

4 GOGLA Anti-Bullying and Harassment Policy

4.1 Introduction

This policy sets out GOGLA's approach to preventing and addressing harassment, including sexual and gender-based violence and harassment, including sexism, in the workplace. This policy, which is aligned with the 2019 ILO Convention 190 on Violence and Harassment², outlines GOGLA's commitments to prevent incidents and to ensure effective action is taken when problems occur; the procedures for reporting and responding to complaints; and policy implementation.

4.2 Scope

This policy applies to all GOGLA Members, Representatives, Staff and Contractors, henceforth referred to as "GOGLA Members and stakeholders". Anyone, including employees of GOGLA members, clients, customers, casual workers, and contractors who harasses any other person while participating in a GOGLA activity, or event or visiting the GOGLA workplace may be reprimanded in accordance with this policy.

4.3 Policy Statement

GOGLA operates a zero-tolerance policy for any form of violence and/or harassment in the workplace, including any form of sexual or gender-based harassment including sexist behavior.

GOGLA will treat all incidents seriously and will promptly investigate all allegations and take appropriate disciplinary measures. Any person who is subject to this policy and who is found to have harassed, committed violence or discriminated against another will face disciplinary action, up to and including immediate dismissal from employment. All complaints of discrimination, violence or harassment will be taken seriously and treated with respect and in confidence. No one will be victimised or retaliated against for making such a complaint.

4.4 GOGLA commitments

Safe Organisational Culture

GOGLA strives to create and provide a safe organisational culture for its employees and other individuals representing or acting on behalf of the organization (irrespective of their contractual status), or for individuals who participate in GOGLA activities in any other form. All these individuals should be free from any form of violence or harassment at GOGLA workplaces including sexual and gender-based violence and harassment, including sexist behavior. GOGLA commits to implementing prevention and response mechanisms that support the victims and holds those responsible to account.

Reporting

GOGLA commits to provide multiple channels for GOGLA staff, related personnel, beneficiaries, and any others to safely report violence or harassment, including sexual harassment. GOGLA commits to provide everyone who works for and on behalf of GOGLA with information about how to access these safe reporting channels. It does not matter how much time has passed between the occurrence and when the incident is reported.

² https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

Responding

GOGLA commits to responding in a professional and timely manner to all concerns or allegations of sexual harassment, exploitation or abuse. All concerns or allegations should always be taken seriously and investigated and acted upon where appropriate.

Implementation of this policy

GOGLA will ensure that this policy is widely disseminated. It will be made available on the GOGLA website. It will also be included in the staff handbook, and all new employees will be made aware of the content of this policy as part of their induction. It is the responsibility of every manager to ensure that all their employees are aware of the policy.

Complaint procedures

Anyone who is subjected to, or witnesses, harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. GOGLA recognizes that calling out harassment in any situation is usually difficult and cannot be expected, particularly when the harassment occurs in unequal relationships (i.e., between a supervisor and their employee).

A victim or bystander can file a complaint against a harasser (irrespective of whether they have approached the harasser directly) with one of the following GOGLA representatives (or multiple in case the first contact did not address the complaint adequately):

- Any member of the management team. The MT member should report the complaint to the Executive Director to jointly determine appropriate steps for investigation and response, unless the complaint concerns the Executive Director in which case the matter should be reported to the Chair or Vice-Chair of the Board of Directors.
- Any member of the Board of Directors. The member of the GOGLA Board of Directors should report the complaint to the Executive Director to jointly determine appropriate steps for investigation and response, unless the complaint concerns the Executive Director in which case the GOGLA Board of Directors should investigate and respond to the claim themselves.
- One of the two GOGLA confidants. Acknowledging that hierarchy may create extra barriers and that there could be a need to support victims in making complaints, GOGLA has appointed two confidants. The confidants are two GOGLA employees who have been nominated by the GOGLA team. Their names and contact details are listed in section 1.7. of this Policy. The confidants should follow the procedure as described below.
- The external confidant, as described below.
- Anonymously [Mechanism and process to be defined]

When a GOGLA person (MT, member of the GOGLA Board of Directors or confidant) receives a complaint of harassment, they will:

- Provide initial support to the victims of harassment.
- Inform victims about informal and formal procedures, ensuring that the victim understands the company's procedures for dealing with the complaint.
- Support/assist the victim during informal solutions or formal procedures.
- Ensure the protection of privacy and confidentiality, to the extent possible and appropriate, and keep a confidential record of all discussions. In doing so, the confidant must also take measures to ensure that privacy and confidentiality are not misused.
- Ensure that victims have the right to remove themselves from a work situation which they have reasonable justification to believe that presents an imminent and serious danger to

safety due to sexual violence or harassment, without suffering retaliation or other undue consequences, and the duty to inform management.

- Respect the choice of the victim.
- Provide after-care to check whether the situation has been improved and whether the victim needs professional help (e.g., to overcome a traumatic event).

