



Welcome the stranger.  
Protect the refugee.

## HIAS ANTI-DISCRIMINATION, HARASSMENT, BULLYING, AND ABUSE OF POWER POLICY

Effective: December 18, 2022

### Purpose

In keeping with its vision and values as outlined in its Code of Conduct, HIAS is committed to maintaining the highest degree of ethical conduct among all its staff, associated Personnel, and partners. Moreover, championing the diversity of background, thought, and experience is essential to our core values. Therefore, HIAS is resolute and unwavering about creating an inclusive workplace that promotes and values the entire human spectrum of diversity. HIAS supports each employee's right to work in a professional atmosphere that treats everyone with respect and dignity, promotes equal opportunities, and is free from discrimination, bullying, harassment, and abuse of power. This HIAS Policy ("Policy") informs HIAS Staff, Associated Personnel, and Partners of their legal, contractual, and ethical responsibilities to ensure that all our workplaces are free from discrimination, harassment, bullying, and abuse of power in all of HIAS' operations globally, regardless of local practices or social norms.

### Applicability

This Policy applies to all HIAS Staff and Associated Personnel globally (collectively referred to as "HIAS Personnel"). "HIAS Personnel" is defined as all: (a) permanent, fixed term, and temporary staff; (b) board members; (c) external consultants, independent contractors, and sub-contractors; (d) third-party representatives and agents; and (e) volunteers, community workers, interns and public service or fellows who conduct work on behalf of HIAS. This Policy also applies to external parties, such as HIAS' partners, sub-recipients, suppliers, and vendors, working for or receiving funding from HIAS ("HIAS Partner"). In short, this Policy applies to any individual or entity with a contractual relationship with HIAS and any individual or entity that is funded, in whole or in part, with HIAS resources or that acts on HIAS' behalf at HIAS' direction in an activity involving HIAS.

This Policy covers discrimination, harassment, including sexual harassment, bullying, and abuse of power:

- Caused by HIAS staff, associated personnel, or HIAS Partners and directed towards other HIAS Personnel, HIAS Partners, or HIAS Donors, regardless of level of seniority within the organization
- Discrimination, harassment, bullying, and abuse of power of a non-sexual nature by HIAS staff, associated personnel, or HIAS Partners towards program participants

This Policy does not cover:

- Sexual harassment or other exploitative or abusive behavior toward program participants, which is covered by HIAS' Protection from Sexual Exploitation and Abuse (PSEA), Safeguarding of Children, and Anti-Human Trafficking Policies
- Discrimination, harassment, bullying, or abuse of power in the wider community not perpetrated by HIAS staff, associated personnel, or partners

This Policy applies to any form of discrimination, harassment, bullying, and abuse of power both during and outside of working hours. It also covers discrimination, harassment, bullying, and abuse of power occurring in any HIAS work environment, whether on HIAS' premises or in any HIAS-related setting. The work environment includes actual worksites, any setting in which work-related business is being conducted (whether during or after regular business hours), remote work locations, online and electronic interactions with HIAS Personnel and Partners involved in our operations, HIAS-sponsored events, and HIAS-owned/controlled property.

This Policy applies to conduct during all terms and conditions of employment, including, but not limited to, recruitment and hiring, placement, promotion, termination, reductions in force, recall, transfer, leaves of absence, compensation, training, and other terms, conditions or privileges of employment. The use of the word "harassment" herein refers to sexual as well as other forms of harassment.

Adherence to this Policy is mandatory, and non-compliance will result in appropriate disciplinary action, up to and including termination. For Partners, violation of this Policy and failure to take appropriate corrective action may result in suspension or immediate termination of the partnership agreement, commensurate with the nature and severity of the conduct. It may also result in the party being deemed ineligible for future partnership agreements with HIAS.

Where any provision of this Policy conflicts with a law or regulation, the law or regulation shall govern and supersede the conflicting provision. Where the HIAS standard is higher than applicable laws, HIAS' Policy shall be followed. This Policy replaces the US "Non-Discrimination and Anti-Harassment Policy."

Overall responsibility for enforcement of this Policy rests with HIAS' Human Resources Department and HIAS' General Counsel. Any questions regarding this Policy or its implementation should be directed to HIAS' Human Resources Department or General Counsel.

## **Policy Statement**

**HIAS prohibits and has a zero-tolerance policy for all forms of discrimination, harassment, including sexual harassment, bullying, and abuse of power, by or against any individuals involved in our operations, with those terms defined as follows.**

## Discrimination

HIAS is an equal opportunity employer and prohibits discrimination which is any unfair treatment or arbitrary distinction based on a person's membership in or affiliation with a protected group, which may include, but is not limited to: race, color, ethnicity, national origin or ancestry, citizenship, caste, tribal affiliation, religion, creed, sex, sexual orientation or age. It also includes unfair treatment or arbitrary distinction based on a protected status or characteristic, including, but not limited to: domestic partnership, familial status, caregiver status, socio-economic status, or victim of gender-based violence, pregnancy, lactation, childbirth or related medical conditions; gender expression or identity, physical or mental disability, neurodiversity, genetic information (including testing), or any other status protected by federal, state or local law. Personnel should refer to their respective Country Office's Employee Handbook for other legally protected categories.

