



Fairtrade Network of Asia and Pacific Producers

Anti – Harassment, Sexual / Bullying and Code of Conduct

Document Release Notice	
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Approved by:	FT NAPP Board FT NAPP Chair - Mr. Pravakar Meher FT NAPP Executive Director - Mr. Sanjeet Singh Khurana

Release No.	Release Date	Details	Approved by
0.1	16 th January 2017		NAPP Chair
0.2	17 th Jan 2020	First Release of Anti – Harassment and Anti – Bullying Policy and Procedure	NAPP Chair & NAPP CEO
0.2	5 th Feb 2020	First Release of Anti – Harassment, including Anti – Sexual Harassment, Code of Conduct for Travel	NAPP Chair & NAPP CEO

Network of Asia and Pacific Producers

Anti – Harassment, Sexual / Bullying and Code of Conduct

1. INTRODUCTION

Fairtrade FT NAPP is committed to provide a safe environment for all its members associated to be free from discrimination on any grounds and from harassment at work including sexual harassment. Fairtrade FT NAPP will operate a zero-tolerance policy for any form of harassment and bullying in the workplace, treat all incidents seriously and promptly investigate all incidence of harassment and bullying. Any person found to have involved in harassment or bullying will face disciplinary action, up to and including dismissal.

All complaints of harassment and bullying will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

2. PURPOSE AND SCOPE:

Purpose of this policy is to provide protection against harassment and bullying at workplace and the prevention and redressal of complaints of harassment and bullying and matters related to it. This policy extends to all FT NAPP associated including individuals, or for any other purpose whatsoever including but not limited to visitors, vendors, contractual resources, and applies to any alleged act of harassment and bullying against persons at workplace, whether the incident has occurred during or beyond office hours. This policy does not prevent any aggrieved person from taking recourse to the law of the land.

3. DEFINITION

Definition of Fairtrade FT NAPP & Staff. - Fairtrade FT NAPP & staff refers to staff/ Consultant members, Board members, producer and worker organizations, volunteers, communities, consultants, and any other person engaged with FT NAPP for any assigned work.

Harassment: Harassment means any inappropriate conduct, comment, display, action or gesture by a person that is either based on race, gender, religion, colour, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin

Bullying is any repeated offensive, abusive, intimidating, malicious or insulting behaviour which makes the recipient feel upset, threatened, humiliated or vulnerable or undermines their self-confidence or causes them to suffer stress or feel upset; and a reasonable observer would identify as amounting to bullying behaviour.

Sexual harassment: Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal.

Sexual Abuse: The threatened or actual physical intrusion of a sexual or sexualised nature, including **inappropriate** touching, by force or under unequal or coercive conditions, sexual assault and rape. It may also include threatened or actual non-physical intrusion (unwanted and/or uninvited exposure to pornography, texts, images, and so on, the sharing of images, texts and so on, demands for sexualised photographs etc.).

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to: Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g., touching, pinching
- The use of job-related threats or rewards to solicit sexual favors

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.

Sexual comments, stories and jokes

- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Anyone can be a victim of harassment or bullying, regardless of their gender and of the gender of the harasser. FT NAPP recognizes that harassment may also occur between people of the same gender. What matters is that the conduct is unwanted and unwelcome by the person against whom the conduct is directed.

FT NAPP recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. Anyone, who work with FT NAPP or represents the organization will be sanctioned in accordance with this Code of Conduct

All sexual harassment is prohibited whether it takes place within FT NAPP premises or outside, including at social events, business trips, hotels, training sessions, producer site visits, conferences or any other places represented or sponsored by FT NAPP.

Discrimination

Discrimination is a form of harassment.

Discrimination is defined as treating a person differently based on some facet of their identity (e.g. race, gender, class, age, sexual orientation etc.), usually in a negative manner. This can include viewing and treating members of a specific demographic based upon stereotypes or misconceptions, purposely treating them as less than others, and denying them the same rights and respects as given to their peers. Discrimination can impact not just the general treatment of a person while at work, but may involve denying them employment, benefits, or opportunities. Many people who harass others in the workplace in a discriminatory manner are discounting their victims as equals and are focusing on a particular part of their identity. Discrimination serves as the reasoning behind the action taken by the harasser against their victim.

