



## **CRCC Asia Anti-Discrimination, Harassment, and Bullying Policy**

- 1 **CRCC Asia's policy on bullying and harassment**
  - 1.1 CRCC Asia is committed to maintaining a healthy and safe learning, living and working environment that promotes responsibility and respect in all matters in any CRCC Asia program or activity. As part of this commitment, CRCC Asia prohibits discrimination and harassment on the basis of race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with applicable law. This conduct and any retaliation or intimidation associated with it is prohibited by CRCC Asia and may also violate applicable law. CRCC Asia expects that its program participants and employees, as well independent contractors, consultants, volunteers or vendors doing business or providing services to CRCC Asia will conduct themselves appropriately and refrain from behavior that violates these and other CRCC Asia policies. Accordingly, individuals who discriminate against or harass or bully others in violation of this policy, regardless of whether such conduct rises to the level of unlawful discrimination or harassment, may be subject to disciplinary action, up to and including immediate termination of employment, association with CRCC Asia, or dismissal from a CRCC Asia program.
  - 1.2 This policy applies to:
    - 1.2.1 All participants on our programs.
    - 1.2.2 All CRCC Asia staff.
    - 1.2.3 All of our host companies and independent contractors, consultants, volunteers or vendors doing business or providing services to CRCC.
  - 1.3 Any person falling within one of the categories listed in 1.2 is required to read this policy and to ensure that they understand what types of behaviour are unacceptable. If you are a participant and have any queries, please send them to your Admissions Advisor if you have not yet started your program, or the CRCC Asia Program Manager in your program location if you have started your program. If you are a CRCC Asia staff member, an employee of a host company, or an independent contractor, consultant, volunteer or vendor you should direct all queries to CRCC Asia's Director of Programs
  - 1.4 We may amend this policy at any time and decide to follow a different procedure where we consider it appropriate.
- 2 **Harassment**
  - 2.1 The harassment of any of our participants is unacceptable behaviour. Any allegations of harassment will be investigated on a case by case basis, but:



- 2.1.1 Any participants found to be in breach of this policy in relation to their fellow participants may be dropped from their program with no refund of fees given in accordance with the terms of the CRCC Asia Participation Agreement.
- 2.1.2 Any CRCC Asia staff found to be in breach of this policy may be subject to the investigation and resolution procedure set out in section 6 of the Staff Handbook.
- 2.1.3 If a host company or other third party is found to be in breach of this policy, this may result in an intern being removed from their internship and/or their relationship with CRCC Asia being terminated.
- 2.2 Harassment may take many forms (including bullying), occurs on a variety of different grounds and can be directed at one person or a number of people. Harassment need not be directed at the complainant and can occur if the complainant witnesses another person being harassed.
- 2.3 Harassment involves subjecting an individual to conduct which is unwanted and where the conduct has the purpose or effect of violating the victim's dignity, or creating an environment that is intimidating, hostile, degrading, humiliating or offensive to the victim.
- 2.4 Harassment also occurs where the perpetrator engages in unwanted conduct of a sexual nature and that conduct has the purpose or the effect referred to above. An individual of any gender may be the victim of sexual harassment.
- 2.5 A person will also commit harassment if they (or anyone else) engage in unwanted conduct (of a sexual nature or otherwise) that has the purpose or the effect referred to above and the victim either rejects or submits to it and, because of that rejection or submission, that person treats the victim less favourably. For example, it will be harassment for a manager whose repeated advances to a more junior female employee have been consistently rebuffed subsequently to give the woman a poor performance review because she had rejected him.
- 2.6 Conduct usually becomes harassment if it continues even though it has been made clear that it is regarded by the recipient as offensive or unwanted. However, a single incident may amount to harassment if it is sufficiently serious.
- 2.7 The unwanted nature of the conduct distinguishes harassment from friendly behaviour that is welcome and mutual. Staff must always consider the whether their words or conduct may be considered offensive.
- 2.8 Harassment can occur whether or not it is intended to be offensive, as it is the effect on the victim which is important, not whether or not the perpetrator intended to harass them. Harassment or bullying is unacceptable even if it is unintentional.
- 2.9 Harassment may relate to:
  - 2.9.1 age;
  - 2.9.2 disability (past or present);
  - 2.9.3 gender reassignment;
  - 2.9.4 race, colour, nationality, ethnic or national origins;
  - 2.9.5 religion or belief;
  - 2.9.6 sexual orientation;
  - 2.9.7 power or hierarchy; or
  - 2.9.8 willingness to challenge harassment (leading to victimisation).