## Harassment

### *Sexual Harassment*

Sexual harassment is one type of sex discrimination. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; (2) submission to or rejection of this conduct by an individual is used as a factor in decisions affecting hiring, evaluation, promotion or other aspects of an individual's employment or engagement; and/or (3) such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Sexual harassment may take many forms, including, but not limited to:

- A request or demand for a sexual favor accompanied by an implied or overt threat concerning an individual's employment status or the terms of the individual's engagement, such as discharge, demotion, or reassignment
- A request or demand for a sexual favor accompanied by an implied or overt promise of preferential treatment with regard to an individual's employment status or the terms of the individual's engagement
- Unwelcome or inappropriate touching of an individual, for example, patting, pinching, hugging, or repeatedly brushing against another individual's body
- Physical conduct, including unwelcome or inappropriate touching, physical violence, intimidation, assault, or impeding or blocking regular movements
- Verbal conduct such as making or using sexist remarks or derogatory comments based on gender, innuendos, epithets, slurs, sexually explicit jokes, or lewd or sexual comments about an individual's appearance, body, or dress, or whistling or making suggestive or insulting sounds
- Repeated sexual jokes, unwelcome propositions, flirtations, or advances
- Visual conduct such as leering, making a sexual gesture, displaying to another a pornographic or sexually suggestive image, object, picture, cartoon, graffiti, poster, or website on computer, email, cell phone, bulletin board, etc.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, assigned sex at birth, gender identity including but not limited to transgender/

cisgender/nonbinary, gender expression, or pregnancy status, such as interfering with the individual's ability to perform the job, sabotaging an individual's work or bullying or name-calling

Sexual harassment can occur regardless of the gender of the person committing it or the person exposed to it.

### *Other Types of Harassment*

Harassment is unwanted conduct affecting the dignity of individuals in the workplace based on any protected status, including but not limited to the characteristics mentioned in the "Discrimination" section above. Harassment is conduct reasonably perceived as demeaning and unacceptable by the recipient undertaken with the purpose or effect of creating an intimidating, humiliating, or offensive working environment. Prohibited harassment may include behavior similar to the illustrations above pertaining to sexual harassment. It also includes, but is not limited to:

- Verbal conduct including taunting, jokes, threats, epithets, derogatory comments or slurs based on an individual's protected status
- Visual and/or written conduct, including derogatory posters, photographs, calendars, cartoons, drawings, websites, emails, text messages, or gestures based on an individual's protected status
- Physical conduct, including assault, unwanted touching or blocking regular movement because of an individual's protected status.

### **Bullying**

Bullying is intimidating, malicious, or insulting behavior towards Personnel, whether or not that behavior is based on membership in a protected group. which is reasonably perceived as and has the effect of undermining, frightening, humiliating, denigrating, injuring, or causing harm to the recipient in some way. Bullying often involves abuse or misuse of power. Bullying is generally of an ongoing/pervasive nature but may also be a single incident, and it may be subtle in nature. Bullying can occur in person, or by phone, email, through social media, or other electronic communication. Specific examples of conduct that may constitute bullying include, but are not limited to:

- Verbal aggression, such as shouting or swearing
- Persistent, excessive, unwarranted, or unfair criticism
- Public humiliation, ridicule, taunting, or unwanted name calling
- Repeated intentional exclusion in the workplace
- Spreading dishonest and/or destructive rumors about a team member or the agency
- Threats of or actual physical assault

### **Abuse of Power**

Abuse of Power is the unreasonable use of a position of influence, status, power, or authority to require or coerce an individual to perform an action or task that is inappropriate and/or disrespectful, illegal, or in direct conflict with a HIAS Policy or procedure. This includes situations where the person in question uses their influence, status, power, or authority to arbitrarily influence the career or employment conditions (including, but not limited to, appointment, assignment, contract renewal, performance evaluation, or promotion) of HIAS or external Personnel.

Abuse of power can include a one-time incident or a series of incidents. It may also consist of conduct that creates a hostile or offensive work environment, which includes, but is not limited to, the use of intimidation, threats, blackmail, or coercion.

Because of the potential for exploitation, abuse, or other real or perceived conflicts of interest, HIAS also prohibits HIAS Personnel from hiring current program participants for personal services such as house cleaning or childcare.