Examples of discrimination includes but is NOT limited to:

1. Negative comments or discrimination based on gender, race, ethnicity, age, status or family role or Nationality
2. Deliberate misgendering (e.g., using different pronouns than requested)
3. Discriminating against pregnant people or mothers
4. Racial or ethnic or gendered slurs or jokes
5. Discriminatory comments against members of marginalized religions as a group
6. Misogynist comments
7. Homophobic or transphobic comments or slurs.

Gender Based Violence

Gender-based violence is defined by the UN as violence directed at a woman because she is a woman, as that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering and threats.

4. THE IMPACT OF HARASSMENT AND BULLYING

Harassment and bullying can lead to illness, absenteeism, an apparent lack of commitment, poor performance and resignation. The damage, tension and conflict that harassment and bullying create should not be underestimated. The result is not just poor morale, but higher staff turnover, reduced productivity, divided teams and a poor external reputation.

5. ENFORCEMENT

This policy covers all individuals working for or representing FT NAPP or at any of FT NAPP premises irrespective of their status, level or grade. It therefore includes all Board members, employees, managers, directors, officers, consultants, contractors, trainees, homeworkers, casual and agency staff, partners, visitors and volunteers at induction training and through communication and awareness programs. It will be stressed that all complaints of harassment will be treated seriously. The Policy information provided to all participants of trade shows, conferences, meetings, forums and visits. Enabling producer organizations to include a clause against Anti-Harassment, Anti Sexual Harassment and Anti - Bulling in their organization that have codes of conduct or similar.

Any proven instance of harassment or bullying will be classed as an offence for which FT NAPP staff, consultant, any one is associated with FT NAPP may be disciplined. Serious instances of harassment or bullying will be treated as gross misconduct for which may be led to dismissal.

6. Prevention and Awareness

Fairtrade FT NAPP is committed to preventing all forms of harassment and bullying through the following means:

Awareness: Ensuring that all Fairtrade FT NAPP staff, representatives and third parties connected to FT NAPP are aware of the high standards of behaviour and conduct expected of them to prevent any form of harassment and bullying in the workplace.

Prevention: Promoting a safe and healthy working environment by applying all relevant policies and mechanisms to ensure that FT NAPP Staff and associated and those who work with FT NAPP understand and minimise the risks of any form of harassment and bullying.

Reporting: Ensuring that all FT NAPP personal and those who work with FT NAPP are clear on what steps to take where suspicions or concerns arise regarding allegations of any form of harassment and bullying in the workplace.

Responding: Ensuring that immediate action is taken to identify and address reports of any form of harassment and bullying in the workplace and ensure the safety and well-being of the survivor/victim.

7. Reporting Procedure

Any individual either external or internal to FT NAPP should report any harassment or bullying or concern via email to

