

PREVENTION OF SEXUAL HARASSMENT, ASSAULT, SEXUAL EXPLOITATION AND ABUSE POLICY

The Centre for Labour Rights, CLR for the purpose of preventing and addressing cases of sexual harassment, assault, sexual exploitation, abuse, strengthening accountability in the organization and raising awareness among staff of their roles and responsibilities for creating and maintaining a workplace free of sexual harassment, assault, sexual exploitation and abuse, promulgates the following:

Purpose

The purpose of the policy is to present the organization's zero tolerance of sexual harassment, assault, sexual exploitation and abuse, to provide guidance on the Organization's policy and procedures on harassment and to foster the creation of a harmonious working environment, free from intimidation, hostility, offence and any form of discrimination. Accordingly, the Centre for Labour Rights will:

- ❖ Take appropriate measures to prevent sexual harassment
- ❖ Rigorously investigate all complaints of sexual harassment
- ❖ Take appropriate corrective action in cases of substantiated harassing behaviour.

Definitions

For the purposes of the present policy, the term "*Sexual harassment*" is defined by law and includes requests for sexual favours, sexual advances or other sexual conduct when (1) submission is either explicitly or implicitly a condition affecting academic or employment decisions; (2) the behaviour is sufficiently severe or pervasive as to create an intimidating, hostile or repugnant environment; or (3) the behaviour persists despite objection by the person to whom the conduct is directed.

"*Sexual exploitation*" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Similarly, the term "*abuse*" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

Prohibition of sexual harassment, exploitation and sexual abuse

Sexual harassment exploitation and sexual abuse violate universally recognized international legal norms and standards and have always been unacceptable behaviour and prohibited conduct for the Centre for Labour Rights.

In order to further protect the most vulnerable populations, especially women and children, the following specific standards, are promulgated:

- a) Sexual harassment constitutes of unwelcome sexual advances, requests for sexual favour, other verbal, behavioural or physical conduct of a sexual nature;
- b) Sexual exploitation and sexual abuse constitute acts of serious misconduct and are therefore grounds for disciplinary measures, including summary dismissal;
- c) Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child is not a defence;
- d) Exchange of money, employment, goods or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour, is prohibited.
- e) The Centre for Labour Rights staff are obliged to create and maintain an environment that prevents sexual exploitation and sexual abuse. Managers at all levels have a particular responsibility to support and develop systems that maintain this environment.

Employee communication with person responsible for conduct - If an employee believes they have been the victim of harassment, the employee should inform the offending individual directly that the conduct is unwelcome and must stop, if the employee is comfortable doing so.

Investigating harassment complaints

- i. CLR will ensure that the incident is investigated immediately once a complaint has been made and will ensure appropriate confidentiality is maintained. Depending on the results of the investigation, CLR will ensure that the appropriate actions/corrective measures are taken.
- ii. Supervisors must not independently investigate complaints of harassment.
- iii. During the investigation period, the complainant and the alleged harasser and any individuals involved in the investigation, including witnesses are not to discuss the case with other co-workers in order for the investigation to remain objective and unbiased.

The standards set out above are not intended to be an exhaustive list. Other types of sexually exploitive or sexually abusive behaviour may be grounds for administrative action or disciplinary measures, including summary dismissal, pursuant to the Staff Internal Regulation and Code of Conduct.

Final provisions

The Centre for Labour Rights is fully committed to ensuring that any allegation of sexual harassment, assault, sexual exploitation and abuse will continue to be taken seriously and will be fully investigated.

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