



INTERNATIONAL UNIVERSITY OF SARAJEVO

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IUS Policy and Procedure on Sexual Harassment

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I Introduction

IUS Policy and Procedure on Sexual Harassment (hereinafter Policy) highlights IUS commitment to provide a supportive and inclusive learning, working, and social organizational culture in which all members of the IUS community can realize their potential and are treated with dignity and respect. IUS is strongly committed to creating and maintaining community dedicated to the advancement, application and transmission of knowledge and creative endeavours through academic excellence in an organizational culture free of harassment, intimidation, or exploitation.

1. IUS is strongly against any form of sexual harassment and it requires from all its members, visitors, and other stakeholders to treat each other with respect and dignity.
2. This Policy reflects several important aims of the University:
 - a. Promotion of a positive environment in which people are treated equally and with respect;
 - b. Clear statement that sexual harassment is unacceptable and that all members of the IUS community are important players in a creation of positive organizational culture that is oriented toward principles of equal opportunities;
 - c. A framework of support for staff and students who feel they have been subject to sexual harassment; and
 - d. A mechanism by which these complaints can be addressed in a timely way.

The policy requires that positions of authority (Rector, vice-rectors, deans, head of departments, program coordinators, secretary General, and managers of administrative units) are expected to familiarize themselves with the Policy. Persons listed in previous paragraph are formally responsible for implementation and monitoring for possible breaches of the rules at their workplace. Finally, they are responsible to investigate promptly and effectively and to take further steps in solving such issues.

All members of the University community are personally responsible for complying with this Policy by:

- a. Treating others with dignity and respect.
- b. Discouraging any form of sexual harassment by making it clear that such behaviour is unacceptable.
- c. Supporting any member of the IUS who feels he/she has been subject to sexual harassment, including supporting them to make a formal complaint if appropriate.

II Definitions

The **academic freedom** at the University is the right of any member of the academic staff or students to have freedom of opinion, to express it and act in respect to delivering lessons, expressing scientific hypotheses or scientific facts, without fear of sanctions, under condition that their academic activities are performed in accordance with the Constitution and law, which do not jeopardize human rights and freedoms of other subjects of the academic or local community as a whole. [1]

Sexual Harassment has been defined in the Law on Gender Equality in BiH as “any unwanted gender-based behaviour that intends to violate the dignity of a person or group of people or which produces such effects, especially if such behaviour creates a scary, hostile, degrading, humiliating, or offensive environment”. [2] [Appendix 1& 2]

Furthermore, the Law on Gender Equality in BiH prescribes that “**Gender-based violence** is any action that inflicts or that may cause physical, psychological, sexual or economic harm or suffering, as well as a threat by such actions which impedes the person or group of persons to freely exercise their human rights and freedoms in the public and private sphere of life”. [2]

III Guidelines for Staff and Students

IUS commits to provide prompt and full support to all members who experience sexual harassment at work in order to resolve particular issue expeditiously and professionally.

Those who experience sexual harassment or any other above mentioned behaviours, are provided with two ways to deal with it: informal and formal.

Informal approach requires that offended party directly communicate to the offender about things that bother him/her. Since IUS workplace environment consists of people (staff and students) from different parts of the world, some misunderstanding can result due to the fact that different cultures interpret the same behaviours differently. Therefore, the fact that somebody is feeling as being harassed has to be stated explicitly (verbally or by written communication tools, or by asking a third party to help you) and that such behaviour is objectionable to you. The goal of this approach is that even if the other person intended to act in an unacceptable way, a swift and clear statement objecting to such behaviour may be enough to put a stop to the problem.

IUS member who has been approached informally by a complainant is expected to respond sensitively and reasonably to the complainant in a way of respecting and accepting a complainant’s initiative to deal



with an issue. Informal approach should be done entirely on a confidential basis and both parties are encouraged to listen to each other and to try to find the best possible solution. If parties are not willing or not capable to find an agreement, a complainant should proceed with a formal complaint.

If informal approach does not solve a problem or offended party does not see that informal approach would help, offended party needs to submit formal complaint [Appendix 3]. Offended party is under no obligation to pursue informal approach before resorting to formal complaint.

A formal complaint has to include several important details, such as: description of incident(s), date(s), time(s), and witnesses if there are any.

A formal complaint will be processed in accordance to regular IUS disciplinary procedures that may include investigation, testimonies, and examination of evidences provided. Serious case of harassment is stipulated as gross misconduct in IUS regulations and as such and may lead to dismissal (termination of contract for staff, or expulsion from the IUS for students).

IUS adopts policy by which, it may not be considered appropriate for the harasser and complainant to continue working in the same area. This policy is implemented in a way so that wherever possible, the IUS will redeploy the harasser rather than the complainant, unless it has been shown that "harasser" has been accused based on a false information.

