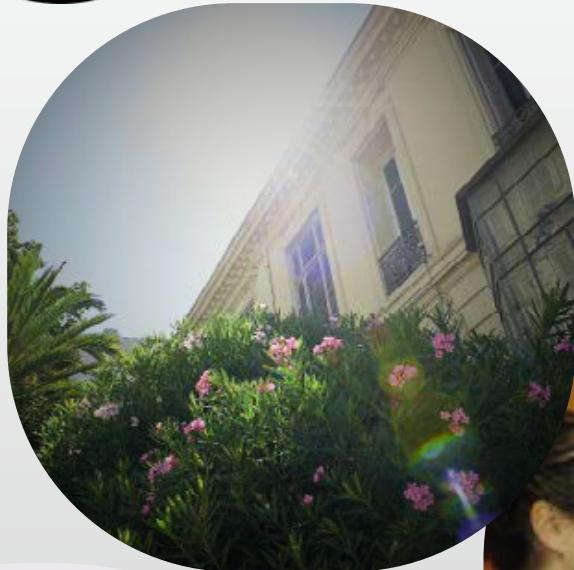




# INSTITUT LINGUISTIQUE

## POLICY FOR PREVENTING AND ADDRESSING ALL FORMS OF HARASSMENT



[www.alpha-b.fr](http://www.alpha-b.fr)

## Introduction

1. The alpha.b Linguistic Institute (hereafter “the Institute”) works to assert its presence in a world that respects cultural and linguistic diversity, in which the French language and universal values develop and contribute to original multilateral action and to the formation of an international community based on peace, democracy, respect for human rights, dialogue between cultures, equality between women and men and sustainable development.

2. These values, which underpin all the Institute’s actions, are reflected, at both collective and individual level, in an ethical culture which requires the full and complete adherence of the staff members of the alpha.b Linguistic Institute, of external persons, independent trainers and host families, in particular those having a relationship with these two entities.

### A – Purpose

3. The purpose of this policy is to set out the definitions, general principles, roles and responsibilities, as well as the mechanisms and measures relating to the prevention of and the fight against all forms of harassment.

4. The objective is to prevent all forms of harassment in the professional environment by establishing and implementing measures aimed at bringing such behaviour to an end and preventing its recurrence, including acts of retaliation.

5. This policy does not replace the provisions of the Institute’s Staff Regulations and of the Labour Code, but complements these provisions.

### B – General principles

6. In matters of prevention of and fight against all forms of harassment, the alpha.b Linguistic Institute is guided by international recommendations and good practices, placing emphasis on the protection of persons who consider themselves victims, on confidentiality and on the prompt handling of any complaints, as well as on the prevention and sanctioning of any retaliation taken against persons who have reported facts that may constitute harassment.

7. All staff members and service providers of the Institute must be treated with dignity and respect, in order to promote a harmonious and safe working environment conducive to respectful and courteous professional relations.

8. It is incumbent upon all staff members and service providers of the alpha.b Linguistic Institute, and upon any external person, independent trainers and host families having a relationship with the Institute, to exercise constant vigilance in order to prevent and combat harassment and to preserve a harmonious working

and hosting environment free from any form of harassment. This implies that all staff members and all external persons having a relationship with the Institute are informed of the provisions and mechanisms put in place by the Institute to prevent and combat harassment and that they respect the principles of mutual respect and consideration.

9. Staff members and external persons must be aware that their own cultural norms and values may not be shared by the people with whom they interact, and that such differences may lead to misunderstandings or differences of opinion. These differences, however, can in no way justify any form of harassment.

10. Measures arising from the Institute’s management prerogatives, as well as disagreements concerning the organisation or quality of work or any related issue, such as assessment, reassignment or deadlines, where they are expressed in a respectful manner and are in accordance with the Institute’s procedures, cannot, a priori, be characterised as harassment and therefore do not fall within the scope of this policy.

