

## SEXUAL AND OTHER HARASSMENT PREVENTION POLICY<sup>1</sup> [EFFECTIVE OCT. 2018]

EWMI is dedicated to maintaining a work environment free from all forms of harassment and intimidation. Sexual harassment is not permitted in any EWMI workplace, and EWMI will not tolerate any unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual, racial, ethnic or otherwise offensive nature. Sexual harassment is a form of gender discrimination, and is prohibited by the law.

### SCOPE OF POLICY

This policy shall apply to all EWMI associates, both in the US and overseas. Complaints of prohibited conduct may be made by any EWMI Associate and any other person who may have been subject to prohibited conduct on the part of a EWMI Associate in a work-related situation. This policy also applies to all EWMI offsite functions such as company parties, outings, business trips and conferences, and other business-related social occasions.

### SEXUAL HARASSMENT

The Equal Employment Opportunity Commission (EEOC) Guidelines define sexual harassment as: “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.” Sexual conduct can be verbal, physical, in writing or in pictures. Sexual harassment creates a hostile or intimidating work place and interferes with an employee’s job performance. Sexual harassment can include claims by members of the opposite or the same sex. Two distinct types of sexual harassment are recognized:

“Quid pro quo” harassment: Committed by a supervisor when the unwelcome sexual conduct is either implicitly or explicitly made a term or condition of employment; or submission to unwelcome sexual conduct or advances is used

as the basis for making an employment decision. This conduct occurs when an employer or supervisor offers to trade an employment benefit for any kind of sexual favor (e.g. promising to promote an employee in exchange for going on a date with a supervisor or punishing an employee who rebuffs a supervisor’s advances).

- “Hostile environment” harassment: Conduct that creates an intimidating, hostile or offensive work environment and interferes with an individual’s work performance. This form of harassment may be committed by anyone, including a supervisor, co-worker, volunteer, or even a third party non-employee (e.g., vendor, client, or independent contractor).

A hostile environment may arise out of a totality of circumstances including but not limited to: comments or actions that are based on the victim’s gender (or other characteristic protected by law, i.e., age, sexual orientation, religion, disability, race, color, etc.); are unwelcome or unwanted; are offensive from an objective and subjective perspective; or are sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an abusive environment. Examples of conduct that may create a hostile work environment include:

1. This policy has been developed based on applicable US law and UN guidelines, including Section 3 of the UN Secretary-General’s Bulletin – Special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13) and (ST/SGB/2008/5). See also EWMI US and Expatriate Employment Policies (EWMI Policy 01 and 02), Whistleblower Policy (EWMI Policy 03), and Code of Conduct (EWMI Policy 07). For New York State-based employees, Section 201-g of the New York State Labor Law applies.

2. EWMI associates include all board members, officers and employees (whether full-time, part-time, or temporary).

3. Any other person means independent contractors, vendors, gratis personnel (including interns) or other than EWMI Associates.

- Unwelcome touching
- Telling or e-mailing sexually explicit or demeaning jokes or using innuendo
- Suggestive comments about appearance or dress
- Suggestive, insulting or obscene comments
- Standing/sitting too close to someone, following an employee or blocking his/her way
- Displaying sexually explicit magazines or cartoons or calendars showing individuals in bathing suits or underwear (e.g., display of inappropriate images on a computer screen)
- Using crude or offensive language
- Derogatory gestures
- Displaying literature, posters, or other material that negatively depicts members of a particular group
- Discussion about sexual thoughts, fantasies, or activities
- Leering, catcalls, or sexual gestures with hands or body
- Unwanted communications that are personal in nature, including text messages, phone calls, letters, etc.
- Repeated requests for a date, even in jest, with someone who is not interested

Other prohibited forms of sexual harassment include:

- Sexual favoritism
- Sexual stereotyping – i.e., judgments made based on the victim's perceived gender characterization or non-conformance with gender stereotypes, rather than individual job performance
- Sexual harassment against women (by women or by men)
- Sexual harassment against men (by women or by men)

The above list is not exhaustive as sexual harassment can include any conduct of a sexual nature which is unwanted or unwelcome by the recipient.

## REPORTING

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted or unwelcome.

EWMI recognizes that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her staff) and that it may not be possible for the victim to inform the alleged harasser. If a victim feels that he/she cannot directly approach an alleged harasser, he/she can approach any of the following: the Chief of Party, the Program Director, the Director of Internal Audit and/or the Vice President/s to report a complaint of sexual harassment. These persons are required to report it immediately to the Director of Internal Audit, to the Vice President/s and/or the President. Any complaints about the conduct of the President should be addressed to the Board of Directors.

If you believe that you have been subjected to sexual harassment, you are encouraged to complete the **Sexual Harassment Complaint Form** and submit it to any of the following: Chief of Party, Program Director, Director of Internal Audit and/or the Vice President/s. You will not be retaliated against for filing a complaint. If you are more comfortable reporting verbally or in another manner, EWMI will complete this form, provide you with a copy and follow its sexual harassment prevention policy by investigating the claims as outlined at the end of this form

EWMI will take prompt and effective corrective action when sexual harassment has been reported. EWMI will take all possible measures to investigate sexual harassment complaints with strict adherence to the confidentiality principle; if and when it is unable to guarantee full confidentiality, EWMI will inform the harassment victim in advance and seek his/her input and concerns. EWMI will require employees to cooperate with management during any investigation of sexual harassment. If EWMI determines that a violation of this policy has occurred, EWMI will take appropriate disciplinary action, which may include verbal or written warning, withholding promotion, termination, etc. If applicable law requires reporting the allegations to appropriate outside authorities, EWMI will do so.

EWMI will not in any way retaliate against an individual who submits a complaint of

harassment, nor permit any officer, supervisor or employee to do so. Any complainant who feels that he or she has been subjected to any act of retaliation should immediately report such conduct to EWMI's President or Vice President/s. If the concerns are about the conduct of the President, concerns should be addressed to the Board of Directors. Any person who retaliates against another individual for reporting any perceived acts of harassment will be subject to disciplinary action, up to and including discharge, in accordance with EWMI's Whistleblower Policy.

**MALICIOUS ALLEGATIONS**

All EWMI associates must treat this policy with respect and must not abuse its provisions with any malicious, false or bad faith allegations.

**TRAINING**

EWMI will annually provide training and require each employee to attend a training program on sexual harassment awareness and prevention, and will require all employees to certify that he or she has attended such training.

**NOTIFICATION**

This policy will be distributed to all directors, officers and employees.