

# HARASSMENT



## Policy on harassment

1. The Fund's Code of Conduct states that the basic values of impartiality, integrity, and discretion should govern all aspects of employees' conduct in their work. Employees are expected to treat one another, whether supervisors, peers, or subordinates, with courtesy and respect, without harassment, or physical or verbal abuse. They should at all times avoid behavior at the workplace that may create an atmosphere of hostility or intimidation. Moreover, in view of the international character of the Fund and the value that the Fund attaches to diversity, employees are expected to act with tolerance, sensitivity, respect, and impartiality toward other persons' cultures and backgrounds.
2. Employees of the Fund should not be subjected to harassment in carrying out their work at headquarters or on mission. Employees should be aware that all forms of harassment may constitute misconduct, providing a basis for disciplinary action up to and including termination of employment.

## What is harassment?

3. Harassment is behavior, verbal or physical, that unreasonably interferes with work or creates an intimidating, hostile, or offensive work environment. It can take many different forms, including intimidation or sexual harassment.
4. **Intimidation** includes physical or verbal abuse; behavior directed at isolating or humiliating an individual or a group, or at preventing them from engaging in normal activities. Behaviors that might constitute intimidation include, inter alia:
  - degrading public tirades by a supervisor or colleague;
  - deliberate insults related to a person's personal or professional competence;
  - threatening or insulting comments, whether oral or written--including by e-mail;
  - deliberate desecration of religious and/or national symbols; and

- malicious and unsubstantiated complaints of misconduct, including harassment, against other employees.
5. ***Sexual harassment*** is any behavior of a sexual nature that is unwelcome, offensive, or embarrassing to the individuals exposed to the behavior, or that creates a hostile or intimidating work environment. Sexual harassment includes sexual assault, unsolicited requests for sexual favors, requests for sexual favors linked to implied threats or promises about 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 opposite sexes or of the same sex. While typically it involves a pattern of behavior, it can take the form of a single incident; and it may be directed toward a group or toward a particular person.
  6. 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, however, also constitute sexual harassment, depending on the circumstances in which they occur. This would include, inter alia:
    - the repetition of suggestive comments or innuendos that, while perhaps minor in themselves, gain in offensiveness as they accumulate;
    - the exhibition of materials of a sexually oriented nature in the work place;
    - the use of crude or obscene language or gestures, or the telling of risqué or obscene jokes or stories;
    - repeated and/or exaggerated compliments about a fellow worker's personal appearance, or comments about his or her physical features;
    - invitations to social activities or "dates," if they persist after the recipient has made clear that they are not welcome; and
    - deliberate and unsolicited physical contact, or unnecessarily close physical proximity.
  7. Sexual harassment is particularly abhorrent when it is linked with direct or implied threats or promises about career prospects. This situation typically arises when a more senior person takes improper advantage of his or her rank to try to elicit sexual favors from a subordinate. However, it may also involve peers or other work relationships. Such behavior is wholly unacceptable and, if substantiated, will be dealt with firmly.
  8. Intimate personal relationships between supervisors and subordinates do not, in themselves, constitute harassment. However, individuals who have--or have had--such relationships with each other must not let this affect the way they carry out their job responsibilities. They must also be careful to avoid any behavior toward each other that disrupts the working environment, or creates difficulties or discomfort for others. Anyone who believes that his or her behavior may represent a conflict of interest is responsible for seeking advice about the situation and for taking steps to avoid or remedy any such conflict. Even in the absence of conflicts of interest,

- intimate relationships between supervisors and subordinates could lead to complaints by third parties about unequal treatment or favoritism. Such a relationship could also give rise to complaints by one of the participants if the relationship ends.
9. In the multicultural environment of the Fund, there is clearly room for one person to be offended by actions that might not be offensive to another person. Therefore, it is important for all staff members to exercise tolerance, sensitivity, and respect in their interactions with others. It is also important for all staff to be familiar with what constitutes harassment and the Fund's policies concerning the conduct of staff members. One important element to consider is that the definition of harassment concerns not only a person's intent in engaging in certain conduct, but also the effect of that conduct on others. Therefore, if a specific action by one person is reasonably perceived as offensive or intimidating by another, that action might be seen as harassment, whether intended or not.
  10. Another important element to consider is the extent to which the conduct interferes with the working environment. Mildly offensive comments or behaviors can rise to the level of harassment if they are repeated or become pervasive. At the same time, a single incident will be considered harassment if it is so severe that it poisons the overall working environment.
  11. Anyone who has questions about the policy on harassment, or the way it might apply to a particular situation, is encouraged to seek advice from one of the officials responsible for conflict resolution (see below).