11. The use of the mechanisms for the prevention of and fight against harassment is at the discretion of the Institute’s staff members and service providers\*. These mechanisms may be used cumulatively or alternatively (\*independent trainers and host families).

12. No form of harassment in the professional environment will be tolerated. Such harassment may, as far as staff members are concerned, give rise to the opening of disciplinary proceedings and, where appropriate, to the application of disciplinary measures, when the alleged facts have been demonstrated by a body of precise and consistent presumptions.

13. Any retaliation or threat of retaliation against persons who have reported or submitted complaints of harassment or who have taken part in an investigation following such complaints (for example, as witnesses) may give rise to disciplinary measures, when the alleged facts have been demonstrated by a body of precise and consistent presumptions, and may even lead to legal proceedings.

14. Any accusation or complaint which has been demonstrated, by a body of precise and consistent presumptions, to have been made frivolously or in bad faith, or to be malicious, may give rise to the opening of disciplinary proceedings and/or legal action.

### C – Definitions

#### ***Moral harassment***

15. “Moral harassment” covers any inappropriate behaviour, or any series of inappropriate behaviours, which is intended or has the effect of offending,

humiliating or intimidating a staff member – service providers – students/trainees of the alpha.b Linguistic Institute, or of creating an intimidating, humiliating or hostile working environment for them, or of harming their career or reputation.

#### **Abuse of power**

16.“Abuse of power” is the inappropriate use by a person of a position of influence, power or authority. It may also consist in creating, *inter alia* through intimidation, threat, blackmail or coercion, a hostile or offensive working environment. This is particularly serious when the abuse of power is intended or has the effect of unduly influencing another person’s employment or career conditions. Abuse of power may constitute a form or an aggravating circumstance of moral and/or sexual harassment.

#### **Sexual harassment**

17.“Sexual harassment” covers any behaviour, or series of behaviours, of a sexual nature or with sexual connotations, that is unwelcome, whether verbal or physical, which is intended or has the effect of creating an intimidating, humiliating or hostile working environment for a staff member – service providers – students/trainees of the alpha.b Linguistic Institute. Sexual harassment is particularly serious when it is established that the perpetrator has linked it to threats or promises relating to the victim’s career prospects.

#### **Staff member**

18.The term “staff member” covers any person defined as such within the meaning of the Staff Regulations of the alpha.b Linguistic Institute.

#### **Trainee**

19.“Trainee” refers to temporary staff, seconded persons, interns, project-based contract staff and volunteers. Any external person having a relationship with the alpha.b Linguistic Institute.

#### **Any external person having a relationship with the Institute**

20.The term “any external person having a relationship with the Institute” covers all categories of persons having a professional relationship, contractual or otherwise, with the alpha.b Linguistic Institute, namely: independent trainers providing courses within the Institute and host families accommodating at their homes students of the alpha.b Linguistic Institute.

#### **Student**

21.“Student” means any person enrolled with the alpha.b Linguistic Institute in order to follow a course in French as a Foreign Language (FLE).

#### **Alleged perpetrators**

22.The perpetrator of harassment, whether moral or sexual, may be a hierarchical superior, a staff member, a service provider or any other external person having a relationship with the alpha.b Linguistic Institute.

#### **D – Qualification**

23.For behaviour to be qualified as moral or sexual harassment, it is not necessary that it result from the perpetrator’s intention. It is sufficient that it be demonstrated,

by a body of evidence, presumptions and consistent indications, including statements by the person who considers themselves a victim or by any witnesses, that the perpetrator knew or ought reasonably to have known that their behaviour: -as regards moral harassment, was offensive, humiliating or intimidating, or created an intimidating, humiliating or hostile working environment for the person who considers themselves a victim; -as regards sexual harassment, was not desired by the person who considers themselves a victim and had the effect of creating an intimidating, humiliating or hostile working environment for them.

#### **E – Scope of Application**

24.This policy applies to staff members, trainees, students, as well as any other external person having a relationship with the alpha.b Linguistic Institute.

