



ROTARY INTERNATIONAL

DISTRICT 9640

# SEXUAL HARASSMENT POLICY

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# **ROTARY INTERNATIONAL DISTRICT 9640 SEXUAL HARASSMENT POLICY**

## **Introduction**

Rotary International District 9640 is committed to providing a safe and harmonious club environment which enhances the achievement of Rotary International goals. In this environment, all members and participants in Rotary associated activities have the right to be treated fairly and with respect. Accordingly, sexual harassment in Rotary will not be tolerated. The Policy applies to all Clubs in the District.

This involves ensuring that Club Presidents and members:

- Understand what constitutes sexual harassment in Rotary and that they act promptly to discourage any such behaviour of which they become aware.
- Make sure all members and participants in Rotary associated activities who report to them are aware of what constitutes sexual harassment and are aware of what to do if they believe they are being sexually harassed.
- Fully understand their responsibilities in relation to a claim of sexual harassment by a member or participant in Rotary associated activities.
- Know whom to contact for further assistance or guidance regarding sexual harassment.

Disciplinary action will be taken against any individual engaging in such conduct. This attitude has been formulated taking into account Rotary International's

- legal responsibilities;
- interest in maintaining a productive Rotary environment;
- commitment to the principles of equal opportunity;
- Rotary International's image.

## **Definition of Sexual Harassment**

Sexual Harassment is any unwanted or unwelcome behaviour of a sexual nature which makes a person feel offended, humiliated or intimidated. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a sexually hostile environment. The act, while not intended to, may still result in offence, humiliation or intimidation. An act may constitute sexual harassment even if it was not intended to offend, humiliate or intimidate.

## **Examples of Sexual Harassment**

- Uninvited touching;
- Uninvited kisses or embraces;
- Crude jokes or comments;
- Making promises or threats in return for sexual favours;
- Repeated invitations to go out after prior refusal;
- Sexual gestures;
- Sex-based insults, taunts, teasing or name-calling;
- Staring or leering at a person or at parts of their body;
- Request for sex;
- Persistent questions or insinuations about a person's private life;
- Offensive phone calls or letters.

## **What Sexual Harassment is Not**

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect – if the interaction is consensual, welcome and reciprocated.

## **Sexual Harassment is against the Law**

Sexual harassment is an offence under State and Federal legislation. The Equal Opportunity Act prohibits a member of a club sexually harassing another member, someone seeking to become a member or an employee of the club. The Sex Discrimination Act 1984 (Cth) prohibits a member of the committee of management of a club from sexually harassing a member of the club or a person seeking to become a member. Acts of sexual harassment may result in legal action taken against the offender and the club.

## **Who is at Risk?**

No Rotary Club is immune from sexual harassment, although its occurrence may be more likely in certain areas and situations. For instance:

- Certain groups may be more vulnerable to harassment than others e. g., Exchange students, Group Study Exchange Team members or women members.
- It is common for the harasser to be in a position of authority over the harassed person.
- The harassment may be an isolated incident or a series of incidents.

## **The Effects**

Sexual harassment has implications for all Rotarians and participants in Rotary associated activities. It creates an unfair club environment which may affect:

- club morale
- club performance
- attendance
- retention of members

For the individual being harassed, it is threatening and offensive. People can feel annoyed, embarrassed, intimidated, humiliated and distressed.

## **What you can do**

If you believe you are being sexually harassed there are a number of courses of action open to you:

- Approach the alleged harasser, asking that the behaviour stop. If you do not feel able to talk to the alleged harasser, another option is to write a letter giving examples and requesting that the behaviour cease.
- You may care to have someone accompany you while you hand-deliver the letter (you are then certain it has been received). It is important to keep a copy of the letter.
- If this does not resolve the problem or you feel unable to face the alleged harasser or write her/him a letter asking that the behaviour cease, then the next step is to inform your Club President, as soon as possible.
- If you are unable or unwilling to discuss the matter with your Club President, then you should report the matter to the District Governor as soon as possible.

In all cases the enquiry or complaint will be taken seriously and will be dealt with confidentially and promptly.

It is Rotary International District 9640's policy that your Club President and/or District Governor will:

- provide you with support
- treat the complaint seriously
- take the appropriate steps to deal with the complaint

Note: You will not be victimised in any way for making an enquiry or a complaint of sexual harassment. Victimisation will not be tolerated and if it occurs disciplinary action will be taken immediately.