### **Conduct that would not be considered harassment**

12. It is important to bear in mind that there is a wide range of ambiguous behavior that might offend some people, but not necessarily others. Examples might include comments on clothing, compliments about improved appearance, and even unintentionally offensive jokes that most people might find reasonable. These types of behavior would not normally be seen as harassment.
13. It is also important to note that, in the course of their work, supervisors have a responsibility to take difficult decisions, e.g., about moving people or changing work assignments. These decisions do not, in themselves, constitute harassment.
14. Also, a negative performance report, as such, is not harassment. Supervisors have a responsibility to give appropriate feedback and to take appropriate corrective action. However, such feedback should be made in a reasonable and constructive manner and should not be used as retaliation.

### **Harassment on mission**

15. Special care needs to be taken on Fund missions, where the mission members are brought together in situations that may result in close personal contact. Evidence

suggests that the incidence of harassment, including sexual harassment, in the mission environment is much greater than in the normal circumstances of work at headquarters. No staff member on mission should take advantage of the forced proximity to press unwelcome attentions on another member of the mission. Mission members should avoid all forms of behavior that could constitute, or be interpreted as, harassment. Mission chiefs are expected to act promptly, including through appropriate intervention, when such behavior comes to their attention.

16. Similarly, mission chiefs should be sensitive to the problems caused by behavior on the part of country officials toward members of the mission team that might be interpreted as harassment, including sexual harassment. For example, in some situations, it might be necessary to limit social interaction between the mission member(s) and the official(s) concerned.
17. Staff who feel harassed in the mission environment are encouraged to discuss the matter with their mission chief, or--particularly if the harasser is the mission chief--to contact one of the officials responsible for conflict resolution at Fund headquarters

#### **Role of the Fund**

18. The Fund strives for a harassment-free environment, and supervisors are expected to support this objective, including stopping harassment in the areas under their supervision. Toward this end, the Fund's *Code of Conduct* specifies:

Managers have a responsibility to make themselves available to staff members who may wish to raise concerns in confidence and to deal with such situations in an impartial and sensitive manner. Managers should endeavor to create an atmosphere in which staff feel free to use, without fear of reprisal, the existing institutional channels for conflict resolution, and to express concerns about situations which are, or have the potential to be, conflictive.
19. The Fund will provide training for staff and managers on issues related to sexual and other forms of harassment to increase staff awareness of these issues and to promote a work environment that is free from hostility or harassment of any kind.
20. The Fund provides a variety of resources for dealing with harassment and has established procedures intended to preserve confidentiality, prevent reprisal, and promptly resolve the problem, while protecting the rights of both the person bringing the complaint and the person against whom the complaint is made. However, there may be circumstances in which it might not be possible to preserve confidentiality. In particular, if an alleged offense becomes the subject of possible disciplinary action, there is an obligation to inform the person accused of the basis of the charges against him or her; if the matter becomes the subject of a Grievance Committee proceeding, the Fund may be required to turn over all relevant documentation and produce all relevant witnesses.

### **What to do if subjected to harassment**

21. Those who feel they have been subjected to harassment may face a number of difficult questions, for which there are no easy answers:
  - How should I behave toward the person responsible for the harassment?
  - How can I bring the offending behavior to an end?
  - Should I seek reassignment to get away from the individual concerned?
  - Should I make a formal complaint and, if so, what might be the result and/or consequences of this?
  - Where can I turn for reliable advice and assistance?
  
22. Experience in a variety of public and private sector institutions suggests that those subjected to harassment have found it helpful to begin by drafting, as soon as possible after the offense occurs, a record of the facts related to the event or even to draft a letter to the person who caused the offense. The process of composing such a letter helps those subjected to harassment to collect their thoughts and to determine the best way in which to address the problem. Regardless of whether the letter is actually sent to the offender(s)--or to anyone else--it could prove useful in outlining relevant facts and in building evidence should retaliation or repeated instances of the offensive behavior occur. Such a letter should include an objective statement of the facts, the person's feelings about the situation, and an explanation of what he or she thinks should happen next.
  
