

## **WORLD HEALTH ORGANIZATION CLUSTER NOTE 2001/9**

### **OFFICE OF THE EXECUTIVE DIRECTOR GENERAL MANAGEMENT**

Subject: WHO Policy on Harassment Distribution: All staff

23 March 2001

Cluster Note 99/29 dated 27 August 1999 and Cluster Note 2000/21 dated 16 August 2000, confirmed the establishment by the Director-General of a Working Group on Harassment with the mandate of establishing a harassment policy for the Organization.

The purpose of this Cluster Note is to inform staff of the Policy on Harassment. The new policy, forwarded herewith, covers all forms of alleged harassment, including sexual harassment, and supersedes all previous communications on this issue. 1

Within the context of the Human Resources Management reform, the Organization is committed to creating a work environment which is free from any type of harassment and where grievances are promptly and fairly resolved. WHO is pursuing this aim by strengthening the role of the Ombudsman function to play a leading role in informal mediation and conciliation; establishing a formal process to deal with harassment allegations; and improving people management skills and early conflict resolution capacity among supervisors.

The formal process in Headquarters includes the establishment of a Grievance Panel. Staff who would like to serve as members or alternate members on behalf of the staff should contact the HQ Staff Association for further information. Regional Offices are being asked to put in place similar processes.

## **WHO POLICY ON HARASSMENT 2**

### **POLICY STATEMENT**

1. WHO recognizes the right of all staff to be treated with dignity and respect. Harassment in the workplace or associated with work performed by WHO staff on behalf of the Organization is an abrogation of that right and thus entirely unacceptable. The WHO policy on harassment seeks to provide (a) a harassment-free work environment in which staff at all levels avoid behaviour that may create an atmosphere of hostility or intimidation; (b) support for persons subject to harassment and (c) due process for all concerned.

2. Harassment violates the standards of conduct expected of international civil servants. Behaviour determined by the Director-General to constitute harassment will thus be subject to the full range of disciplinary measures under Staff Rule 1110.

3. This policy applies to all staff members, regardless of the type or duration of appointment, as well as to former staff who allege that their separation was due to harassment, provided established time limits are respected.

#### WHAT IS HARASSMENT?

4. Harassment means any behaviour by a staff member that is directed at and is offensive to others, which that person knows or should reasonably know, would be offensive, and which interferes with work or creates an intimidating, hostile or offensive work environment. Harassment may include conduct, comment or display related to race, religion, colour, creed, ethnic origin, physical attributes, age, gender, or sexual orientation. It may involve a group or team and may occur among and between all levels of employees. It can take many different forms, including sexual harassment. The most common origin of harassment is unresolved conflict in the workplace; it is often prolonged and malicious.

5. The definition of harassment concerns not only intent but effect. Therefore, if a specific action by a person or group is reasonably perceived as offensive by another person(s), that action might constitute harassment, whether intended or not. Offensive comments or behaviours could amount to harassment if repeated or pervasive.

6. Reasonable actions by supervisors intended to encourage satisfactory levels of performance should not be considered as acts of harassment. Actions are considered reasonable if in line with the provisions of the Standards of Conduct in the International Civil Service, the Staff Rules and Regulations, or generally accepted principles of managerial and supervisory duties and responsibilities.

7. Supervisors sometimes have to take difficult decisions, e.g. moving staff or allocating new work assignments. Clearly these decisions do not in themselves constitute harassment. However, when the duties assigned are patently and deliberately unrealistic, with the aim of undermining self-esteem and confidence, such actions may be construed as harassment.

8. Sexual harassment means any unwelcome sexual advance, request for sexual favours, or other verbal or physical conduct of a sexual nature, when it interferes with work, is made a condition of employment, or creates an intimidating, hostile or offensive work environment. When the harassment is committed by a staff member who is in a position to influence the career or employment conditions of the staff member, sexual harassment is more offensive. In this situation the sexual harassment also constitutes an abuse of power.