25.This policy applies to relations between a hierarchical superior or an external authority figure and a staff member or trainee of the Institute, or between staff members of the same hierarchical level.

26.This policy applies to any form of harassment suffered by a staff member or trainee of the Institute as a result of another staff member, trainee, student or any other external person having a relationship with the Institute, occurring in the professional environment, whether on the occasion of, in connection with, as a result of, or under the pretext of work:

- a) on the workplace premises or while teleworking
- b) during professional travel, training sessions, events, or social activities related to work
- c) in the context of work-related communications, including those carried out using information and communication technologies.

27.The Institute shall not, under any circumstances, be held responsible or be obliged to compensate in any way any alleged harm suffered by persons who do not have an employment relationship with the Institute and who consider themselves to have been victims of harassment while providing services on its behalf.

#### **F – Roles and Responsibilities**

28.**The Institute** develops and implements measures aimed at ensuring a safe and harmonious working environment and at promoting a work culture in which harassment of any kind is not tolerated. To this end, the Institute adopts the required preventive and corrective measures, including, where appropriate, disciplinary measures or the filing of complaints.

29.**The Directorate** is the entity responsible for implementing this policy within the Institute. It ensures that all staff members, trainees, students and any external

person having a relationship with the Institute have access to documents describing their rights and responsibilities regarding the prevention of and fight against harassment, including this policy. Additionally, it implements mandatory training and awareness campaigns for staff members, trainees, students, as well as any other measures necessary to ensure compliance with this policy.

**30. External support services are available.** Occupational health services for employees or by calling 119, accessible to all, 7 days a week, 24 hours a day.

**31. Supervisors and hierarchical superiors:**

-adopt exemplary and irreproachable behaviour, free from any form of harassment, and ensure that this policy is known and understood by the staff members under their responsibility and that it is respected in the exercise of their functions;  
-actively promote a harmonious working environment and take the necessary measures to prevent and stop all forms of harassment, in close cooperation with the Human Resources Department.

**32. Staff members, trainees, students and any external person having a relationship with the Institute:**

-comply with the general principles and mechanisms for preventing and combating harassment set out in this policy, as well as with relevant codes of conduct;  
-ensure, under all circumstances, that they maintain and contribute to a harmonious working environment free from any form of harassment;  
-prevent and abstain from engaging in any form of harassment, and clearly communicate, where appropriate, to any staff member, trainee, student or external person having a relationship with the Institute, whose behaviour towards them may be considered harassment, that they find such behaviour offensive, intimidating, humiliating and/or unwelcome, and inform the Directorate if necessary;  
-are encouraged to report to the Directorate, as soon as possible, any behaviour which, although not strictly constituting harassment, is inappropriate, in order to avoid its repetition or aggravation.

**33. The investigator** conducts the investigation under the conditions set out in Chapter "J" in order to establish the materiality of the alleged facts on the basis of a set of precise and consistent presumptions and submits a report to the Administrator.

**G – Prevention Measures**

34. The Institute is committed to combating all forms of harassment by fostering a working environment free from any form of discrimination or harassment, an environment that staff members and trainees, regardless of their grades, responsibilities or roles, must promote, embody and enforce.

35. In order to effectively prevent the risk of harassment, mandatory awareness,

-training and informational programmes are organised to reinforce staff members' and trainees' commitment to promoting a work culture free from any form of harassment. These programmes may include topics such as: the concept of harassment, harassment prevention, non-violent communication, conflict resolution in the professional context, as well as the procedures and tools made available to staff members and trainees of the Institute.

**H – Mediation**

36. The mediation procedure may be implemented if the parties, namely the person considering themselves a victim and the alleged perpetrator, consent to it.

37. Mediation is not recommended in cases of suspected or actual criminal offences.

**I – Informal Procedures: Reporting Options**

38. The informal procedures provided for in this section may be used alternatively or cumulatively, according to the preference of the person who considers themselves a victim. These procedures allow the parties themselves to attempt to resolve the difficulties related to the behaviour in question, possibly with the support or assistance of the third parties mentioned in points 43 and 44 of this policy.

