

## HARASSMENT POLICY

### 1. Intent

The University Harassment Policy is a key policy instrument that intends to guide and promote favorable behavior and attitudes of the stakeholders of the University and discourages various types of harassments that may arise from staff of the University.

The Policy complements the implementation of the University's Strategic Plan 2020 - 2024, by contributing to uphold the University Values and the [Staff Code of Conduct](#). The Policy;

- 1.1 Ensures that the staff of the University are treated equally and feel safe while at the University.
- 1.2 Identifies the different types of harassment that may exist at the University.
- 1.3 Establishes a reporting framework for victims to refer perpetrators of harassments.

### 2 Scope

2.1 The policy applies to all staff of the University.

2.2 The policy covers the following types of harassments;

- |                                        |                                                     |
|----------------------------------------|-----------------------------------------------------|
| a) <a href="#">Discriminatory</a>      | d) <a href="#">Power Harassment</a>                 |
| i) Racial                              | e) <a href="#">Psychological Harassment</a>         |
| ii) Gender                             | f) <a href="#">Cyber bullying</a>                   |
| iii) Religious                         | g) <a href="#">Retaliation Harassment</a>           |
| iv) Disability                         | h) <a href="#">Sexual Harassment</a>                |
| v) Sexual Orientation                  | i) <a href="#">Exchange based Sexual Harassment</a> |
| vi) Age                                | j) <a href="#">Third Party Harassment</a>           |
| b) <a href="#">Personal Harassment</a> | k) <a href="#">Verbal Harassment</a>                |
| c) <a href="#">Physical Harassment</a> |                                                     |

### 3. Definitions

#### 3.1 Discrimination

All unlawful harassment is discriminatory in nature. Wikipedia defines it as treatment or consideration of, or making a distinction towards, a person based on the group, class, or category to which the person is perceived to belong. These include age, caste, color, criminal record, height, disability, ethnicity, family status, gender identity, generation, genetic characteristics, marital status, nationality, race, religion, sex, sexual orientation, and social class.

### 3.2 **Personal Harassment**

Personal harassment is a form of harassment that is not based on one of the protected classes (such as race, gender or religion). Simply, it is bullying in its most basic form and it's not illegal but can be damaging nevertheless. Some examples are; Inappropriate comments, Offensive jokes, Personal humiliation, Critical remarks, Ostracizing behaviors, Intimidation tactics, or any other behavior that creates an intimidating and offensive work environment for the victim.

### 3.3 **Physical Harassment**

Physical harassment refers to a type of harassment that involves physical attacks or physical threats. In extreme cases, physical harassment may be classified as assault.

### 3.4 **Power Harassment**

Power harassment is a common form of harassment that is characterized by a power disparity between the harasser and the harassed. The harasser exercises his or her power by bullying a victim who is lower in hierarchy.

### 3.5 **Psychological Harassment**

Psychological harassment has a negative impact on a person's psychological well-being. Victims of psychological harassment often feel put down and belittled on a personal level, a professional level or both. The damage to a victim's psychological well-being often creates a domino effect, impacting their physical health, social life, work life and school life.

### 3.6 **Cyber Bullying**

Cyber bullying refers to the use of technology, especially online applications to - share humiliating things about the victim by mass email or mass chat, spread lies or gossip about the victim on social media, send harassing messages directly to the victim.

### 3.7 **Retaliation Harassment**

Retaliation harassment is an indirect form of harassment and is often overlooked as a type of harassment. Retaliation harassment occurs when a person harasses someone else to get revenge and to prevent the victim from behaving in such a way again.

### 3.8 **Sexual Harassment**

Is harassment that is sexual in nature and generally includes unwanted sexual advances, conduct or behavior. It also includes Exchange - Based - Sexual Harassment whereby sexual services are provided in exchange for favors.

### 3.9 **Third Party Harassment**

Third party harassment is a type of workplace harassment that is perpetrated by a "third party" – someone from outside of the organization.

### 3.10 **Verbal Harassment**

Obvious verbal harassment behaviors include things like threatening, yelling, insulting or cursing at a victim in public or in private. If this is aimed at someone in a protected class, it is unlawful.

### 3.11 **Protected Class**

Refers to groups of people who are legally protected from being harmed or **harassed** by laws, practices, and policies that discriminate against them due to a shared characteristic (e.g. race, gender, age, disability, or sexual orientation).

## 4. **Policy**

### 4.1 **Types of Harassment and Scope**

- a) This Harassment Policy relates to the 10 types of harassment identified and defined earlier in clauses 2 and 3 respectively.
- b) This policy is not limited to the 10 basic types of harassment defined from Clause 3.1 to 3.10. It can apply to other types of unacceptable behavior or offensive actions that may be detrimental to the well-being of the staff of the University or is criminal in nature.
- c) Harassment cases of students should be dealt with by the Students Rules Book and is not covered under this Policy.
- d) Perpetrators of Harassment will be dealt with using various applicable University policies including Standard Terms and Conditions of Employment for Citizen and Non-Citizen Staff.

### 4.2 **Responsibility of the Staff**

- a) To demonstrate and maintain a harmonious relationship and be respectful to their colleagues and adhere to the policies of the Universities.
- b) To familiarize themselves with the relevant policies and required codes of conduct of the University to avoid undesired incidences. Staff are expected to conduct themselves according to the Staff Code of Conduct.
- c) To be aware of the various harassment, and the options and the process and procedures available to them for addressing incidences of harassment.
- d) Respect confidentiality and cooperate with the investigation.