9. Most cases of sexual harassment fall into one of two categories:

- Hostile Work Environment: verbal or other conduct of a sexual nature that interferes with work, or creates an intimidating, hostile or offensive work environment.

- Quid Pro Quo: acceptance or rejection of sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature that is used as a basis for an employment decision, or is made a condition of continued employment.

10. Examples of behaviours that might constitute harassment are:

- public outbursts directed at a staff member that degrade the staff member;
- deliberate and unjustified attempts to discredit a staff member;
- menacing comments, whether oral or written (including e-mail);
- malicious and/or unsubstantiated complaints of harassment;
- deliberate isolation of a staff member;
- unwelcome verbal or physical conduct of a sexual nature;
- unwelcome sexual advances, pressure for unwelcome social activity outside the workplace, suggestive remarks, innuendoes or lewd comments, displays of pornography, suggestive gestures, written communications or objects of a suggestive nature (including e-mail).

## PREVENTION

11. Prevention is always better than cure. Therefore:

- All staff will be made aware of this policy, including new staff. The policy will be available on the WHO Intranet.
- All staff are expected to create a harmonious and collegial work environment that can prevent harassment. Supervisors have a special responsibility to uphold this policy, and to make every effort to stop harassment while maintaining objectivity and neutrality. Senior supervisors should discuss this policy with all supervisors to explain their responsibilities and accountability, and ensure that they are aware of the resources available to assist them.
- The recruitment and selection of supervisory staff should focus not only on their technical competence but also on their people management skills. Every effort will be made to enhance supervisors' skills in early conflict resolution.

## CONFLICT RESOLUTION

12. Complaints can often be resolved informally. Experience suggests that most people who complain of harassment simply want the offensive behaviour to cease. If it is not possible to defuse the situation by talking to the individual whose behaviour is giving offence, help should be sought from the supervisor and/or the Ombudsman. The Ombudsman may, in any case, be

notified of the situation at this stage and has the authority to intervene, with the staff member's consent, by informally investigating the alleged behaviour and facilitating conflict resolution among the parties (individually or as a group). In the case of informal complaints, the Ombudsman may recommend appropriate action to the Regional Director/Director-General.

13. If conflict resolution efforts are unsuccessful, or considered inappropriate, staff may resort to the formal process.

## ISSUES

14. Among the issues that may be raised by persons who feel they are being harassed are:

- How should I behave towards the person I feel is harassing me?
- How can I put a stop to it?
- Should I seek a reassignment to get away from the individual(s) concerned?
- To whom can I turn for advice and assistance?
- Can I talk about it safely and confidentially?

15. While no two cases are identical, the following pointers may assist:

- Begin drafting a record of the facts, as you see them, as soon as possible. This helps to collect your thoughts and assists you in focusing on how best to address the problem.
- WHO has a range of channels to help staff deal with workplace-related concerns. These include: the Ombudsman, department directors, human resources officers, the Staff Counsellor and the Staff Association. The Joint Medical Service is available for emergency treatment and health counselling. Appropriate channels are to be identified in the Regional Offices. The Ombudsman in Headquarters serves as a confidential focal point in cases where regional arrangements have not been established.

## OTHER

16. Confidentiality. Anyone who is aware of harassment complaints, or involved in their resolution, must respect the sensitivity of these matters and the need for confidentiality. All related information and documentation will therefore be kept and transmitted as confidential/privileged material. Failure to respect such confidentiality may be subject to disciplinary action.

17. Retaliation. Any retaliation or threat of retaliation against a person making a harassment complaint or assisting in the investigation of a complaint is unacceptable and will be subject to disciplinary action. This applies also after a case is closed.

18. False/unfounded allegations. Allegations of harassment can have serious consequences. Making such an allegation knowing that it is false is clearly unacceptable. False allegations of harassment will be subject to disciplinary action. In the case of complaints determined to be unfounded, but made in good faith, steps may be taken to protect the reputation of all parties.

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