

The World Bank Group Policy on Eradicating Harassment Guidelines for Implementation

1.0 Introduction

The World Bank Group is committed to fostering a workplace free of harassment and intimidation, where all staff can work together with openness, trust and respect for differences. Staff are expected to conduct themselves in accordance with the high ethical standards of honesty and integrity articulated in the Bank Group's Core Values, Code of Professional Ethics, Principles of Staff Employment, and other applicable principles and rules.

Staff are expected to treat each other with courtesy and respect. They should at all times avoid behavior at the workplace that may create an atmosphere of hostility or intimidation. This applies to all interactions, whether with supervisors, peers or subordinates; and in all work situations, including mission travel.

Harassment on any basis—including, but not limited to race, gender, religion, nationality, color, sexual orientation, disability or age—is unacceptable. The multicultural composition of Bank Group staff adds a special challenge in defining what constitutes harassment, because behavior that might be regarded as acceptable in one culture may give offense in another. Therefore, in their interactions with others, it is important for all staff to act with tolerance, sensitivity, and respect for cultural differences.

It is important for all staff to understand what constitutes harassment. Harassment is unwelcome verbal or physical behavior that unreasonably interferes with work or creates an intimidating, hostile or offensive work environment. The behavior may be one-time or continuous: mildly offensive comments or behaviors can rise to the level of harassment if they are repeated; a single incident can be considered harassment if it is so severe that it has a negative impact on the overall working environment.

With all types of harassment, the effect of inappropriate behaviors on others, and not the intention of the harasser, is key. If an action is reasonably perceived as offensive or intimidating by another, whether intended or not, it should be stopped. Staff have a responsibility to communicate clearly to their colleagues about behavior they find offensive and would like to be stopped.

Staff should be aware that all forms of harassment may constitute misconduct, providing a basis for disciplinary action, up to and including termination of employment.

2.0 Definitions and Examples

2.1 Harassment

As described above, harassment is unwelcome verbal or physical behavior that unreasonably interferes with work or creates an intimidating, hostile or offensive work environment. It can:

- include comments (oral, written), gestures, or physical actions;

- be a single incident or a repeated, continuous pattern of behavior;
- demean, belittle or cause personal humiliation or embarrassment;
- be directed at a particular person or a number of people;
- be initiated by a colleague, a supervisor or someone outside the organization;
- take place at work or during social functions related to the job;
- be linked to bias when a group of people is singled out for negative attention.

Behaviors that might constitute harassment include:

- public or private tirades by a supervisor or colleague;
- severe or repeated insults related to a person's personal or professional competence;
- threatening or insulting comments, whether oral or written, including those made through all types of electronic media;
- deliberate desecration of religious and/or national symbols;
- racial epithets, slurs, and malicious, negative stereotyping expressed toward an individual or a group directly or indirectly (e.g., circulated via e-mail, written on walls);
- malicious and false complaints of misconduct against other employees.

2.2 Sexual Harassment

Sexual harassment is a specific form of harassment that deserves particular attention due to its serious effects on individuals and the institution. The Bank Group's policy, "Eradicating Harassment in the World Bank Group" (see FYI/94/020 in the brochure, *Preventing and Stopping Sexual Harassment in the Workplace*; September 1994, revised May 1997) defines sexual harassment as any unwelcome sexual advance, request for sexual favor or other verbal, non-verbal, or physical conduct of a sexual nature which unreasonably interferes with work, alters or is made a condition of employment, or creates an intimidating, hostile, or offensive environment.

Sexual harassment includes: unsolicited requests for sexual favors, requests for sexual favors linked to career prospects, unwanted physical contact, visual displays of degrading sexual images, sexually suggestive conduct, or offensive remarks of a sexual nature. Sexual harassment may occur between persons of the opposite sexes or of the same sex. Unwelcome sexual behavior may be obvious, or it may be subtle and persistent. While typically involving a pattern of behavior, it can take the form of a single incident.

The most obvious form of sexual harassment in the workplace is a direct or implicit request for, or offer to, provide sexual favors in exchange for favorable career treatment. A wide range of other types of behavior can also constitute sexual harassment. These include:

- the repetition of suggestive comments or innuendoes;
- the exhibition of materials of a sexually-oriented nature (e.g., displaying pornographic web sites or screen savers);
- the use of crude or obscene language or gestures, or the telling of risqué or obscene jokes;
- repeated and/or exaggerated compliments about a colleague's personal appearance;
- invitations to social activities if they persist after the recipient has made clear that they are not welcome;

- deliberate and unsolicited physical contact, or unwelcome close physical proximity.

2.3 Conduct That Would Not Be Considered Harassment

Staff members must have reasonable grounds before making a complaint of harassment. All situations which appear to meet the definition ultimately may not be found to be instances of harassment. There is a wide range of ambiguous behavior that might offend some people, but not others. The key is whether or not the action was unwelcome, particularly in light of whether the recipient asked the alleged harasser to stop it, where this is possible.