Formal complaints mechanism

The GOGLA designated representative who initially received the complaint will refer the matter to an external Confidant to instigate a formal investigation. The external confidant will deal with the matter in accordance with this policy and will:

- Interview the victim and/or by-stander and the alleged harasser separately.
- Interview other relevant third parties separately.
- Conclude whether the incident(s) of harassment took place.
- Produce a report detailing the investigations, findings, and any recommendations.
- If the harassment took place, consult with the victim as to the remedies that are considered appropriate.
- If the harassment took place, publish a written advice to the Executive Director with recommendations for measures to be taken by the Executive Director. If the complaint concerns the Executive Director, the external confidant will address the written advice to the Chair or Vice-Chair of the Board of Directors.
- Follow up to ensure that the recommendations are implemented, that the behavior stopped, and that the victim is satisfied with the outcome.
- If it cannot be determined that the harassment took place, they may still make recommendations to ensure proper functioning of the workplace.
- Keep a record of all actions taken.
- Ensure the protection of privacy and confidentiality, to the extent possible and appropriate, and ensure that all records concerning the matter are kept confidential.
- Ensure that the process is done as quickly as possible and in any event within ten weeks of the complaint being made.

Informal complaints mechanism

The victim can also choose to resolve the matter informally. In that case, the GOGLA confidant will:

- Give an opportunity to the alleged harasser to respond to the complaint.
- Ensure that the alleged harasser understands the complaints mechanism.
- Where the victim agrees, facilitate discussion between both parties to achieve an acceptable informal resolution, or refer the matter to one of the two GOGLA confidants to resolve the matter.
- Ensure the protection of privacy and confidentiality, to the extent possible and appropriate, and ensure that a confidential record is kept of what happened.
- Follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped.
- Ensure that the above is done speedily and within 30 days of the complaint being made, unless the gravity of the situation implies that more time is required.

A victim who chooses to use the informal complaints mechanism can always opt to also use the formal procedure afterwards.

Outside complaints mechanisms

The victim, or the bystander, can also choose to make a complaint outside of the company, by reporting the harassment to the police and/or victim support organizations such as *Slachtofferhulp Nederland*.

4.5 Sanctions and disciplinary measures

Anyone who has been found to have harassed another person under the terms of this policy is liable to sanctions (such as the obligation undergo an anti-harassment training course, a verbal or written warning, adverse performance evaluation, suspension, dismissal, exclusion from future GOGLA activities). Further, to the extent possible and available, (additional) remedies may be made available for the benefit of the victim (such as a change in working arrangements).

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of harassment are not treated as trivial. Certain serious cases, including physical violence, may be deemed an urgent cause and result in the immediate dismissal of the harasser.

4.6 Monitoring and evaluation

The GOGLA Executive Director will report the number of informal and formal complaints to the GOGLA BoD/Compensation Committee on an annual basis, providing further details as is required to assess whether GOGLA is acting on its commitments in this policy.

GOGLA will regularly evaluate the effectiveness of this policy in preventing violence and harassment and whether it contributes to creating a safe workplace and adjust the policy if needed.

4.7 Confidants

GOGLA confidants:

Sjef Ketelaars	s.ketelaars@gogla.org	+31683046226
Aletta D’cruz	a.dacruz@gogla.org	+31657617810

External confidant:

[Details to be included]

4.8 Definitions

Violence and harassment: any form of verbal, non-verbal or physical conduct, or threats thereof, that aims at, results in, or is likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment. This includes conduct that is demeaning, humiliating, threatening or otherwise a violation of dignity.

Sexual harassment: any form of verbal, non-verbal or physical harassment of a sexual nature, or the threat thereof, which has the purpose or effect of violating the dignity of the person that is affected, when creating an intimidating, hostile, degrading, humiliating or offensive environment. Anyone can be a victim of harassment, regardless of their sex or gender and of the sex or gender of the harasser. Sexual harassment may also occur between people of the same sex or gender. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Gender-based violence and harassment: any violence and harassment directed at persons because of their sex or gender or affecting persons of a particular sex or gender disproportionately and includes

sexual harassment. This includes sexist behavior, conditions, and attitudes that perpetuate stereotypes of social (gender) roles based on one's biological sex.

What constitutes harassment: it can involve one or more incidents and actions and may be physical, verbal or non-verbal. Examples of conduct or behavior that constitute harassment may include, but are not limited to:

Physical conduct:

- Physical violence, including sexual assault.
- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, inappropriate touching, or interfering with an employee's ability to move.
- The use of job-related threats or rewards to solicit sexual favours.

Verbal conduct:

- Comments of an overtly personal nature on another person's appearance, age, private life, sexual orientation, etc.
- Sexual, racist or other discriminatory comments, stories and unwanted jokes, including negative comments about personal religious beliefs.
- Sexual advances, including unwanted social invitations for dates or physical intimacy.
- Insults based on, amongst other things, the sex, gender, religion or race of another person.
- The use of patronising sexist comments, condescension or paternalistic remarks, even if not sexual in nature.
- Sending inappropriate images, videos or messages, including sexually explicit messages (by phone, email or otherwise).

Non-verbal conduct:

- Display of (sexually) explicit or suggestive material.
- Sexually suggestive or violent gestures.
- Whistling
- Leering

Workplace: GOGLA premises, co-working places or other, including at social events, business trips, training sessions or conferences organized by or attended on behalf of GOGLA, work-related communications or when commuting to and from work.

This policy was approved by the GOGLA Board of Directors on 26 May 2021.