39. All reports relating to any form of harassment will be handled with diligence, rigour, impartiality and confidentiality.

**Initial Report**

40. Any person who considers themselves a victim of harassment is encouraged, if circumstances allow and if they feel able to do so, to immediately express their disagreement (verbally or in writing) to the alleged perpetrator. The earlier this notification is given to the alleged perpetrator, the sooner it will be possible to put an end to the behaviour in question and restore a harmonious working environment free from harassment.

41. Any person who witnesses a situation of harassment is encouraged, if they feel able to do so, to report it to the Directorate.

42. If the initial report has not succeeded in stopping the incriminated behaviour, if the behaviour worsens, or if the person who considers themselves a victim of harassment does not wish to address the alleged perpetrator directly, they may use the other alternative reporting procedures described in this policy.

**Report to Workplace Well-Being Specialists**

43. A person who considers themselves to be or to have been a victim of behaviour constituting harassment may contact specialists in workplace well-being, occupational health services, labour inspection authorities, or even judicial police

depending on the seriousness of the facts.

## **Report to the Directorate**

44. A person who considers themselves to be or to have been a victim of behaviour constituting harassment may report it (verbally or in writing) to the Directorate.

45. In such cases, the Directorate must:

- a) acknowledge receipt of the report within seven (7) days;
- b) remind the person of the terms of this policy;
- c) record the exchanges with that person and keep them confidential.

## **46. In cases of alleged moral harassment and depending on the seriousness of the behaviour reported, the Directorate may:**

- a) organise and conduct one or more interviews between the person who considers themselves a victim and the alleged perpetrator, with their consent, in order to address the incriminated behaviour and consider possible solutions to restore a harmonious work or service environment. These interviews are subject to strictly confidential minutes, which will only be transmitted to the investigator, where appropriate;
- b) take provisional measures, as it deems necessary given the seriousness of the situation, to ensure that the person who considers themselves a victim and the alleged perpetrator are not brought together, by adjusting the conditions under which their duties or services are performed, including by using teleworking and/or changing interlocutors if possible. These interim measures are not disciplinary measures and must remain confidential as far as possible;
- c) provide the person who considers themselves a victim and the alleged perpetrator with a report of all measures taken.

47. This phase may be carried out in cooperation with the external entity concerned, where relevant, when the harassment is committed by an external person having a relationship with the Institute.

48. Any case of harassment committed by an external person having a relationship with the Institute must be reported to that entity. The Directorate of the Institute will liaise with the external entity to take appropriate measures, including protective measures for the person who considers themselves a victim.

49. **In cases of alleged sexual harassment**, the Directorate informs the person who considers themselves a victim that they must follow the procedure described in paragraphs 52 and following of this policy, and immediately takes, in consultation with the Administrator, the necessary measures to ensure the protection of the persons concerned.

50. **In cases of suspected or actual criminal offences**, under the law applicable in the State where the acts were committed or are likely to be committed—particularly

physical assault or attempted assault, or threats or imminent danger of such acts—against any person, especially anyone who has reported or considers themselves a victim of behaviours covered by this policy, the Directorate shall immediately inform the national police or judicial authorities, without prejudice to any action taken by the person reporting or considering themselves a victim.

## **J – Formal Procedures: Review and Investigation**

51. The formal procedures provided for in this section do not necessarily need to be preceded by informal reports made by the person who considers themselves a victim. Formal procedures aim to establish the materiality of the alleged facts and take corrective measures in light of those facts.

### **Complaint**

52. At any time, but especially if the behaviour alleged to constitute harassment has not ceased or if previous reporting attempts have not restored a harmonious working environment, the person who considers themselves a victim may submit a written complaint to the Directorate or the competent authorities.

