



The voice of blind and partially sighted people in Europe

EBU anti-harassment policy – June 2020

Executive Summary

In organizations where people of many cultures meet, sensitivity of diversities in background, cultural and religious preconditions and customs is strongly encouraged. There might be difference in influence, power, position and esteem, and misunderstandings or insensitive practices may lead to situations, where attitudes or actions create an imbalance or a situation of vulnerability.

This is particularly evident in international organizations and movements where people of both sexes meet across nationalities, cultures and religious context.

Persons might, deliberately or not, act in a certain way which offends other persons be it of the same or opposite sex, even though such actions or behaviour take place that unintentionally lead to a feeling of inferiority or being violated, EBU must seek to clarify motives and context in order to further understanding and avoid repetitions in the future. If, however, the behaviour or actions are deliberate or a consequence of unacceptable insensitive judgement, the behaviour may be considered as harassment.

The Policy Statement

EBU is committed to providing a safe environment for all its employees, members and attendees free from discrimination on any grounds and from harassment at the workplace. The workplace includes, but is not limited to, the EBU Office, EBU Board meetings, committees, events, email groups, and project activities.

EBU will operate a zero-tolerance policy for any form of harassment in the workplace, treat all incidents seriously, and promptly investigate all allegations of harassment. Any person found to have harassed another will face disciplinary action, up to and including dismissal from employment or from EBU's membership. All complaints of harassment

will be taken seriously and treated with respect and in confidence. The gendered nature of sexual harassment, as a form of harassment affecting predominantly women, is recognised and taken into account by EBU.

Disciplinary action for breaching this policy includes

- Verbal warning
- Written warning
- Dismissal, in the case of grave, persistent or repeated offences
- Exclusion from EBU workplace

All EBU staff members are bound by the French legislation which provides:

- The Labour Code, art. L. 1153-5 provides that the text of the article 222-33 of the Penal Code is to be posted in the workplace.
- According to Article 222-33 of the Criminal Code:
 - Sexual harassment is the fact of repeatedly imposing on a person sexual or sexist comments or behaviour which either violate his or her dignity by being degrading or humiliating, or which create an intimidating, hostile or offensive situation for him or her.
 - Sexual harassment is understood as the act, even if not repeated, of using any form of serious pressure for the real or apparent purpose of obtaining an act of a sexual nature, whether for the benefit of the perpetrator or for the benefit of a third party.

Definitions

Generic definition of harassment

Harassment is any behaviour, whether physical, verbal, written, or otherwise, that is unwanted and unwelcomed and may offend or humiliate an individual. Harassment can be discrimination or abuse of various types. Often, harassment persists beyond the first incident and happens on multiple occasions. One-time incidents may also be considered harassment.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. EBU recognises that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

EBU recognises that harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee.

Anyone, including EBU staff, members, accompanying persons or visitors who harasses another will be reprimanded in accordance with this internal policy.

All harassment is prohibited whether it takes place within EBU premises or outside, including at General Assemblies, conferences, meetings, events etc. organised by EBU.

Examples of conduct or behaviour which constitute harassment include, but are not limited to:

➤ **Physical conduct**

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault

➤ **Verbal conduct**

- The use of job-related threats or rewards to solicit sexual favours
- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

➤ **Non-verbal conduct**

- Display of sexually explicit or suggestive material
- Sexually suggestive gestures
- Whistling
- Leering

Definition of Designated Team

The term designated team refers to the group of at least three people that are appointed by the EBU Board, every four years, to be involved in the complains procedures as defined in the following section. In defining the composition of this team, the Board should strictly take into consideration gender balance.

Composition of the designated team:

- EBU Executive Director
- EBU Secretary General
- Any other Member of the Board

Complaints procedures / Sanctions and disciplinary measures

➤ Internal procedure for EBU staff

- The staff member concerned may request an informal conversation with any of the members of the designated team.
- The complaint can be documented by the staff member concerned and in this case, filed by the specific member of the designated team in a confidential folder.
- The EBU Secretary and the EBU President are informed if the staff member concerned agrees.
- If a staff member is accused of harassment the accusation is investigated by one or more members of the designated team the in the form of a discussion and email exchange as needed.
- In the case that harassment is confirmed, the staff member/perpetrator receives a verbal and written warning.
- If the staff member who has made the complaint agrees, a meeting is organised to discuss the issue and resolve it through dialogue, if possible.
- If there are persistent breaches of this policy, or repeated or grave episodes of harassment, the staff member concerned may be dismissed.
- In case of a criminal offence the police will be informed, this policy should never replace our obligation to report a crime.

➤ Internal procedure concerning EBU members, including elected members of the Board, committee members and project partners

- If an EBU member or partner (including EBU Board members, committee members, project partners or attendees), is accused of harassment the accusation is investigated by the designated team in the form of a discussion and email exchange as needed.
- In the case that harassment has taken place, the harasser will receive a verbal and written warning.
- If deemed appropriate, a meeting is organised to discuss the issue and resolve it through dialogue if possible.
- If there are persistent breaches of this policy, or repeated episodes of harassment, the issues will be referred to the EBU Officers who may choose to prevent the member/ partner from attending EBU events and meetings.
- In case of a criminal offence the police will be informed, this procedure should never replace our obligation to report a crime.

➤ **Alternative legal remedies**

Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through agencies or the courts.

➤ **The role of EBU's designated team:**

When one of the members of the designated team receives a complaint of harassment, he/she will:

- Immediately record the dates, times and facts of the incident(s)
- Ascertain the views of the complainant as to what outcome he/she wants
- Ensure that the complainant understands EBU's procedures for dealing with the complaint
- Keep a confidential record of all discussions
- Ensure that the complainant knows that they can lodge the complaint outside of EBU in line with our workplace regulations, including to the police in the case of a criminal offence.

Implementation of this policy

- The EBU Director keeps this policy updated according to the French law and best practice.

- Members of the designated team as well as other staff and Board members interested follow a training concerning harassment.
- All EBU staff are reminded annually of the anti-harassment workplace regulations, and who to address in the case of a concern.
- The EBU Board and membership, and our project partners are made aware of this policy and frequently reminded of its importance (for example at the beginning of a General Assembly or conference).
- All new staff and EBU members are informed of this policy
- All EBU members, partners and third parties are made aware of the policy as it is published on the EBU website.
- Any staff member who faces, witnesses or is reported harassment should notify one of the members of the designated team - this can be done in strict confidence.
- EBU will ensure that procedures to file a complaint with EBU are accessible (for example, request sign language interpretation where needed).

Monitoring and evaluation

EBU recognises the importance of monitoring this anti-harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether it is effective.

The members of the designated team will report to the EBU Board on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done every four years, at the end of each working period. As a result of this report, the incoming EBU Board, at the beginning of each working period will evaluate the effectiveness of this policy, make any changes needed and appoint the members of the designated team.

End of document

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