

# **ANNEX XX - DECISION OF THE SECRETARY-GENERAL CONCERNING THE POLICY TO PREVENT AND COMBAT HARASSMENT**

## **PREVENTING AND DEALING WITH HARASSMENT AT THE OECD**

### **POLICY AND GUIDELINES**

1. All OECD staff members have the right to be treated with dignity and respect and to work in an environment which fosters professional respect and courtesy. Harassment of any kind at work, or in connection with work performed on behalf of the Organisation, will not be tolerated and may give rise to disciplinary action.
2. All staff, regardless of their grade and contract status, share the responsibility for preventing harassment and maintaining a harmonious working environment. This implies that, in accordance with the standards of conduct expected in the relevant provisions of the Organisation's staff rules, they shall treat each other with respect and due regard for individual dignity so as to ensure that the workplace is free of intimidation, hostility or offensive behaviour and, in particular, of any form of harassment. In an international environment like the OECD we must all be aware of the fact that our own cultural norms and values may not be shared by colleagues and be sensitive to misunderstandings or differences of opinion based on those differences of culture. But these differences cannot be used as an excuse for harassing behaviour.
3. Managers at all levels have a key role and bear special responsibility for preventing the occurrence of any form of harassment. They should foster a positive working environment and, in their leadership, display a willingness and ability to deal effectively with harassment when it does occur, in particular by being responsive to and supportive of any staff member who complains about such conduct. They must set a good personal example and pay attention to signs of a deteriorating work atmosphere. They shall ensure that the Organisation's policy and guidelines on harassment are communicated to and understood by all their staff, and that they are applied in the workplace.
4. Any retaliation or threat of retaliation against individuals making formal or informal complaints of harassment, or participating in the investigation of such complaints (for example, as witnesses), will be considered a violation of acceptable standards of conduct and will result in disciplinary action. At the same time, any accusation or complaint shown to be made in bad faith will also be considered a violation of acceptable standards of conduct and will be treated in the same manner.
5. This policy will regularly be reviewed in order to ensure its effectiveness.

## **Personal harassment**

6. Personal harassment is any repeated behaviour or pattern of behaviour that is reasonably regarded as aimed at creating a hostile work environment. It may be perpetrated by an individual or by a group. It includes behaviour which, in violation of the right to dignity at work, demeans, belittles or causes humiliation or embarrassment to an individual, or unfairly compromises the individual's career prospects.

While an isolated incident of such behaviour may infringe the right to dignity at work, personal harassment takes the form of an accumulation of incidents, even when each incident, taken in isolation and out of context, could be seen as trivial.

7. Even though there may be "grey" situations, personal harassment should be distinguished from other types of behaviour that may be detrimental to another individual's working conditions, but that are manifestly unintentional, or are attributable solely to poor management skills. For example, the behaviour of a manager or colleagues who fail to keep staff informed of important business developments as a result of poor organisation would not, *prima facie*, be considered personal harassment. On the other hand, the behaviour of a manager or colleagues who sabotage an individual employee's work by deliberately withholding information that is required to fulfil a task, and who do so repeatedly, would, *prima facie*, present the characteristics of personal harassment.

## **Sexual harassment**

8. Sexual harassment is any sexual advance, request for sexual favour, or other type of conduct of a sexual nature, whether verbal, physical or otherwise, which is offensive and unwelcome, which interferes with work, is made a condition of employment or advancement, in other ways adversely influences, or tries to influence, the career of the person subjected to it, or which creates an intimidating, hostile or offensive environment.

## **Harassment and abuse of power**

9. When harassment is engaged in by an official or group who is in a position to influence the career or employment conditions of the victim (including through recruitment, assignment, contract renewal, performance evaluation or promotion), it constitutes an abuse of a position of power which in itself will be regarded as serious misconduct.

## **How to respond in case of possible harassment**

10. The Organisation encourages employees who may feel they are being harassed to follow the steps listed below:

- Do not be afraid to speak up.
- Do not assume that the behaviour will stop if you try to ignore it.
- Do not hesitate to ask for help, as harassment is neither trivial nor a personal matter between staff members.

11. If you witness what may be the harassment of a colleague or if someone confides in you that he/she is being harassed, do not ignore it and do not hesitate to offer your help. Some people may be reluctant to defend themselves because they are not aware of the OECD policy and guidelines on harassment. Others, even if they are aware of them, may require support from a third party before being able to react.

## **Practical steps**

12. The first thing to do if you believe that you are being harassed is to inform the person concerned immediately and unambiguously of the unwelcome nature of his or her behaviour and ask that it cease. If you find it difficult to speak with the person concerned directly, you may prefer to write a short letter which describes the behaviour -- and records the fact that you find it unacceptable and wish it to stop. Some people may be unaware of the effect of their behaviour and will stop it when asked.

13. Keep a detailed written record of the instances of offensive conduct, indicating the time, place, and nature of the behaviour and, if possible, witnesses to it.

## **Informal procedure**

14. If dealing directly with the person concerned fails to put a stop to such behaviour -- or if you feel unable, for whatever reason, to raise the matter directly with him or her or your management -- you can consult one or more of the following persons on a confidential basis. They will meet with you privately, discuss the situation with you and make suggestions as to how to deal with it. They will explain the difference between an "Informal procedure" and an "Investigation". These people may also be available to provide mediation and resolution of the situation on an informal basis with the agreement of the different involved parties. Any informal procedure must be conducted promptly.

- the Social Advisers;
- the Organisation's doctors;
- the Human Resource Advisers;
- the OECD Mediators;
- the Staff Association.

15. If the matter cannot be resolved informally or sufficiently quickly, any of the people above can forward the matter to the Head of Human Resource Management, but only upon receipt of a written request from you outlining your complaint. The request should state your readiness to co-operate in the investigation which may follow.

## **Investigation**

16. The Head of Human Resource Management will examine the information that is submitted and if appropriate will initiate an investigation under the conditions set out in the Decision of the Secretary-General concerning the investigation procedure within the Organisation (Annex XXV to the Staff Regulations applicable to officials of the Organisation).

17. In the light of this information and, if applicable, of the conclusions of the investigation, the Head of Human Resource Management will take appropriate measures, ranging from closing the case with no further action to initiating disciplinary measures, as provided for in Regulation 21 of the Staff Regulations and the Instructions relating thereto.

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