

Purpose

To ensure that Spinal Injuries Scotland (SIS) provides its employees with a work environment that is free from unlawful harassment.

Scope

This policy applies to all SIS employees.

Policy

The charity has adopted a zero-tolerance policy toward all forms of unlawful harassment. This zero tolerance policy means that no form of unlawful discriminatory or harassing conduct by or towards any employee, volunteer or other person in our workplace will be tolerated. The charity is committed to enforcing its policy at all levels within the organisation. Any employee, volunteer or member who engages in prohibited discrimination or harassment will be subject to discipline and/or sanctions.

Definitions

Harassment is defined as any unwanted physical or verbal conduct that offends or humiliates the recipient, that interferes with their ability to work and learn or leads to adverse job-related consequences, and that any reasonable person ought to have known would be unwelcome. It does not include the legitimate exercise of supervisory authority regarding performance reviews, work evaluations, or valid disciplinary measures. It may include direct or implied threats of firing, loss of promotion or loss of pay raise, or may create an intimidating, hostile, or offensive work setting. Examples of harassment include, but are not limited to, racial or sexual slurs, name calling, racist or sexist jokes, negative stereotyping, physical assault, bullying, threats, demeaning pictures, posters and graffiti. Such behaviour can be either in person, by telephone, letter, e-mail or any other form of communication.

Harassment includes, but is not limited to, the following categories of behavior, whether the behavior occurs once or many times:

a) Discriminatory behavior

Discrimination refers to treating people differently, negatively, or adversely because of one or more of the following prohibited grounds of discrimination: race, color, ancestry, place of origin, political belief, religion, age, sex, sexual orientation, marital status, family status, physical or mental disability, or pardoned criminal conviction.

b) Personal harassment

Personal harassment includes objectionable conduct, comment, or display made on either a one-time or continuous basis that demeans, belittles, or causes personal humiliation or embarrassment on the part of the recipient. It may or may not be linked to discriminatory behavior.

c) Sexual harassment

Sexual harassment refers to any conduct, comment, gesture, or contact of a sexual nature, whether on a one-time basis or a series of incidents, that might reasonably be expected to cause offence or humiliation or that might reasonably be perceived as placing a condition of a sexual nature on

employment, an opportunity for training or promotion, receipt of services, or a contract. Examples of behavior that can constitute sexual harassment include, but are not limited to:

- unwanted touching, patting or leering
- sexual assault
- enquiries or comments about a person's sex life or telephone calls with sexual overtones
- gender-based insults or jokes causing embarrassment or humiliation
- repeated unwanted social or sexual invitations
- inappropriate or unwelcome focus/comments on a person's physical attributes or appearance

d) Bullying

Bullying consists of behavior to attack and diminish another by subjecting the recipient to unjustified criticism and trivial fault-finding, humiliating the recipient (especially in front of others), and/or ignoring, overruling, isolating and excluding the recipient.

Reporting Procedure

All staff must be appropriately trained in reporting requirements so that they understand what, when and how to report an incident as well as being made aware of the comprehensive measures that have been put in place to protect them. They must be encouraged to report and when reporting, fully supported by their management structure. They must never be prevented or discouraged from reporting non-physical assaults.

- a) Any SIS employee who believes that s/he has been subjected to unlawful harassment of any kind has the responsibility to report the harassment immediately to her or his Manager. If the employee is uncomfortable reporting the harassment to her or his Manager (whether because the Manager has committed the harassment, or for any other reason whatsoever), the employee must report the harassment to the Chair of the organisation.
- b) The organisation is committed to taking all reasonable steps to prevent harassment, and will make every reasonable effort to promptly and completely to address and correct any harassment that may occur. However, the organisation cannot take prompt and effective remedial action unless each employee assumes the responsibility of reporting any incident of harassment immediately to an appropriate supervisory employee.
- c) Every report of harassment will be investigated promptly and impartially, with every effort to maintain employee confidentiality.
- d) The complainant and the accused will be informed of the results of the investigation. If the organisation finds that its policy has been violated, it will take appropriate corrective and remedial action, up to and including discharge of offending officers or employees, and/or similarly appropriate action towards offending volunteers, members, or other external parties.

Reporting Without Fear of Retaliation

- a) No SIS employee will be retaliated against for reporting harassment. This no-retaliation policy applies whether a good faith complaint of harassment is well founded or ultimately determined to be unfounded.
- b) No SIS employee, director or manager is authorised, or permitted, to retaliate or to take any adverse employment action whatsoever against anyone for reporting unlawful harassment, or for opposing any other discriminatory practice in the workplace.