23. The Fund provides a number of channels to help staff deal with concerns that arise in the workplace, ranging from seeking informal advice and assistance to bringing formal complaints. These include: departmental managers, including Senior Personnel Managers and Administrative Officers; the Personnel Officers in the Staff Development Division, or the Staff Benefits Division of the Human Resources Department; the Ombudsperson; and the counselors in the Staff Counseling Services of the Joint Bank/Fund Health Services Department, who are professionally trained to deal with work-related problems of this kind.
  
24. In addition, the Fund has six Advisors against Harassment. They have been carefully selected from different departments, genders, grade levels, and nationalities, and each Advisor is provided with special training in dealing with harassment issues. Their names are listed in the front of the staff telephone book and on the Ethics web site. A staff member is free to contact any of the persons designated as an Advisor against Harassment. The names, phone numbers, and room numbers of the current six Advisors are as follows:

<b>Name</b>	<b>Telephone Extension</b>	<b>Room</b>	<b>Department</b>
Isabelle Alexandre	38231	IS9-100	HRD
Alieu Demba	37349	IS9-100	HRD
Carolyn Francis	34521	100	MED
Fernando Gaitan	38233	7-120	OMD
Prabhavathi Job	38303	9-504	TRE
Anneta Orraca-Tetteh	36953	7-308 8-700	AFR

25. The role of the Advisors is, first and foremost, to listen sympathetically to those affected by harassment issues and provide them an opportunity to discuss the problem with a third party. They also provide advice on how to deal with problems directly between the complainant and the person whose behavior caused offense (the respondent). If requested by the complainant, an Advisor may arrange for an intermediary to inform the respondent of the behavior that caused offense and, thus, give the respondent an opportunity to stop the offending behavior without further repercussions. The Advisors can also describe the procedures for initiating formal complaints that could lead to disciplinary action. While the Advisors will assist in bringing formal complaints to the Director of Human Resources, if requested to do so, they do not play any role in subsequent investigations and/or disciplinary actions. Advisors against Harassment are expected to be scrupulously discreet. To contribute to the monitoring of cases of harassment, the Advisors will maintain generic data on the incidence of harassment complaints brought to their attention.

### **Stopping offensive behavior**

#### *Informal complaints*

26. Experience suggests that most people who complain of harassment simply want the offending behavior to stop and have no wish to pursue the matter formally, provided the behavior stops. Thus, in many cases, the best course of action is for the complainant to talk with the individual whose behavior is giving offense. As an alternative, the complainant may ask an Advisor against Harassment--or other official, such as a supervisor, the Senior Personnel Manager, the Administrative Officer, a Personnel Officer, or the Ombudsperson-- to speak with the alleged offender, either alone or in the company of the complainant. Otherwise, the Advisor and the complainant may bring the matter to the attention of a more senior staff member, such as the Senior Personnel Manager of the department concerned, who would speak with the person whose behavior gave rise to the concern.

#### *Formal complaints*

27. The officials responsible for conflict resolution listed in the above paragraphs, particularly the Advisors against Harassment, stand ready to provide guidance to individuals on the procedures involved in making a formal complaint. These

procedures are set forth in General Administrative Order No. 33. Such complaints will be investigated either by a staff member designated by the Human Resources Department or by an external investigator. All formal allegations of harassment in any form will be promptly and discreetly investigated. Such investigations will be conducted on the basis of fundamental fairness, including with respect to providing those against whom allegations are made notice of investigation and an opportunity to be heard, efforts to ensure balance and thoroughness, and appropriate confidentiality. If such an investigation determines that harassment has occurred, appropriate disciplinary steps will be taken commensurate with the seriousness of the misconduct.

### **Freedom from reprisal**

28. Anyone who feels harassed, particularly by a supervisor, is likely to fear reprisal should he or she bring the matter to the attention of those in authority. However, reprisal against anyone who files a complaint in good faith is unacceptable and in itself constitutes misconduct subject to disciplinary action.
29. A person who brings a complaint in good faith should not be subjected to retaliation, and adverse action taken against a complainant that appears to stem from the registering of a complaint will be thoroughly investigated. Moreover, as part of their follow-up measures, officials responsible for conflict resolution will check from time to time with complainants to ensure that no such adverse actions have been taken.