Name: **Mr. Sanjeet Singh Khurana**, FT NAPP Executive Director

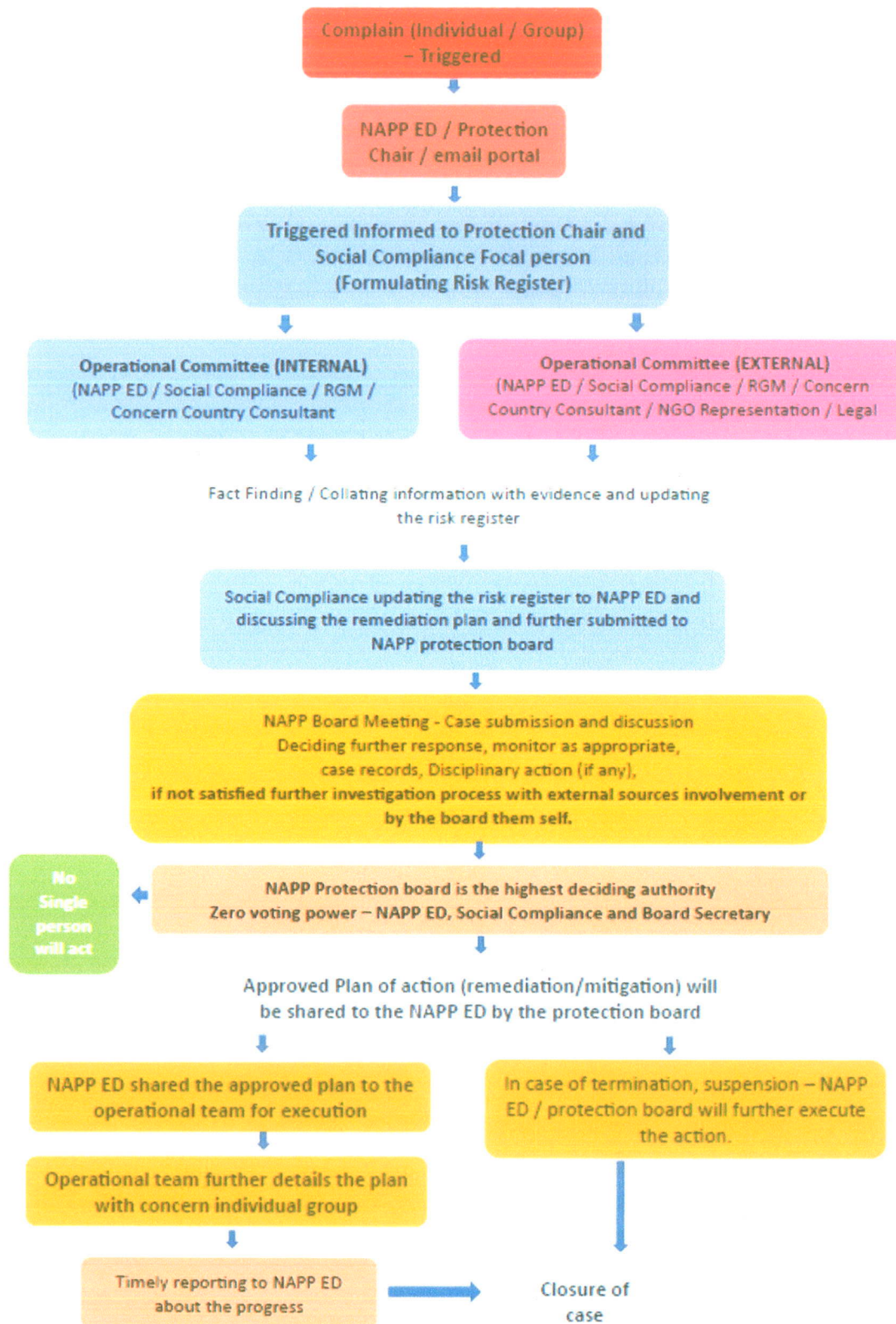
Email: Sanjeet.khurana@fairtradenapp.org AND

Name: Mr.

If you want to report anonymously, you may do so by sending your email to compliance@fairtradenapp.org. You must report any knowledge or suspicion of harassing behavior. If you are unsure about whether a particular act, the treatment of individuals, or their working conditions within any tier of our supply chains constitutes harassment, you must raise it with your FT NAPP Executive Director, as soon as possible. If there is a conflict of interest or you still feel afraid to report please discuss this with FT NAPP's HR person and any other senior team member at FT NAPP or at the FT NAPP board. Incident reports will be acknowledged in writing via email within five business days and actioned within 20 business days.

Report Confidential - All reports of alleged breaches of the Code of Conduct will be treated by the Management and Board or any person receiving the information as confidential until a finding has been made.

Confirming Notice Given - Before considering a reported breach, the Management or Board will confirm that the person who is the subject of the alleged breach is informed of the complaint.



8. Processing

When an allegation or complaint is received, the date should be immediately recorded, the time of the report and facts of the incident as reported. It is paramount that the victim's views are not challenged. It is essential that all those who report, victims understand the process and procedures for dealing with the allegation or complaint and timelines. Provide clear sanctions list for the particular harassment behavior, including the zero tolerance sanctions for sexual harassment, which would result in immediate termination of contract if proven, without honoring any prior agreements.

Depending on the degree of violation, actions may vary, depending on the type of allegation or complaint made:

- No sanction – if no violation has occurred
- Verbal warning – If the allegation or complaint is proven but is minor
- Written warning – if the allegation or complaint is proven but minor, but repeated more than twice
- Temporary or permanent ban from events/spaces/boards – if the allegation or complaint is proven but minor, and the written warning is not heeded
- Suspension – if the allegation or complaint is of a more egregious nature and occurred even once
- Termination of employment – if the allegation or complaint involves sexual or physical harassment and is proven.