IV Confidentiality, Retaliation, and Malicious and False Accusations

All records and discussions related to any complaint which is of sexual harassment nature will be kept confidential. Furthermore, no employee, applicant for employment, student, or member of the public shall be subject to restraints, interference, coercion or reprisal for the action of seeking advice concerning a sexual harassment matter, to file a sexual harassment grievance, or to serve as a witness or a panel member in the investigation of a sexual harassment grievance. Acts showing retaliation are a violation of this policy and will be investigated and adjudicated accordingly.

It is important to notice that complainants have their responsibility as well. IUS recognizes the possibility that complaints may be brought with mischievous or malicious intent and this may provide grounds for disciplinary action against individuals for filing such complaint.

All reasonable steps will be taken to ensure that all enquiries and complaints are dealt with in confidence. Accusations of harassment are potentially defamatory and could provide grounds for possible legal action; it is therefore essential that complainants as well as recipients of complaints observe strict confidentiality.

V Contact Person

Equality Officer



Tbd

Upon receiving the Misconduct report form, the Equality Officer will consider it in front of the committee that is comprised of:

- Equality Officer
- Ethical Committee
- Representative of Psychology Counseling Centre

REFERENCES

- [1] – IUS Statute Article 20
- [2] – Law on gender equality in Bosnia and Herzegovina
- [3] – Law on Higher Education of Canton Sarajevo

Appendix 1

Sexual harassment can take a number of forms. Some examples of sexual harassment include, but are not limited to:

- Unwelcome sexual invitations or requests
- Offering favours of employment benefits such as promotion, favourable performance evaluation, favourable assigned duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favours
- Repeated requests for dates or contact information
- Verbal abuse or threats of a sexual nature
- Sexually suggestive comments, jokes or innuendos
- Stalking
- Leering, ogling or other gestures with suggestive overtones
- Unwelcome touching and groping
- Visual displays of sexual images perceived to be degrading or offensive
- Acts of vengeance motivated by rejected sexual attentions
- Observing, photographing, videotaping or other recording of sexual activity or nudity without the knowledge and consent of all parties
- Demanding sexual favours accompanied by implied or overt threats concerning one's job, grades, or letters of recommendation

Appendix 2

Verbal	Non-verbal	Physical
Referring to an adult as a girl, hunk, doll, babe, or honey	Looking a person up and down (Elevator eyes)	Giving a massage around the neck or shoulders
Whistling at someone, cat calls	Staring at someone	Touching the person's clothing, hair, or body
Making sexual comments about a person's body	Blocking a person's path	Hugging, kissing, patting, or stroking
Making sexual comments about a person's clothing, anatomy, or looks	Following the person	Touching or rubbing oneself sexually around another person
Repeatedly asking out a person who is not interested	Giving personal gifts	Standing close or brushing up against another person
Telling sexual jokes or stories	Displaying sexually suggestive visuals	
Asking about sexual life, fantasies, or history	Making sexual gestures with hands or through body movements	
Making kissing sounds, howling, and smacking lips	Making facial expressions such as winking, throwing kisses, or licking lips	
Making sexual comments or innuendos		
Turning work discussions to sexual topics		
Telling lies or spreading rumors about a person's personal sex life		



Purposely calling someone by the wrong or non-preferred pronoun (he/she,him/her)

Source: Kadir Has

Appendix 3: Misconduct Report Form

International University of Sarajevo

Sexual Harassment Complaint Form

Directions: If you believe that you have been unlawfully harassed/ discriminated against, please fill out this form and return it to the Human Resource Office. If more space is necessary, please continue your comments on the back of this form.

Name: _____ Date of Complaint: __/__/____

Faculty/Department: _____ Job Title: _____

Individual(s) who allegedly committed harassment/discrimination:

1. Describe the nature of your complaint. Include dates and as much detail as possible.



2. Identify all employees/students/or others with knowledge of the conduct about which you are complaining:

3. Did employees/students/or others listed on the previous page personally observe or overhear the alleged conduct? If yes, please indicate the dates of observed/overheard behaviour.

4. Are there documents or emails which contain information supporting the occurrences described above?



8. What is your requested remedy in this complaint?
9. Are there any other individuals you want the University to contact regarding your complaint? If so, who do you wish contacted and why?

Acknowledgment

To investigate your complaint, it will be necessary to interview you, the alleged harasser(s), and any witnesses with knowledge of the allegations or defences. The University will notify all persons involved in the investigation that it is confidential and that unauthorized disclosures of information concerning the investigation could result in disciplinary action, up to and including termination of employment.

The information provided in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence the University deems relevant.

Signature

____/____/____