### **What to do if accused of harassment**

30. An accusation of harassment should be taken seriously regardless of whether it immediately appears to be reasonable. The person concerned should take into account how the offended person may have perceived the behavior in question. If faced with an accusation of harassment, the person concerned may wish to discuss the matter with an objective third party. In this connection, it is important to bear in mind that the officials responsible for conflict resolution are equally available to those who are accused of harassment as they are to those who feel harassed.
31. In the bulk of cases, the person who feels offended will approach directly the person whose behavior was seen as offensive, either in person or in writing. In such cases, the most expedient course of action for the other person would be to express regret for the impact that the behavior had or to apologize, especially if the concern could be seen as reasonable, and ensure that his or her future behavior is appropriate. However, if the accusation is serious, the person accused may wish to seek advice from one of the officials responsible for conflict resolution concerning the facts, witnesses to the event, and other evidence. In such cases, the responsible official will be able to explain the options available and possible ways to resolve the problem, including how to talk constructively with the complainant.

32. In cases where two or more staff members have acted offensively toward each other, an apology from one party might elicit an apology from the other and go a long way toward resolving the conflict. Alternatively, one party may wish to seek mediation or informal intervention to help address the problem.
33. In many cases, a concern will be brought to the attention of the person accused of harassment by an informal intermediary, such as one of the officials responsible for conflict resolution. In such cases, the respondent may:
  - take note of the charge, without acknowledging fault, and ensure that his or her future behavior is appropriate;
  - express regret for having offended someone and undertake to behave appropriately in the future;
  - ask the intermediary if the complainant would be willing to discuss the problem with them directly; or
  - ask the intermediary to act as a mediator to help resolve the problem.
34. In cases where a concern is raised by an intermediary, the respondent should avoid taking up the accusation directly with the person offended--unless he or she has been given permission to do so--as that might further upset the complainant. The respondent may ask the intermediary to serve as a mediator in order to resolve the problem.
35. In some cases concerning informal complaints, the intermediary might not be willing to reveal the name of the complainant, but will describe an example of offensive behavior and simply ask whether or not offense may have been given. However, in the event that a formal complaint is made, the respondent has a right to know the name of the complainant and the substance of the complaint.
36. If a formal complaint is brought forward, all parties involved may seek advice from one of the Fund officials responsible for conflict resolution. In such cases, the respondent may wish to acknowledge having given offense and state that he or she will act appropriately in the future.
37. If a complaint is not reasonable or well-founded, the respondent should collect the facts and identify any witnesses or evidence that might be helpful to set the record straight.
38. Any supervisor who feels that an accusation of harassment may have given rise to a conflict of interest should seek guidance from a more senior staff member or from one of the Fund officers responsible for conflict resolution.

### **What to do if you observe harassment as a third party**

39. There may be situations where a staff member observes or is aware that one employee is harassing another employee. In such situations, it is highly desirable for the observer or witness to contribute to stopping the harassment for several reasons: first, helping a colleague in need is good practice; second, the person who is harassing a colleague could, in time, also harass other employees, and the observer might become a target of the harassment; and, third, the harassment may create an environment of hostility and interfere with work.
40. The observer may act in several ways. One action the observer could take is to talk to the person who is being harassed and encourage him or her to seek advice or take action as recommended above. If the observer actually witnessed the offensive behavior--e.g., abusive language in a group meeting--the observer could, in a bilateral meeting, tell the person responsible for the offense that the behavior made the observer uncomfortable as it interfered with a productive work environment.
41. It would not be appropriate for the observer to take action that would involve disclosing the name of the person who is the subject of harassment without the consent of that person. 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 the channels for conflict resolution listed above, without disclosing the names of the person who is being harassed and the person who is responsible for the harassment.