53. To be reviewed, the complaint must include:

- a) a precise description of the alleged facts, including dates and locations of occurrence;
- b) the identity of the alleged perpetrator(s);
- c) the name of the complainant;
- d) the identity of any witnesses to the alleged facts;
- e) any evidence supporting the complaint.

54. Upon receiving the complaint, the Directorate:

- assesses whether urgent measures should be implemented before examining the complaint. Such measures may require the involvement of the hierarchical superior(s) of the complainant and the alleged perpetrator;
- assisted by any person designated for this purpose, conducts a preliminary review of the alleged facts and supporting documents to determine whether, at first glance, the facts could be presumed to constitute harassment.

55. If, at the end of the preliminary review within forty-five (45) calendar days of receiving the complaint, the Directorate concludes that:

- the alleged facts do not constitute harassment, the Directorate decides not to open an investigation and closes the complaint. The complainant is notified in writing;
- the facts constituting harassment are established, the Directorate may:
  - o open disciplinary proceedings when the perpetrator is a staff member and apply the appropriate sanction among those provided for in the Staff Regulations (warning, reprimand, suspension, dismissal without notice for serious misconduct);
  - o terminate the relevant contract when the perpetrator is a trainee, student or

any other external person having a contractual relationship with the Institute; change the interlocutor when the alleged perpetrator is an external person having a contractual or non-contractual relationship with the Institute;

- the alleged facts are, at first glance, constitutive of harassment, the Directorate decides to open an investigation in accordance with the procedure described in paragraphs 56 and following.

### ***Opening of the Investigation***

56. When the Directorate decides to open an investigation, it appoints a professional investigator external to the Organisation, selected in accordance with applicable internal procedures, based on proven experience and expertise in conducting investigations into workplace harassment and psychosocial risk prevention.

57. In all cases, the appointed investigator must commit to maintaining strict confidentiality regarding all materials provided and confirm, before taking any action necessary to examine the alleged facts, that they have no conflict of interest, nor any appearance of conflict of interest, in carrying out the investigation.

58. After reviewing the alleged facts, the investigator notifies the opening of the investigation, at the time and in the order considered appropriate, to the complainant and the alleged perpetrator. Written notification to the alleged perpetrator includes the nature of the allegations. Notifications to both parties indicate that a copy has been sent to the Administrator.

### ***Investigator's Mandate***

59. The purpose of the investigation is to establish the materiality of the alleged facts. It is distinct from disciplinary proceedings, although it may later enable the Administrator to determine whether disciplinary proceedings should be opened.

60. The investigator conducts the investigation impartially and independently, respecting the principle of adversarial process. The investigator decides how the investigation is conducted and is subject to a strict duty of confidentiality.

61. In fulfilling their mandate, the investigator may directly invite any staff member, trainee, student or external person having a relationship with the Organisation to be heard and respond to any questions related to the facts being investigated. These individuals may not refuse without valid reason and must disclose all information in their possession relevant to the investigation. Third parties outside the Organisation may also be invited to be heard. If difficulties arise concerning reasons given to refuse to answer, the matter is referred to the Directorate, which determines whether the reasons are justified.

62. All interviews are documented in strictly confidential written minutes. The minutes must be signed and dated by the interviewee. Any refusal to sign is noted by the investigator.

63. During their interview, the alleged perpetrator may present evidence, information or any document deemed relevant to the complaint, and may request testimony from staff members, agents, external persons having a relationship with the Institute, or third parties. The complainant may also submit documents or request additional testimonies to establish the alleged facts. The investigator decides which witnesses to hear.

64. All persons heard during the investigation are subject to strict confidentiality. To this end, they must sign a non-disclosure agreement for any information or documents received during the investigation. Breaches of confidentiality, refusal to participate, knowingly providing false information, or interfering with the investigation may result in disciplinary action.

65. Within the needs of the investigation, the investigator may require the production of Institute documents related to the alleged facts. They may also, with the Directorate's authorisation, exercise access rights to electronic accounts of staff members, trainees, students or external persons having accounts provided by the alpha.b Linguistic Institute.