### **Why Sexual Harassment goes unreported**

The absence of complaint does not necessarily indicate that harassment is not occurring. Sexual harassment is often unreported because those affected:

- do not know who they can approach to make the complaint;
- feel uncomfortable, scared or embarrassed;
- feel ashamed;
- are afraid that their word will not be accepted against that of the alleged harasser; or
- fear they will be victimised.

### **Sexual Harassment Complaint Process**

It is critical that sexual harassment in the club is dealt with promptly and appropriately. The following provides an outline of the roles of Club Presidents and the District Governor in dealing with complaints of this nature.

#### **Role of Club Presidents**

Club Presidents should:

- Ensure that all members and participants in Rotary associated activities are made aware of what constitutes proper standards of personal conduct in Rotary International.
- Communicate to all members, Rotary International District 9640's attitude towards sexual harassment, along with the channels through which a formal complaint can be made.
- Take action to prevent behaviour which may be offensive or intimidating.
- Handle complaints seriously, promptly and confidentially whilst being sensitive to the needs of the parties concerned.

Club Presidents may not always be the first point of contact. However, if a sexual harassment complaint is made, the role of a Club President is to listen to the complaint in the first instance and provide support to the Complainant.

When dealing with the Complainant the Club President should:

- Listen seriously and sympathetically to the complaint without prejudging either party or dismissing the matter as too trivial.
- Establish what outcome the Complainant wants while providing options available to resolve the complaint.
- Make every attempt to resolve the matter informally. If appropriate, encourage the Complainant to confront the alleged harasser and convey their feelings on the matter. This can be achieved by using a letter to voice their objections or alternatively, approaching the alleged harasser in person. This may involve the Club President accompanying the Complainant to see the alleged harasser. In this capacity, the role of the Club President is one of support not action.
- Review the situation on a periodical basis to ensure that the harassment has ceased.

If the behaviour has not ceased or the alleged harasser could not be confronted, the matter will be referred immediately to the District Governor.

Information should not be passed onto other authorities without the Complainant's consent.

### **Role of the District Governor**

The responsibility for the resolution of sexual harassment complaints rests with the District Governor. Where the District Governor needs assistance with handling complaints of sexual harassment, he or she may arrange with the College of Governors for assistance to be provided.

When dealing with the Complainant, the District Governor should:

- Arrange an interview and ensure a third party is always present to substantiate events.
- Hear out the complaint seriously and sympathetically.
- Allow the Complainant to bring another person to the interview.
- Counsel the Complainant about the processes used to resolve the problem.
- Record the grievance. Taking accurate notes and using the Complainant's own words where possible.
- Check all details with the Complainant.
- Obtain the Complainant's agreement before proceeding with the matter.
- Maintain confidentiality and keep all records secure.

When dealing with the alleged harasser, the District Governor should:

- Interview the alleged harasser separately and impartially.
- Explain the events to the alleged harasser from the perspective of the Complainant and ask for their account.
- Interview any witnesses and ask them to treat the investigation as confidential.
- Conduct any appropriate counselling or conciliation to enable the parties to reach a satisfactory conclusion.

Both parties' rights should be maintained throughout the investigation.

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### **Unsubstantiated Complaint**

If a complaint is not substantiated (as determined by the District Governor) the District Governor will:

- Clearly explain the reasons for the findings to both parties.
- Advise the Complainant that if they are not satisfied with the findings, the matter can be taken to the Commissioner for Equal Opportunity or the Anti-Discrimination Board.
- Retain all records relating to the complaint in a secure place
- Continue to monitor the situation to ensure that the behaviour complained about is not occurring and that any animosities have ceased.

### **Substantiated Complaint**

In determining solutions, the following outcomes may be appropriate:

- a public or private, written or verbal apology
- transfer of harasser to another committee (or Complainant, if requested) or
- reimbursement of medical/counselling fees,

### **Disciplinary Measures**

Disciplinary measures which may be imposed on the harasser where appropriate:

- Warning and counselling
- Closer supervision
- Transfer to another committee
- Club Membership terminated

Discipline will be gauged on the severity of the offence as considered by the District Governor.

### **Legal Implications**

A member or participant in Rotary associated activities should not be deterred from making a complaint about sexual harassment because of concerns about defamation laws. If the person making a complaint acts in good faith and only discusses the complaint with appropriate people within Rotary International (Club President, District Governor) they will not be liable for defamation.

The issue of privacy is paramount when investigating and resolving complaints of sexual harassment. Rumours should not be allowed to spread.

Information on any allegation is only available to those people whose job it is to deal with the complaints. Accordingly, any written records will be kept to a minimum and remain secure in a locked filing cabinet, to ensure confidentiality.