#### *Use of HIAS' Resources for Discrimination, Harassment, Bullying, or Abuse of Power*

HIAS prohibits the use of HIAS' work equipment, including computers, cell phones, office walls, vehicles, and internet access, for purposes of viewing, displaying, or disseminating material that is discriminatory, harassing or bullying in nature, or for the purposes of abusing their power.

#### *Use of HIAS' Resources for Sexual Content or Activities*

HIAS prohibits the use of HIAS' offices or vehicles for engaging in any sexual activity, or the use of HIAS work equipment, including computers, HIAS issued cell phones, office walls, and internet access for the purposes of viewing, recording, displaying, or disseminating material that is pornographic or sexually explicit in nature. HIAS will take into account local cultural norms regarding what is considered sexual activity and look at incidents on a case-by-case basis. Country Directors, with support from national Human Resources staff, will have the ultimate responsibility for making this determination. For incidents at HQ, the Executive Vice President, with support from Global Human Resources, will be ultimately responsible.

#### *Relationships in the Workplace*

Although romantic relationships between HIAS colleagues are not strictly prohibited, such relationships must be entirely welcome, without any form of coercion, exploitation, or abuse of power, voluntary and consensual, and may not impact professional duties or the working environment. HIAS strongly encourages all Personnel to report their romantic relationships with other Personnel to their supervisor and the Human Resources department responsible for their employment as soon as possible. Reporting is confidential, intended to protect the Personnel involved, and help ensure that perceptions of the potential for misconduct (for example, including conflicts of interest and perceived preferential treatment) are addressed before they arise.

Romantic or sexual advances by a supervisor/senior management team leader toward any person in their respective offices are prohibited due to the inherent or perceived power imbalance between persons in a supervisory or leadership role and those who report to them and/or conflicts of interests that may arise due to the relationship. When a romantic relationship arises that involves a leader, supervisor, or manager and anyone in their respective office, both Personnel are required to report the romantic relationship to Global Human Resources, Regional Directors, and other supervisors as determined appropriate as soon as possible. Relationships between leaders, supervisors, or managers and Personnel in their respective offices that are not formally disclosed may be investigated as a breach of this Policy.

## Required Procedures

All HIAS Personnel are obliged to:

- Contribute to creating and maintaining a culture and secure environment that prevents discrimination, harassment, bullying, and abuse of power and promotes the implementation of this Policy
- Cooperate in any investigation of a violation of this Policy where their participation is needed

Executives, Senior Management, and Supervisors are obliged to:

- Take seriously and prioritize any allegation of conduct that violates this Policy and immediately report it as outlined in the “Reporting” section below
- Hold themselves and others accountable for a working culture that fosters respect and inclusion, promotes the implementation of this Policy, and does not tolerate discrimination, harassment, bullying, or abuse of power
- Ensure every HIAS Personnel under their direct or indirect supervision receives, understands, and agrees to comply with this Policy
- Make sure that all Personnel have a level of knowledge and competence with regard to this Policy that is appropriate to their function and role
- Per the Whistleblowing Policy, ensure that anyone who reports conduct that violates this Policy in good faith or participates in investigations is not retaliated against

HIAS will:

- Implement stringent procedures when recruiting, managing, and deploying HIAS Personnel to ensure they have not previously engaged in discrimination, harassment, bullying, or abuse of power, including but not limited to criminal background checks
- Train all Personnel on the contents of this Policy and their specific responsibilities related to their job role and function
- Display awareness-raising material about this Policy in visible locations at all offices and project sites, in relevant working languages, including the available reporting channels.
- Include the obligation to adhere to this Policy and any additional, related donor requirements in contractual agreements and memoranda of understanding with partners

## Reporting

HIAS strongly encourages reporting all incidents of discrimination, harassment, bullying, or abuse of power, regardless of the offender’s identity or position, so an effective and thorough investigation can be conducted promptly and discreetly, and effective disciplinary or remedial action can be taken when appropriate. Complaints will be accepted in writing, by email, or verbally. Reports made can be shared with any Human Resources staff member or to HIAS’ General Counsel by telephone (1-888-559-8518), email ([ethics@hias.org](mailto:ethics@hias.org)), or via [www.hias.ethicspoint.com](http://www.hias.ethicspoint.com). In addition, reports may be made anonymously.

National Human Resources staff must inform Global Human Resources and their Country Director when incidents are reported, as well as the outcome of any investigation and disciplinary measure imposed, to ensure consistent application of this Policy. Incidents that implicate Human Resources or HIAS' General Counsel may also be reported to the HIAS President/CEO, HIAS' Executive Vice President, or the Chair of the HIAS Board.

All supervisors or managers who receive a complaint or credible information about suspected discrimination, harassment, bullying, or abuse of power, observe behavior that may violate this Policy, or reasonably suspect discrimination, harassment, bullying, or abuse of power is occurring, are required to immediately report such suspected conduct to the channels described above.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to discrimination, harassment, bullying, or abuse of power from promptly advising the offender that the behavior is unwelcomed and requesting it be discontinued.