### 4.3 **Responsibility of Managers and Supervisors**

- a) Create a harmonious working environment.
- b) This Policy should be made referenced to, where necessary, in all University documents and agreements relating to behavior and attitude of staff of the University.
- c) The Management, Head of Departments, Section Heads, and Supervisors are required to monitor instances of harassment within their respective departments, section and roles and assist in reporting the incidences of harassment to their superiors and the Registrar.
- d) The Management, Head of Departments, Section Heads, and Supervisors should reprimand staff who misbehave rather than subjecting them to reassessment. The reprimand should be in the form of a letter or email to the staff and copying the

Registrar, so that the reprimand will be kept in the personal file of the staff for future references.

- e) The Management, Heads of Departments, Section Heads, Supervisors can recommend their staff (either the perpetrator or the victim) to seek Counseling service from internal or external Counselor

#### **4.4 Reporting Procedures**

The following procedures are for lodging a complaint of harassment, discrimination or retaliation. The University will treat all aspects of the procedure confidentially to the extent reasonably possible.

- a) All incidences of harassment must be reported preferably by using the Complaint Lodging Form to the Registrar for processing within seven working (7) days of occurrence. Verbal complaints can be dictated by the Registrar or a delegated authority.
- b) The Registrar and the Senior Management team or a nominated authority can verify the harassment report and deal with the complaint within 14 days of receiving the harassment report and provide a feedback to the victim.
- c) Perpetrators of harassment will be referred to the University Staff Discipline Committee for disciplinary action according to the nature of the case.
- d) The appropriate action will depend on the following factors:
  - i) The severity, frequency and pervasiveness of the conduct;
  - ii) Prior complaints made by the victim;
  - iii) Prior complaints made against the perpetrator; and
  - iv) The quality of the evidence (e.g. firsthand knowledge, credible corroboration).
- e) Harassment from external persons including contractors and visitors must be reported to the Security or the Employee Relations Office for assistance and further recommendations for corrective measures.

#### **4.5 Alternative remedies**

- a) Other than the formal procedure, the Registrar and the Employee Relations Office can seek informal process and procedures to reach an amicable solution depending on mutual understanding and agreement between the perpetrator and the aggrieved party (ies).
- b) Nothing in this policy may prevent the victim or the perpetrator from pursuing formal legal remedies or resolution through the courts.

#### **4.6 Confidentiality**

All complaints and investigations are treated confidential to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the victim is usually revealed to the parties involved during the investigation, and the Registrar will take adequate steps to ensure that the victim is protected from retaliation during and after the

investigation. All information pertaining to a complaint or investigation under this policy will be maintained in secure files within the Registry Department (HR Section / Employee Relations Office).

#### 4.7 Penalties for perpetrators

All employees who are involved in harassment cases will be dealt with in accordance with the various University Policies listed in Clause 5.

### 5. Related policy instruments

5.1 [Staff Code of Conduct](#)

5.2 [Public Service General Order](#) 15 of 2014

5.3 Standard Terms and Conditions for Employment of Permanent Staff

5.4 Standard Terms and Conditions for Employment of Contract Citizen Staff

5.5 Standard Terms and Conditions for Employment of Contract Non-Citizen Staff

5.5 Grievance Policy

### 6. Schedules/Appendices

6.1 [Complaint Lodging Form](#)

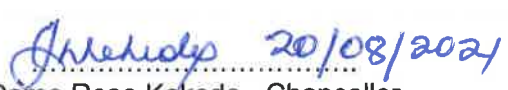
### 7. Related documents and legislation

7.1 [Whistleblower Act, 2020](#)

7.2 [Criminal Code Act, 1974](#)

7.3 [Cyber Crime Code Act, 2016](#)

### 8. Approval Details

|                                                                                                                                                |                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Policy Sponsor                                                                                                                                 | Registrar                                         |
| Approval Authority<br><br><br>Dame Rose Kekedo - Chancellor | Council (Meeting No. 193)<br><br>...../...../2021 |
| Date for next Major Review (in accordance with the Policy on Policy)                                                                           | July 2023                                         |

### 9. Revision History

| Version    | Approval date | Implementation date | Details                                                                        | Author                   |
|------------|---------------|---------------------|--------------------------------------------------------------------------------|--------------------------|
| HR_ER_HP01 | 23-11-2020    | 23-11-2020          | Major amendments made to the PNGUoT Harassment Policy & Procedures, April 2017 | Governance & Policy Unit |

|                 |                                  |
|-----------------|----------------------------------|
| <b>Keywords</b> | Harassment, Grievance, Complaint |
|-----------------|----------------------------------|



## GRIEVANCE/COMPLAINT LODGING FORM

When a member of staff lodges a complaint/grievance, the form below is to be filled in by that member of staff. During the meeting with an Officer from the Employee Relations Section, the filled in form will be handed in for follow up.

### GRIEVANCE/COMPLAINT LODGING FORM

**An employee Complaint Form is a document used when an employee has a complaint/grievance against another employee, senior manager or Supervisor. It is important for the information to be accurate.**

| Employee Complaint                                                                                                                                     |  |      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------|--|------|
| Name of Employee                                                                                                                                       |  |      |
| Job Title                                                                                                                                              |  |      |
| Date of Complaint                                                                                                                                      |  |      |
| Employee Complaint                                                                                                                                     |  |      |
| Describe in detail the nature of your complaint including names of all individuals involved incident and any proof you might have about the complaints |  |      |
| Give details about how the incident affected your ability to work effectively                                                                          |  |      |
| What action would PNGUoT take in order to effectively deal with the complaint.                                                                         |  |      |
| Give any additional information that would be helpful in dealing with your complaints                                                                  |  |      |
| Employee's Signature                                                                                                                                   |  | Date |