Sometimes people who make remarks or gestures are not aware of their effect on others. They may think that they are being flattering, and may not realize that they are hurting the person in any way. Situations can be perceived as harassment because of differences in:

- **Power.** Often people with power or authority are not aware of the effect their behavior has on others, because they are used to saying things and not being challenged. They may not know that an employee is afraid to speak up.
- **Culture.** A flattering comment in one culture may be very inappropriate in another culture. It may even be inappropriate for a man to take notice of a woman in any way.
- **Gender.** Men and women may define harassment differently. Studies have shown that men tend to see only overt behaviors—crude jokes, outright propositions, etc.—as sexual harassment, while women include more subtle behaviors.

It is important to note that supervisors may make negative decisions (e.g., about performance or work assignments), which do not, in themselves, constitute harassment. Supervisors have a responsibility to give frank and constructive feedback, and to take appropriate corrective action. Such feedback and actions should not be used to demean staff or as retaliation.

3.0 Harassment on Mission

The Bank Group's harassment policies, Core Values, Code of Professional Ethics and Staff Rules are operative no matter where staff conduct their work. No staff member on mission should take advantage of the forced proximity to press unwelcome attentions on another member of the mission, or on staff working in Country Offices. Members of mission teams should avoid all forms of behavior that could be interpreted as harassment, particularly in the context of local cultural norms. Similarly, Bank Group managers and staff should be sensitive to the problems which may arise from behavior of country officials toward members of mission teams that might be interpreted as harassment.

Country Directors, Resident Representatives, managers, and mission leaders are expected to act promptly, when behavior that might constitute harassment on the part of mission team members or country officials, comes to their attention (see table below, "Spectrum of Bank Group Conflict Resolution Resources," for avenues of guidance on addressing incidents of harassment).

Country Office staff who feel harassed by visiting missions, or staff who feel harassed in the Country Office are encouraged to discuss the matter with the Country Director, the Resident Representative, their manager or mission leader, or an Anti-Harassment Adviser (AHA) in the field or in Washington. If any of these individuals is the harasser, staff should contact one of the Conflict Resolution System resources shown in the table below.

Spectrum of Bank Group Conflict Resolution Resources

INFORMAL CHANNELS			FORMAL CHANNELS			
Ombudsman Office	Sr. Adviser, Gender Equality	Sr. Adviser, Racial Equality	Mediation	Professional Ethics Office	Appeals Committee	Administrative Tribunal
Neutral, independent, confidential source of advice on individual situations, rules, options, strategy; can intervene directly to ensure due process, fair treatment, through “shuttle diplomacy” & facilitated agreements. Refers staff to other sources of conflict resolution.	Promotes diversity & gender equality through policy formulation & direct assistance to staff.	Promotes diversity & racial equality through policy formulation & direct assistance to staff.	A voluntary, confidential structured process for disputing parties facilitated by a neutral professional mediator. Parties are the decision-makers in this process.	Advises staff on actions that may constitute misconduct. Conducts investigations of staff misconduct. Refers staff to other sources of conflict resolution.	Provides a hearing for grievances before an unbiased panel of peers.	Generally for cases that already have been heard by the Appeals Committee. Disputes are reviewed by an international, independent body. Decisions are binding.

ADDITIONAL CONFLICT RESOLUTION RESOURCES

Human Resource Counselors/staff	Anti-Harassment Advisers	Staff Association	Health Services Counseling Services	Appeals Committee Counselors
Advises staff on rights and obligations under Staff Rules and how complaints might be best resolved.	Provides staff neutral sounding board for airing concerns. Advises on options, helps establish contacts with other members who provide conflict resolution services.	Assist staff with grievances.	Offers confidential counseling on personal problems; provides consultation services for managers on how to help staff who have personal problems.	Provides advocacy and counseling assistance to staff wishing to file an appeal.

4.0 Role of the Institution

As stated in the Code of Professional Ethics, the Bank Group strives to foster a productive work

place free from harassment and discrimination, in which the dignity of each individual is fully respected. Managers and supervisors have the responsibility to monitor their work environment and must take all necessary action to prevent and stop harassing behavior.

Managers shall make themselves available to staff members who may wish to raise concerns in confidence, and shall deal with such concerns in an impartial and sensitive manner. Managers shall endeavor to create an atmosphere in which staff feel free to express concerns about inappropriate behaviors and to use, without fear of reprisal, the existing institutional channels for conflict resolution.

Managers have a particular responsibility to set positive examples. In their daily actions and communications with staff, they must make clear that harassing behaviors will not be tolerated. Everyone in line management must take reasonable action to prevent harassing behavior and retribution for bringing concerns forward. Managers who knowingly permit harassing or discriminatory behavior will be held accountable and may be subject to disciplinary action.

