part in the responsibility to make the work environment respectful and safe for everyone.



View the Sexual Misconduct policy in the Digital Library.



View the eLearning course in Talent Development at Talent.MercyCorps.org



Everyone has the right and obligation per Mercy Corps' policy to tell someone about possible sexual misconduct. If you are the target or a bystander, seek assistance from a **Human Resources representative, your supervisor, or a trusted leader**. You can also use the **Integrity Hotline** and choose to remain anonymous.



Remember if you witness sexual misconduct, help address the problem so that everyone can have a safe and respectful working environment. **As a witness your role is not to investigate**, that will be done through an established confidential process.



Power dynamics, gender roles and historic inequalities can contribute to sexual misconduct. Regardless of cultural practices and social norms, **Mercy Corps will not tolerate sexual misconduct as defined in the policy.**



There are various reasons why someone might be hesitant to speak out or seek assistance if they experience sexual harassment or assault. These reasons might include **fear of retaliation, of not being believed or not being taken seriously**. Know that Mercy Corps takes all allegations seriously.



It is important for everyone to respect the sensitivity of these types of allegations. If a team member tells you about sexual misconduct —**LISTEN** and assist them with this trusted information.

THE FOLLOWING DEFINITIONS ARE IMPORTANT TO UNDERSTAND:



Sexual Harassment can include unwelcome romantic or sexual advances, requests for sexual favors or other verbal or physical conduct of a romantic or sexual nature and involves the following:

— **Quid Pro Quo:**

Engaging in the activities listed above in exchange for employment assignment or other work related activities.

— **Work Environment:**

If conduct effects or interferes with a person's work performance, violates dignity, or creates intimidating, degrading, hostile or offensive work environment.



Sexual Assault is actual or attempted sexual contact with another person without that person's consent. The conduct described here can be a **pattern of behavior or one single event**. Know that not everyone will provide verbal or physical cues about how they feel if this conduct occurs.

REMEMBER!

Mercycorps.org/integrityhotline



Policy Talk

QUESTIONS

If I make a complaint about sexual misconduct, will HR or the supervisor keep my name confidential?

I am in a romantic relationship with a manager from a different team and she notified HR about our relationship. Do I need to tell them too? Now that HR is aware will everyone know about it?

Does this policy apply only when individuals of the opposite sex are involved?

What happens once I make a complaint?

My work colleague sent a sexually suggestive photo of himself to me on my personal cell phone. I am very upset about this but it didn't happen at work and it was on my personal phone. Is this still sexual harassment?

My male colleagues are always talking about the new female team member that started working at the office last month. They are making a lot of sexual jokes about her. They think it's okay because I'm a man but I am very uncomfortable with this. Is this sexual harassment and what should I do?

...AND ANSWERS

The HR rep, a manager or the focal point must immediately report the information to the Integrity Hotline. Mercy Corps treats all reports and allegations with the greatest respect for confidentiality of all individuals involved.

If one of you in this consensual relationship is a manager or supervisor then **both** of you must report this to HR (even if the person is not directly supervising the other). This information will be kept confidential!

No, **this applies to all**, including those who are the same sex, the opposite sex, or transgender individuals. A situation may include anyone from any of these defined genders or gender identity.

Mercy Corps treats these complaints in **a respectful and confidential manner**. The complaint will be investigated in a process that is thorough and objective. The goal is to treat all parties fairly and provide answers to everyone involved in a timely manner. Allegations of sexual assault will result in the suspension of the subject of the allegations while an investigation is conducted.

Yes this could be considered sexual harassment and you should seek assistance with this situation. Sexual misconduct does not have to occur in the office during work hours. It can occur at home, while traveling, at a social event, through texts, social media, phone calls or emails. Even if it did not happen in an official workplace setting, this behavior will negatively impact the work environment.

This would be considered sexual harassment because it involves the work environment and you should seek assistance with this situation. If you are comfortable doing so, let your colleagues know that you do not think it is respectful to talk about their colleague this way. Hearing this from a male peer can be very impactful.

