



# CS-SUNN

Civil Society-Scaling Up Nutrition In Nigeria

## ANTI-HARASSMENT POLICY AND COMPLAINT PROCEDURE



## ACKNOWLEDGEMENT

CS-SUNN would like to express our special thanks and gratitude to all those that worked tirelessly to ensure that the development and adoption of this policy was actualized starting with our Board of Trustees, the Steering Committee, Staff at the National Secretariat and our Consultant who provided the needed legal insights.

## AUTHORIZATION

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<b>Approved By:</b>	<b>Steering Committee</b>
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## INTRODUCTION

The Civil Society Scaling-Up Nutrition in Nigeria (CS-SUNN) is a non-governmental, non-political, non-partisan, non-religious, non-tribal, non-racial and non-profit making alliance, made up of organizations with a shared vision to transform Nigeria into a country where every citizen has food and is nutrition secured. CS-SUNN pursue this lofty goal by engaging government and non-state actors to raise awareness, sustain commitment and actions to effectively tackle under-nutrition in Nigeria. The Alliance is fully committed to the principles of excellence, honesty, accountability, commitment, ownership, recognition and professionalism in the delivery of her mandate. All members and staff are expected to conduct the businesses of CS-SUNN, with high regard for professionalism and fairness.

CS-SUNN has therefore made for herself the following policy to guard against every form of harassment in her work environment, particularly in relationships between staff and in staff interactions with non-staff.

CS-SUNN made this policy pursuant to Sections 34(1), 36(1) & (2), and 42(1) of the Constitution of the Federal Republic of Nigeria (1999) (as amended), and relevant principles in extant laws including Employees Compensation Act, 2010 and Violence Against Persons Prohibition Act, 2015.

CS-SUNN shall apply the provisions of this Policy in all cases of harassment as defined in this Policy.



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# SECTION ONE



## 1.0 OBJECTIVE

### 1.1. Work Environment

CS-SUNN strives to create and maintain a work environment in which people are treated with dignity, decency and respect. The environment of the organization should be characterized by mutual trust and the absence of intimidation, oppression and exploitation. CS-SUNN will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, CS-SUNN will seek to prevent, correct and discipline behavior that violates this policy.

### 1.2. Compliance

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, or dismissal/termination of employment.

### 1.3. Complicity by a Manager

Managers and Supervisors who knowingly allow or tolerate discrimination, harassment or retaliation, including the failure to immediately report such misconduct to human resources (HR) department, are in violation of this policy and subject to discipline.



# SECTION TWO





## 2.0 PROHIBITED CONDUCT UNDER THIS POLICY

### SECTION 2: PROHIBITED CONDUCT UNDER THIS POLICY

CS-SUNN, in compliance with all applicable federal, state and local anti-discrimination and harassment laws and regulations, shall enforce this policy in accordance with the following definitions and guidelines:

#### 2.1. Discrimination

a). It is a violation of CS-SUNN's policy to discriminate in the provision of employment opportunities, benefits or privileges; to create discriminatory work conditions; or to use discriminatory evaluative standards in employment if the basis of that discriminatory treatment is, in whole or in part, the person's race, color, national origin, age, religion, disability status, sex, sexual orientation, gender identity or expression, genetic information or marital status.

b). Discrimination of this kind may also be strictly prohibited by a variety of federal, state and local laws. This policy is intended to comply with the prohibitions stated in these anti-discrimination laws.

c). Discrimination in violation of this policy will be subject to disciplinary measures up to and including termination of employment.

#### 2.2. Harassment

a). CS-SUNN prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate or coerce an employee, co-worker, or any person working for or on behalf of CS-SUNN.

b). The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- i). Verbal harassment includes comments that are offensive or unwelcome regarding a person's national origin, race, color, religion, age, sex, sexual orientation, pregnancy, appearance, disability, gender identity or expression, marital status or other protected status, including epithets, slurs and negative stereotyping.
- ii). Non-verbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, pregnancy, appearance, disability, sexual identity, marital status or other protected status.



### **2.3. Sexual Harassment**

a). Sexual harassment is defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for employment decisions or such conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment."

b). Sexual harassment occurs when unsolicited and unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature:

- i. Is made explicitly or implicitly by a term or condition of employment.
- ii. Is used as a basis for an employment decision.
- iii. Unreasonably interferes with an employee's work performance or creates an intimidating, hostile or otherwise offensive environment.

c). Sexual harassment may take different forms. The following examples of sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

i. Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.

ii. Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters, notes, facsimiles, e-mails, photos, text messages, tweets and Internet postings; or other forms of communication that are sexual in nature and offensive.\

iii. Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.



**Exception:**

Courteous, mutually respectful, pleasant, non-coercive interactions between employees that are appropriate in the workplace and acceptable to and welcomed by both parties are not considered to be harassment, including sexual harassment.