### **Survivor-Centered Approach**

HIAS is committed to responding to all reports of conduct that violate this Policy with a survivor-centered approach. This means that a survivor's safety, dignity, and well-being are the primary considerations in all steps that HIAS takes in responding to reports of discrimination, harassment, bullying, or abuse of power and in taking precautions to minimize any additional harm to the survivor. HIAS will seek to ensure that survivors are referred to medical, psychosocial, legal, and safety support services as appropriate and available and according to the survivor's specific needs and wishes. In addition, HIAS will assist survivors with reporting incidents to the proper authorities should they so choose.

### **Investigation**

HIAS will carry out a timely, fair, thorough, objective, confidential, and survivor-centered investigation, recognizing the rights and interests of everyone involved, including the complainant and survivor (if different from the complainant), witnesses, and the subject of the complaint. Investigations will be carried out according to HIAS' Standard Operating Procedures for Dealing with Discrimination, Harassment, Bullying, and Abuse of Power Reports. If necessary, HIAS may also refer reports to other agencies for investigation.

### **Confidentiality**

HIAS will maintain confidentiality surrounding the investigation to the extent possible, consistent with a thorough and objective investigation. Information relating to the concern and subsequent case management will be shared only on a need-to-know basis and will be kept secure at all times. Where a law, rule, or regulation, such as the European Union General Data Protection Regulation (GDPR), governs a person's access to information, HIAS will comply with that law, rule, or regulation while also keeping information related to the concern confidential at all times.

### **Disciplinary Action**

Should the results of the investigation reveal an employee has engaged in prohibited or unlawful



conduct, HIAS will take prompt and effective remedial action, including appropriate disciplinary action commensurate with the nature and severity of the conduct, up to and including termination of employment. Appropriate action will also be taken to deter any such conduct in the future. Separate from the HIAS investigation, individuals may be held personally liable under the law in certain cases.

Supervisors and managers may also be subject to discipline (up to and including termination) for failing to report reasonably suspected discrimination, harassment, bullying, or abuse of power or otherwise knowingly allowing such conduct to continue.

### **Protection Against Retaliation**

HIAS prohibits retaliation against an individual who, in good faith, reports discrimination, harassment, bullying, or abuse of power internally or with a government agency; objects to, opposes or speaks out against discrimination, harassment, bullying, or abuse of power; participates in an investigation of discrimination, harassment, bullying, or abuse of power; encourages another person to report discrimination, harassment, bullying, or abuse of power; or files, testifies, assists or participates in any manner in any investigation, proceeding or hearing conducted internally or by a governmental enforcement agency regarding discrimination, harassment, bullying, or abuse of power. However, any individual who makes a complaint knowing that it is false will be subject to appropriate discipline, up to and including termination.

Retaliation is a serious violation of the HIAS' Code of Conduct and should be reported immediately using the HIAS' reporting procedures outlined above, which include reporting to the Human Resources department and/or General Counsel.

### **Associated Policies**

[HIAS Code of Conduct](#)

[HIAS Protection from Sexual Exploitation and Abuse \(PSEA\) Policy](#)

[HIAS Safeguarding of Children Policy](#)

[HIAS Anti-Trafficking Policy](#)

[HIAS Whistleblowing Policy](#)

### **Changes and Updates to this Policy**

HIAS reserves the right to make changes and updates to this Policy as required. If modified, the Policy will be communicated to all HIAS staff and associated Personnel and posted on HIASnet, indicating the latest revision date.

**Document Type:** Board Policy

**Version number:** 1

**Owner:** Chief Human Resources & Administrative Officer and General Counsel

**Persons who prepared the document:** Chelsea Sommer Director, Safeguarding

**Person who approved the document:** HIAS Board of Directors

**Date of Approval:** December 18, 2022

**Date of next review:** December 18, 2027



## **HIAS Personnel Anti-Discrimination, Harassment, Bullying, and Abuse of Authority Certification Form**

I hereby affirm and acknowledge that I have received a copy of this Policy, and I fully understand all of the terms contained herein. I agree to comply with all terms of this Policy and to report any acts of violation of this policy or related policies and procedures according to the "Reporting" section above. I understand that it is my sole responsibility to ask any questions about this Policy, and I confirm that I have had the opportunity to do so.

I acknowledge and understand that my non-compliance with this Policy may result in disciplinary action, including the termination of my employment or other relationship with HIAS and the pursuit of legal action against me by HIAS.

I further understand that the foregoing may result in criminal or civil penalties and fines imposed by law, which HIAS reserves the right to pursue in its sole discretion.

I understand that this policy should be signed upon employment or relationship with HIAS and January 1 every year after.

\_\_\_\_\_  
Print name

\_\_\_\_\_  
Position or Affiliation with HIAS

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date