66. The investigation may be carried out in collaboration with the relevant external entity when harassment is committed by an external person having a relationship with the Institute, in order to gather the necessary evidence.

### ***End of the Investigation***

67. The investigator drafts a report on the investigation, determining whether the alleged facts are established based on a set of precise and consistent presumptions. The investigator submits the report to the Directorate within 60 calendar days of appointment, unless special circumstances justify additional time and the Directorate agrees.

68. A summary version of the investigation report, containing the investigator's conclusions, is provided to both the complainant and the alleged perpetrator.

69. If the report concludes that the alleged facts are not established, the Directorate does not initiate disciplinary proceedings and closes the complaint.

70. If the report concludes that the alleged facts are established, the Directorate must initiate disciplinary proceedings. When the harassment is committed by a trainee, student, or any other external person having a relationship with the Institute, the Directorate may request a change of interlocutor or terminate the relevant contract.

71. If the investigator concludes that the alleged facts are established and the Directorate considers that these facts may constitute a criminal offence under the applicable law of the State where the acts occurred, the Directorate implements the

measures described in paragraph 50.

## K – Confidentiality

72. Any person aware of measures taken or underway to address an alleged harassment case must respect the sensitivity and confidentiality of the matter. They must refrain from discussing or disclosing any information or documents to others who do not need to know them in order to fulfil their functions under this policy. Everything must be done to preserve the dignity, rights and self-esteem of all parties involved.

## L – Protective Measures

73. Throughout and at the conclusion of any of the aforementioned procedures, and after consulting the investigator where relevant, the Administrator may decide that the person who considers themselves a victim, the alleged perpetrator and/or witnesses shall be subject to protective measures when their presence or working conditions risk compromising the investigation and/or the interests or proper functioning of the Organisation. These measures are taken immediately when harassment poses an imminent threat to the health and safety of the person(s) concerned.

74. A listening service provided by workplace well-being specialists and the option of consulting occupational health services form an integral part of the support mechanism for the presumed victim.

75. Protective measures do not constitute disciplinary measures and do not prejudge the outcome of the investigation.

76. These measures may consist of adjustments to working conditions, including: teleworking, adjusted working hours, assignment to a different office or workstation, suspension with pay, suspension of access to IT systems, restricted contact with certain staff members or agents, or temporary reassignment.

77. When there is a proven risk of hindering the preliminary review, the investigation, and/or the Institute's interests, the Directorate may decide to relieve the person(s) concerned from duty. During this period, the individual remains, for all administrative purposes, in service and continues to receive their salary. In such cases, the Directorate may order the following measures:

- a) suspension of access to Institute premises, unless authorised in writing by the Directorate and under specified conditions;
- b) suspension of access to IT systems or restricted contact with individuals involved in the preliminary review or investigation.

78. The Administrator may inform hierarchical superiors or managers of the report, preliminary review and/or ongoing investigation so that they:

- a) protect the reputation of all persons concerned, particularly that of the alleged

perpetrator;

- b) ensure that none of them suffers retaliation following the complaint or their participation in the investigation;
- c) maintain the required level of confidentiality.

## M – Monitoring and Evaluation

79. Once a decision has been made regarding the outcome of a substantiated case, close follow-up is carried out by the Human Resources Department so that the persons concerned may resume their work as smoothly and quickly as possible.

This follow-up may include:

- a) contacting the persons concerned to ensure, in particular, that they are not subjected to retaliation. In case of suspicion of retaliation, the Directorate shall take protective measures if necessary;
- b) ensuring that the support needs of the persons concerned are taken into consideration. Special attention must be paid to work evaluation;
- c) ensuring that any administrative or disciplinary measure is duly applied.

80. This policy shall be subject to review and evaluation every three (3) years to ensure its effectiveness or to introduce any necessary corrective measures. This evaluation shall be carried out by the administrative unit responsible for internal audit and evaluation.

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