A person who has been subject to sexual harassment can also make a complaint outside of FT NAPP and the organization will support this person should the victim request this support.

Opportunity to Explain or Rectify - The Management and Board representatives or any other person receiving the report must provide the person who is alleged to have committed the offense must be given an opportunity to rectify or explain the offending behavior.

Findings of the Management or Board -Once it has carefully investigated the alleged breach of the Code of Conduct for travel, the Management AND Board may decide that (a) no such breach has in fact occurred, or (b) determine that the person has in fact engaged in alleged behavior. Once this determination is made the HR person of the organization was be informed and involved in decision making on sanctions.

Patterns of Minor Misconduct - Where the Management or Board finds a pattern of minor misconduct, it/he/she may decide that such a pattern in total constitutes serious or gross misconduct.

Sanctions for Misconduct -Where the Management or Board finds that an alleged breach of the Code of Conduct by a Member constitutes misconduct, it/he/she may exercise the authority specified in FT NAPP Constitution to either suspend or terminate, or specify other remedies deemed to be reasonable in the circumstances.

Prohibition on disclosure of information

This policy and the law prohibit any person including FT NAPP Board, Committee Members from publishing, communicating or making known to the public, press and media in any manner, contents of the complaint, the identity and addresses of the aggrieved person, respondent and witnesses, any information relating to conciliation and inquiry proceedings, or recommendations during the proceedings under the provisions of the Act. Any violation thereto shall also be subject to applicable disciplinary action.

Conflict of Interest

Committee Members must declare any or all conflicts of Interest prior to the discussion of complaints or at any time a conflict of interest or potential conflict of Interest arises. A conflict of interest refers to situations in which personal,



occupational or financial considerations may affect or appear to affect the objectivity or fairness of decisions related to the committee activities. A conflict of interest may be real, potential or perceived in nature. Individuals must declare potential conflicts to the Presiding Officer and must either absent themselves from the discussion and voting, or put the decision to the committee on whether they should absent themselves. If the Presiding Officer has a conflict of interest, they should disclose it and a replacement officer at a senior manager level be found to replace. All this should be recorded in written notes.

Appeals:

If the complainant or the subject of the complainant if filed on behalf of this person and/or the harasser or bully not satisfied with the outcome of the investigation, they may appeal in writing to the FT NAPP Board and the HR Committee of the Board stating the full grounds of appeal, within one week of the date on which the decision was sent to them.

The ICC with three members of the FT NAPP Board, HR committee will hold an appeal meeting, normally within one week of receiving your written appeal. This will be dealt with impartially by members who have not previously been involved in the case (although they may ask anyone previously involved to be present). Either party can bring a representative for this meeting.

The FT NAPP Board Chair and FT NAPP Executive Director will confirm the final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

Monitoring and evaluation

Fairtrade FT NAPP recognizes the importance of monitoring Anti-Harassment, Anti-Sexual harassment and Anti-Bullying policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective.

FT NAPP Board, Staff personal, Managers and those responsible for dealing with harassment cases will report on compliance with this policy, including the number



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of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the company will evaluate the effectiveness of this policy and make any changes needed.

Breach of the Policy

Breach of the principles contained in this Policy will entail the implementation of the appropriate measures, in accordance with employment law in force. Compliance with that established herein is the responsibility of each and every one of us. Any breach of this Policy by FT NAPP Personal will be regarded as serious misconduct, leading to disciplinary action which may include termination. Failure to cooperate or to provide truthful information is a breach of this Policy.

9. Review of this Policy and Procedures

This Policy will be reviewed three years after it has been signed and approved by the FT NAPP board.

Approved:

Date: 05.04.2023

Chair of FT NAPP Board: Mr. Pravakar Meher

FT NAPP Executive Director: Mr. Sanjeet Singh Khurana

FT NAPP Personal Declaration

I _____ acknowledge that I have read and understand FT NAPP's Protection of Children and Vulnerable Adults, and agree that in the course of my association with FT NAPP.

To report any incident, I abide to follow the Annexure B of the Policy of Protection of Children and Vulnerable Adults.