**2.4. Consensual Romantic or Sexual Relationships**

a). CS-SUNN strongly discourages romantic or sexual relationships between a manager or other supervisory employee and an employee who reports directly or indirectly to that person, because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. In addition, such a relationship may give rise to the perception by others that there is favoritism or bias in employment decisions affecting the staff employee. Moreover, given the uneven balance of power within such relationships, consent by the staff member is suspect and may be viewed by others, or at a later date by the staff member, as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work environment. If there is such a relationship, the parties need to be aware that one or both may be moved to a different department or other actions may be taken.

b). If any employee of CS-SUNN enters into a consensual relationship that is romantic or sexual in nature with an employee who reports directly or indirectly to that employee, or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the HR department or other appropriate corporate officer. Because of potential issues regarding quid pro quo harassment, CS-SUNN has made reporting mandatory. This requirement does not apply to employees who do not work in the same department or to parties where neither one supervises or otherwise manages responsibilities over the other.

c). Once the relationship is made known to CS-SUNN, CS-SUNN will review the situation with human resources in light of all the facts (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another job or department. If it is determined that one party must be moved, and there are jobs in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, the HR and senior management will decide which party will be moved. That decision will be based on which move will be least disruptive to the organization as a whole. If no other jobs are available for either party, the parties will be given the option of terminating their relationship or resigning.



## 2.5. Retaliation

a). No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- i. Filing or responding to a bona fide complaint of discrimination or harassment.
- ii. Appearing as a witness in the investigation of a complaint.
- iii. Serving as an investigator of a complaint.

b). Lodging a bona fide complaint will in no way be used against the employee or have an adverse impact on the individual's employment status. However, filing groundless or malicious complaints is an abuse of this policy and will be treated as a violation.

c). Any person who is found to have violated this aspect of the policy will be subject to discipline up to and including termination of employment.



SECTION  
THREE



## 3.0. CONFIDENTIALITY

### 3.1. Complaint and Investigation

All complaints and investigations are treated confidentially to the extent possible, and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation, and the HR will take adequate steps to ensure that the complainant 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 HR department.

### 3.2. Complaint procedure

a). CS-SUNN has established the following procedure for lodging a complaint of harassment, discrimination or retaliation. The CS-SUNN will treat all aspects of the procedure confidentially to the extent reasonably possible.

- i. Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The HR may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the HR will record the verbal complaint using an electronic device.
- ii. Upon receiving a complaint or being advised by a supervisor or manager that violation of this policy may be occurring, the HR will notify senior management and review the complaint with the CS-SUNN's legal counsel.
- iii. The HR will initiate an investigation to determine whether there is a reasonable basis for believing that the alleged violation of this policy occurred.
- iv. If necessary, the complainant and the respondent will be separated during the investigation, either through internal transfer or administrative leave.
- v). During the investigation, the HR, together with legal counsel or other management employees, will interview the complainant, the respondent and any witnesses to determine whether the alleged conduct occurred.
- vi. Upon conclusion of an investigation, the HR or other person conducting the investigation will submit a written report of his or her findings to CS-SUNN. If it is determined that a violation of this policy has occurred, the HR will recommend appropriate disciplinary action. The appropriate action will depend on the following factors:
  - the severity, frequency and pervasiveness of the conduct;
  - prior complaints made by the complainant;
  - prior complaints made against the respondent; and
  - the quality of the evidence (e.g., firsthand knowledge, credible corroboration).



- vii. If the investigation is inconclusive or if it is determined that there has been no violation of policy, but potentially problematic conduct may have occurred, the HR may recommend appropriate preventive action.
- viii. Senior management will review the investigation report and any statement submitted by the complainant or respondent; discuss results of the investigation with the HR and other management staff as appropriate, and decide what action, if any, will be taken.
- ix. Once a final decision is made by senior management, the HR will meet with the complainant and the respondent separately and notify them of the findings of the investigation. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be executed.



# SECTION FOUR





## 4.0 . ALTERNATIVE LEGAL REMEDIES

- 4.1. Nothing in this policy may prevent the complainant or the respondent from pursuing formal legal remedies or resolution through local, state or federal agencies or the courts.
- 4.2. PROVIDED ALWAYS that the external remedy is pursued after exhausting all relevant internal opportunities for remedy provided by this policy.



# APPENDIX



## COMPLAINT FORM FOR REPORTING HARASSMENT/DISCRIMINATION

If you believe that you have been subjected to or have witnessed workplace harassment or discrimination, you may use this form to provide information supporting your concern(s) to the Human Resource Department. If you are more comfortable reporting verbally or in another manner, you may do so. You may also choose to complete an online form from [www.cs-sunn.org](http://www.cs-sunn.org).

### COMPLAINANT INFORMATION

Name: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Job Title: \_\_\_\_\_

Email: \_\_\_\_\_

Preferred Communication Method:

### COMPLAINT INFORMATION

1. Please describe the conduct or incident(s) that is the basis of this complaint, including the name and contact information of any relevant witnesses, relevant dates/locations of the conduct or incident(s) discussed, and your reasons for concluding that the conduct is harassment or discrimination. Please use additional sheets of paper if necessary and attach any relevant documents or evidence:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Have you previously complained or provided information (verbal or written) about the conduct or incident(s) to a supervisor, manager, and/or the Office of Human Resources?

Yes  No  If yes, when and to whom did you complain or provide information?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



3. Have you filed a claim regarding this matter with a federal, state or local government agency? Yes  No  If yes, which agency and when did you provide the information?

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4. Have you instituted a legal suit or court action regarding this matter? Yes  No   
If yes, which court and when did you file the suit?

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5. Have you retained legal counsel with respect to this matter? Yes  No   
If yes, provide the name, address, telephone and email contact of the legal counsel.

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**Affirmation:**

I affirm the information I am providing is accurate to the best of my recollection and that I will cooperate in CS-SUNN's investigation of this matter.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_\_

-----  
SIGNATURE

POSITION

DATE

-----  
SIGNATURE

POSITION

DATE



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