5.0 Avenues of Assistance: The Conflict Resolution System

A staff member who feels that he or she is being subjected to harassment should first, where possible, make his or her disapproval clearly known to the individual(s) concerned and ask that the behavior stop. If the circumstances make that too threatening, the Bank Group, through its integrated Conflict Resolution System (CRS), provides a variety of resources and informal and formal means for staff to have their concerns and allegations addressed (see table above).

5.1 Informal Complaint Process

The informal process is intended to provide a means for solving problems before parties become adversarial, through avenues which enable a staff member experiencing harassment to communicate with the person who is offending him/her in an open, honest and non-threatening manner. It is hoped that through discussion or mediation, parties will understand each other's point of view, and problematic behavior will cease.

If the staff member is uncomfortable about approaching the harasser, he/she should seek the guidance of a third party, such as the supervisor, a Human Resources Counselor, other Human Resources staff, a Staff Association Counselor, an Anti-Harassment Adviser, the Ombudsman, the Senior Advisers on Racial Equality and Gender Equality, or the Manager, Mediation Office.

In cases where the harassment is not egregious or chronic, an attempt may be made to resolve the matter informally. If both parties concur, the Mediation Office or the Ombudsman's Office can provide an opportunity for the aggrieved party to express his or her feelings and to ask for specific remedies.

5.2 Formal Complaint Process

If the matter is not suitable for mediation, or if one or both parties refuse mediation, the complainant can file a formal complaint with the Professional Ethics Office. The Professional

Ethics Office will conduct a fair, prompt, and thorough investigation as outlined in Staff Rule 8.01.

Investigations will be pursued as a harassment complaint only when it appears that:

- the complaint relates to harassment as defined in this policy;
- the complaint appears to have substance and to have been made in good faith.

The complainants will be informed if the incident does not constitute harassment, and therefore will not be investigated under Staff Rule 8.01. In such cases, they will be advised of the different avenues that can be taken to resolve the situation (e.g. a confidential review of the situation by Human Resources to determine if there is something that might be interfering with objective and positive operations in the work unit).

6.0 Follow-Up on Complaints

Once a complaint is resolved, managers and supervisors will monitor the situation closely to ensure that all parties to the complaint make the transition back to their assigned work as smoothly and as quickly as possible. Managers and supervisors will also monitor their work environment closely to ensure that there is no potential for repeating the improper behavior.

7.0 Actions to Take if Accused of Harassment

An accusation of harassment should be taken seriously regardless of whether or not it appears to be reasonable. A person accused of harassment should take into account how the accuser perceived the behavior in question.

A person accused of harassment may wish to discuss the matter with an objective third party. It is important to keep in mind that the CRS resources are available to those accused of harassment as much as to those who feel harassed. Members of the CRS will explain the options available for, and possible ways of, resolving the problem (e.g., how to talk constructively to the complainant).

8.0 The Role of Third Party Observers of Harassment

There may be situations where a staff member observes or is aware of a situation where harassment has occurred. In such situations, it is highly desirable for the observer to contribute to stopping the harassment for several reasons. Helping a colleague in need is good practice. Also, the person who is harassing a colleague could, over time, also harass others, including the observer. The harassment may create an environment of hostility that interferes with the work of the larger group.

The observer may act in several ways. She or he might talk to the person who is being harassed and encourage the person to seek advice. If the observer actually witnesses the offensive behavior, she or he could tell the person responsible that the behavior made the observer

uncomfortable.

The observer of harassment should inform a manager. It would not, however, be appropriate for the observer to directly lodge a formal complaint on behalf of a person who is subjected to harassment. In cases where the person who is being harassed does not wish to lodge a formal or informal complaint, the observer could seek advice from one of resources for conflict resolution without disclosing the names of the parties involved.

Witnessing an incident of harassment can be traumatic to the observer. The resources outlined in the table above are also available to observers of harassment. Observers can talk informally with the conflict resolution resources without disclosing the names of the parties involved.

9.0 Freedom from Retaliation

A person who in good faith brings a complaint of harassment should not be subjected to retaliation. Staff Rule 8.01 prohibits retaliation against anyone who files a complaint in good faith, and retaliation in itself constitutes misconduct subject to disciplinary action.

Retaliation is any unwelcome attempt to discriminate against a staff member or deleteriously affect the terms and conditions of a staff member's employment or work environment which is motivated by the staff member's having made a complaint of harassment. Adverse actions taken against a complainant that appear to stem from the registering of a complaint or from using the Bank Group's grievance procedures will be thoroughly investigated.

10.0 Confidentiality

All managers, staff members, and other persons who are aware of a harassment complaint, or are involved in its resolution, must recognize the seriousness of the situation and respect the sensitivity and confidentiality that must be accorded to the matter. They must refrain from discussing the complaint amongst themselves or with anyone who does not have a "need to know." Every effort will be made to preserve the dignity and self-respect of the parties to the complaint.