### Resources on harassment

42. The Staff Development Center (SDC), in room R-717, offers the following audio/visual materials on the subject of harassment:

Type	SDC Call Number	Title
Video	IP.I587	<i>An Introduction to the Fund's Diversity and Cultures: Succeeding at the Fund</i> produced by the IMF Staff Development Center
Video/ Book	PH.A642	<i>Anger At Work</i> --This video uses dramatic vignettes from the life of a typical manager to demonstrate tools and techniques for recognizing anger and managing responses to stressful situations before they become hostile.
Video/ Guide	IP.C425	<i>Changing Boundaries: Recognizing, Preventing &amp; Resolving Sexual Harassment</i> --This video program guides managers and employees to understand perception differences and their effect, recognize subtle forms of sexual harassment, understand legal responsibilities, recognize barriers recipients face to resolve situations, and raises common questions and concerns.
Book	IP.C658	<i>Coping with Difficult Bosses</i> by Robert M. Bramson
Audio/	IP.C66	<i>Coping with Difficult People</i> by Robert M. Bramson

Guide		
Video	PS.W6	<i>Cross-Cultural Communication and Stress in the Office</i> produced by the International Monetary Fund
Book	IP.G294	<i>Gay Issues in the Workplace</i> by Brian McNaught
Audio/ Book	IP.H6842	<i>How to Handle Conflict and Manage Anger</i> --Covers understanding conflict and anger; maintaining self-control; myths and facts about conflict and anger; who owns the problem; danger and opportunity; self-assessment of conflict management style; the dynamics of conflict; learning to work as a team; combating control and harassment; negotiating solutions; handling outer and inner conflict; and taking care of yourself.
Video/ Guide	IP.H6843	<i>How to Handle Difficult People</i> --This video program demonstrates techniques for effectively dealing with difficult people and ways to neutralize or change the difficult behaviors that can impede effective action.
Video	IP.H65	<i>Homophobia in the Workplace</i> --Explains the losses for everyone when homophobia exists in the workplace and offers keys to overcoming ignorance in a homophobic work setting.
Video/ Manual	IP.I58	<i>Intent vs. Impact</i> --Two videos that address sexual harassment from the management and employee perspectives and focus on the unique concerns of each group. It shows how to recognize the differences between friendly behavior and subtle sexual harassment, understand the laws and policies that govern sexual harassment, apply methods of resolving sexual harassment incidents, and prevent future situations.
Video/ Manual	IP.M98	<i>Myths vs. Facts</i> --Video program that shows how to deal with sexual harassment in the workplace before it results in lawsuits.
CD- Rom	IP.N66	<i>No Potential Lost</i> --This CD-Rom illuminates how diversity, relationships, and cultural dynamics can deplete or enhance performance-related energy in the workplace. Deals with masking, stereotyping, and other behaviors that sabotage performance. It also examines behaviors that become institutionalized, with consequences for the entire organization.
Video	IP.P37	<i>Person to Person: Creating Respectful Workplaces</i> --This video on sexual harassment prevention begins and ends with real people who have been harassed in the workplace telling their own stories. The objectives of the program are to teach current laws and practices related to sexual harassment, explore constructive alternatives, and clarify gray areas.
Video/ Manual	IP.P73	<i>Preventing Sexual Harassment</i> --An integrated training system designed to meet the total needs of organizations conducting programs to prevent sexual harassment.
Video/ Manual	IP.H854	<i>Sexual Dynamics</i> --Examines sexuality and related issues in the

Guide		workplace. Helps viewers understand sexual dynamics and prevent the downward slide to harassment.
Book	IP.S59	<i>Sexual Harassment: Address the New Realities of the 1990s</i> by BNA Communications
Book	IP.S594	<i>Sexual Harassment: Know Your Rights</i> by Martin Eskenazi
Video/ Guide	IP.S64	<i>So Like You</i> produced by MTI Film & Video
Book	CO.S625	<i>Speaking Up: What to Say to Your Boss and Everyone Else Who Gets on Your Case</i> by Mark Ruskin
Video/ Book	IP.T25	<i>Talking 9 to 5: Women and Men in the Workplace</i> -- Discusses how understanding conversational gender differences in style can improve communication in the workplace.
Book	IP.N45	<i>The 9 to 5 Guide to Sexual Harassment: Candid Advice from 9 to 5</i> by Ellen Bravo
Book	PD.W665 6	<i>Work it Out: Clues for Solving People Problems at Work</i> by Sandra Krebs Hirsh
Audio/ Manual	IP.W67	<i>Working With Difficult People</i> --Shows how to recognize problem behavior in the workplace and how to modify attitudes, language, and behavior in order to eliminate the problems.