- 2.10 The phrase 'relate to' is very wide and therefore covers harassment based on a perception of another person (for example that the person is gay, or is disabled, whether or not this perception is correct and even if the perpetrator knows that their perception is, in fact, wrong) and harassment that occurs because someone is associated with another person (for example, someone who is harassed because they care for a disabled person, or who is harassed because they are friends with a transsexual person, or a white worker who sees a black colleague being subjected to racially abusive language which also causes an offensive environment for her).
- 2.11 Whilst not an exhaustive list, forms of harassment include:
- 2.11.1 physical contact and obscene or offensive gestures;
  - 2.11.2 'jokes', 'banter', gossip, slander, offensive language, shouting and/or behaving in an intimidating manner;
  - 2.11.3 offensive, insensitive or sectarian songs or messages (including email);
  - 2.11.4 displaying posters or pictures, graffiti, emblems, flags, offensive email and screen savers etc;
  - 2.11.5 isolation or non co-operation and exclusion;
  - 2.11.6 coercion for sexual favours and sexually suggestive remarks;
  - 2.11.7 pressure to participate in political/religious groups;
  - 2.11.8 intrusion by pestering, spying and stalking; and
  - 2.11.9 continued requests for social activities after it has been made clear that such suggestions are not welcome and verbal, non-verbal or physical conduct of a sexual nature.
- 2.12 Harassment is unlawful in many cases and individuals may be held personally liable for their actions. In some cases their behaviour may also amount to a criminal offence.

### **3 Bullying**

- 3.1 Bullying may be described as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. Bullying may be physical, verbal or non-verbal conduct.
- 3.2 Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems. In our organisation, unacceptable behaviour includes (this is not an exhaustive list):
- 3.2.1 spreading malicious rumours, or insulting someone (particularly because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, or sexual orientation);
  - 3.2.2 ridiculing or demeaning someone, picking on them or setting them up to fail; or
  - 3.2.3 unfair treatment, deliberately excluding a person from communications or meetings without good reason, overbearing or intimidating supervision and/or other misuse of power or position.
- 3.3 Legitimate, reasonable and constructive criticism of an intern's performance or behaviour, or reasonable instructions given to an intern in the course of their internship will not, on their own, amount to bullying.



#### **4 Harassment and bullying procedure**

- 4.1 CRCC Asia can take corrective action only when it becomes aware of problems. Therefore, CRCC Asia encourages any CRCC Asia participant who believe they have experienced discrimination, harassment, or an incident of retaliation as prohibited by this policy to come forward promptly with their inquiries, reports, or complaints and to seek assistance within CRCC Asia. If you are a participant on one of CRCC Asia's programs and at any time during your program, you have been, or think you may have been subjected to harassment and/or bullying, or have, or think you may have witnessed another participant being subjected to harassment and/or bullying, then you should follow the following procedure:
- 4.1.1 All allegations of harassment and/or bullying will be dealt with seriously, promptly and in confidence. Participants who feel they have been subject to harassment and/or bullying must not hesitate in using this procedure nor fear victimization.
  - 4.1.2 CRCC Asia staff will provide, in confidence, advice and assistance to participants subjected to harassment and/or bullying and assist in the resolution of any problems. If you are in any doubt as to whether an incident or series of incidents which have occurred constitute harassment and/or bullying, then in the first instance you should approach the CRCC Asia Program Manager in your program location on an informal confidential basis. They will be able to advise you as to whether the complaint necessitates further action, in which case the matter will be dealt with formally/informally as appropriate.
  - 4.1.3 If an incident happens which you think may be harassment or bullying, you may prefer initially to attempt to resolve the problem informally, if you feel able to do so. In some cases it may be possible and sufficient to explain clearly to the person engaging in the unwanted conduct that the behaviour in question is not welcome, that it offends you or makes you uncomfortable or that it interferes with your work. You should make it clear that you want the behaviour to stop.
  - 4.1.4 In circumstances where this is too difficult or embarrassing for you to do on your own, or you do not feel it would be appropriate to deal with it in this way, you should report the issue to the CRCC Asia Program Manager in your program location, who will take appropriate action to resolve the issue. The means of resolving the issue will differ depending on the circumstances, but CRCC Asia will consult you during each step of the process to ensure you are comfortable with the action we are taking.
  - 4.1.5 If the Program Manager in your program location is involved in any way with the harassment and/or bullying and it would be inappropriate to report to them, you should report the issue to any other CRCC Asia staff member in your program location.
- 4.2 If you are a CRCC Asia staff member and you witness or think you may have witnessed harassment and/or bullying of a program participant, or receive a report from a program participant in accordance with 4.1, you should resolve the issue appropriately, following



the confidentiality procedure set out in the CRCC Asia Participant Incidents Procedure handbook.

- 4.3 If you are an employee of a host company or an independent contractor, consultant, volunteer or vendor and you witness or think you may have witnessed harassment and/or bullying of a program participant, you should report the issue to CRCC Asia General Manager in your location who will work with you to resolve the issue appropriately.
- 4.4 All allegations and reports of harassment and/or bullying will be handled by CRCC Asia on a confidential basis in accordance with the CRCC Asia Confidentiality Policy and applicable law.