



European Bank
for Reconstruction and Development

Harassment-free and Respectful Workplace Procedures

EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

PROCEDURE

HARASSMENT-FREE AND RESPECTFUL WORKPLACE

Section I: Purpose

This Procedure sets out processes for dealing, in the first instance, with improper interpersonal behaviour which does not befit the status of employees of an international organisation or is incompatible with the proper performance of official duties, as set out in Section 4(a)(iii) of the Staff Regulations.

Section II: Definitions and General Provisions

The capitalised terms used in this Procedure have the meaning given to them in the Glossary of Terms set out in the Directive on General Provisions and Glossary of Terms for the Staff Handbook and the general provisions set out in the Directive on General Provisions and Glossary of Terms for the Staff Handbook shall apply to this Procedure.

Section III: Legal Basis

The Code of Conduct for EBRD Personnel, Rule 2 (d).

Section IV: Scope

1.1. Initial Resolution Attempts

Bank Personnel are expected, to the extent appropriate, to initially attempt to address their concerns with the Bank Personnel whose behaviour is at issue in an open, honest, non-contentious and non-threatening manner in order to give the individual whose behaviour is at issue an opportunity to amend it.

1.2. Formal Process

- (a) When initial resolution attempts are not appropriate or have been unsuccessful, allegations of improper behaviour are reportable in writing to the Managing Director, Human Resources and Organisational Development.
- (b) The report should describe the alleged improper behaviour and include: the name of the individual whose behaviour is at issue, the name(s) of the individuals subjected to the alleged improper behaviour, the date(s) and location(s) of incident(s), a description of incident(s), names of any witnesses and all relevant evidence available.

- (c) The Managing Director, Human Resources and Organisational Development may initiate an assessment (pursuant to paragraph 1.3 below) in the absence of a written report where there is sufficient cause for concern that improper behaviour has arisen.

1.3. Assessment of allegations

- (a) Allegations of improper behaviour are assessed by the Human Resources Department with a view to determine whether, if the facts alleged were proven, misconduct may have occurred. The assessment is provided to the Managing Director, Human Resources and Organisational Development for further action.
- (b) Making knowingly false or misleading allegations of improper behaviour, verbally or in writing, may result in disciplinary action against the Bank Personnel making the allegations.
- (c) The Managing Director, Human Resources and Organisational Development, within 15 working days¹ from receipt of the allegations, shall take one of the following courses of action towards the Bank Personnel who is subjected to improper behaviour and has reported it:
 - (i) if it is assessed that no misconduct may have occurred:
 - A. recommend a facilitated resolution of the matter as provided for under paragraph 1.4 below within a set timeline; or
 - B. refer it for managerial action as provided for under paragraph 1.5 below; or
 - C. decide to close the matter with no further action.
 - (ii) if it is assessed that misconduct may have occurred: shall refer the matter for initial inquiry under the Conduct and Disciplinary Rules and Procedures.

1.4. Facilitated Resolution

- (a) Bank Personnel who is subjected to improper behaviour and has reported it and a Bank Personnel whose behaviour is at issue may agree to attempt to resolve the matter in accordance with the recommendation of the Managing Director, Human Resources and Organisational Development. Any course of action agreed by the parties, the timeline and the outcome of the facilitated resolution process shall be documented and reported to the Managing Director, Human Resources and Organisational Development.

¹ For the purposes of any time limit in this Procedure, where any act must be done within a certain period of time before or after an event, the date of the event shall not be included in the calculation. Unless stated otherwise, references to days are to working days in the Bank's Headquarters.

- (b) The failure to reach resolution within the set timeline shall result in the Managing Director, Human Resources and Organisational Development taking further action as provided for under paragraph 1.3(c) above.
- (c) The failure to implement an agreed course of action may, upon request from the Bank Personnel who is subjected to improper behaviour and has reported it, result in the Managing Director, Human Resources and Organisational Development taking further action as provided for under paragraph 1.3(c)(i) above, or initiating a new assessment.

1.5. Managerial action

- (a) Matters referred for managerial action must be addressed by implementing a resolution action plan. This is the responsibility of the line manager of the Bank Personnel whose behaviour is at issue. The line manager must present the action plan and report resolution outcomes to the Managing Director, Human Resources and Organisational Development. Implementation of the action plan and/or reporting of the resolution outcomes by the line manager to the Managing Director, Human Resources and Organisational Development shall be taken into account during the appraisal of the line manager's performance.
- (b) The Bank Personnel whose behaviour is at issue must implement the action plan within the set timeline. Implementation of the action plan by the Bank Personnel shall be taken into account during the appraisal of their performance.

1.6. Action after investigative process

The Managing Director, Human Resources and Organisational Development, on the basis of, and within 15 working days of receipt of the outcome of, the investigative process under the Conduct and Disciplinary Rules and Procedures (CDRPs), shall take one of the following courses of action towards the Bank Personnel who is subjected to improper behaviour and has reported it:

- (i) advise that the allegations are still being dealt with under the CDRPs and that the Bank Personnel shall be notified in due course of the outcome under the CDRPs;
- (ii) advise that the alleged improper behaviour was not tantamount to misconduct but has been referred for managerial action; or
- (iii) advise that the allegations do not warrant any further action and the matter has been closed.

Actions (ii) and (iii) above shall constitute an initial decision for the purposes of the Directive on the Administrative Review Process.

1.7. General considerations

- (a) The Managing Director, Human Resources and Organisational Development, with the consent of the Bank Personnel who is subjected to improper behaviour and has reported it, may extend the applicable time limits under these Procedures.
- (b) A failure by the Managing Director, Human Resources and Organisational Development to provide any written response to the Bank Personnel who is subjected to improper behaviour and has reported it within the applicable time limits is deemed to be a decision to close the matter with no further action.

1.8. Alternative processes

- (a) If allegations are raised by a Bank Personnel against individuals other than Bank Personnel present at the Bank's work place, the matter is reportable to the Managing Director, Human Resources and Organisational Development and addressed using administrative or contractual means available.
- (b) Where a report concerns the behaviour of the Managing Director, Human Resources and Organisational Development or any of their direct reports, it is reportable to the Chief Compliance Officer who follows these Procedures with necessary modifications.
- (c) Where a report concerns the behaviour of the President, a Vice-President or the Chief Evaluator, it is reportable to the Chief Compliance Officer who follows the process provided under the Code of Conduct for EBRD Personnel.
- (d) Where a report concerns the behaviour of the Chief Compliance Officer, it is reportable to the Chair of the Audit Committee who follows the process provided under the Code of Conduct for EBRD Personnel.

Section V: Waivers, Exceptions and Disclosure

Waiver

The Managing Director, Human Resources and Organisational Development may grant a deviation from a requirement of this Procedure.

Exceptions

Not applicable.

Disclosure

This Procedure will be disclosed on the Bank's website.

Section VI: Transitional Provisions

Not applicable.

Section VII: Effective Date

This Procedure is effective on 1 April 2019.

Section VIII: Decision Making Framework

Accountable

The Managing Director, Human Resources and Organisational Development is accountable for this Procedure.

Responsible

The Associate Director, Head of Employee Relations, Human Resources Department is responsible for the implementation of this Procedure.

Section IX: Review and Reporting

Review

Not applicable.

Reporting

Not applicable

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