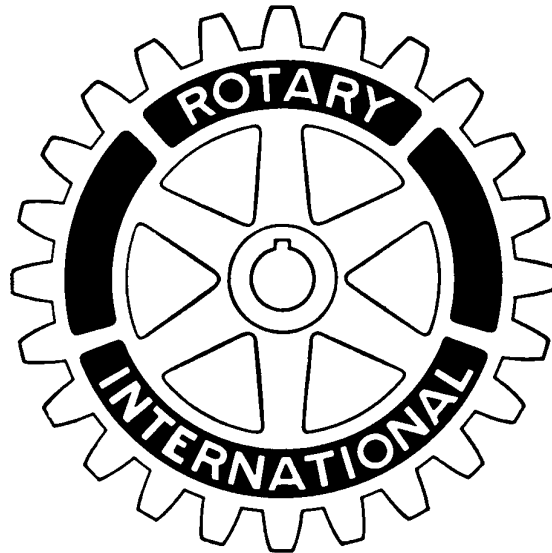


ROTARY
INTERNATIONAL
DISTRICT 9690 Inc.



**SEXUAL HARASSMENT
POLICY & PROCEDURES**

This 'Policy and Procedures' was adopted at
District 9690's Annual Resolutions Session
held at the Club Presidents' Meeting
on Friday 4th March 2005.

SEXUAL HARASSMENT POLICY AND PROCEDURES

Introduction

Rotary is an organisation of business and professional leaders united worldwide who provide humanitarian service, encourage high ethical standards in all vocations, and help build goodwill and peace in the world.

The world's first service organisation, Rotary has a long history of helping those in need and uniting people of different cultures and beliefs. Through the work of Rotary International, its Districts, Clubs and individual members, Rotary is making the world a better place.

An integral part of Rotary International's goals and objectives involves creating an environment where all members and participants in Rotary associated activities have the right to be treated fairly, and with respect, as well as to participate in a safe and harmonious environment.

Rotary International views sexual harassment as a serious breach of the duties of respect and confidence owed by each member to each other and to the organisation to which they belong. It is offensive, detrimental and immoral, and completely contrary to the ethos of Rotary International.

Accordingly, any form of sexual harassment in Rotary will not be tolerated, at any level, and this view is to be published both internationally and locally, and adopted by every District, Club and Rotary-associated organisation.

Disciplinary action will be taken against any individual engaging in such conduct, as well as against any Club or District allowing or suppressing accounts of such conduct.

Rotarians must ensure that they understand and at all times comply with Rotary's policy on sexual harassment, and act promptly to discourage any such behaviour of which they become aware, according to the procedures laid down by Rotary.

This policy applies to all persons 18 years and over and is aimed at complementing the rights and obligations of individuals and organisations as outlined in existing state and federal legislation. The protection of persons under 18 years of age is covered by the District 9690 Child Protection Policy and Procedures.

Definition of Sexual Harassment

Sexual harassment is any unwanted, unreciprocated and unsolicited sexual advance or conduct of a sexual nature which makes a person feel offended, humiliated or intimidated.

Sexual harassment can take many different forms and may include:

- physical contact
- verbal comments
- jokes
- propositions
- the display of offensive material or
- other behaviour which creates a sexually or emotionally hostile environment.

This behaviour may be intentional or unintentional; one incident or a series of incidents.

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Examples of Sexual Harassment

- Uninvited or unwanted physical contact such as touching, kissing, embracing, patting, pinching, brushing up against or any other contact of similar nature
- Sexually oriented jokes, comments, innuendo or verbal abuse
- Non-verbal acts such as offensive body language, including staring, leering or sexual gestures
- Displays of pornographic or sexually oriented material
- Offering favours, or preferential treatment, or threatening abuse, in return for sexual favours
- Obscene telephone calls or emails
- Sexual insults, taunts, teasing or stereotyping, or insinuations about that person's private life
- Persistent unwelcome social invitations
- Following or stalking a person, or constantly being in their "space"
- Sexual assault

Who is at Risk?

Sexual harassment may affect both males and females, whether Rotarians or participants in a Rotary program or activity.

No Rotary Club is immune from sexual harassment.

Sexual harassment may be committed by a member of either the same or the opposite sex. Often the harasser will be in a position of authority over the harassed person.

Certain groups may be more vulnerable, such as Youth Exchange students, Group Study Exchange Team members, young people and women.

Sexual Harassment and the Law

Sexual harassment can be a criminal offence under certain criminal codes both at a state and federal level, as well as civil legislation such as the Sex Discrimination Act (Commonwealth).

Sexual harassment within Rotary is not tolerated, and members can be held legally liable for any harassment which occurs in connection with Rotary club meetings and activities. This includes both civil and criminal liability.

Liability may attach not only to the alleged harasser, but also to any member or person associated with Rotary who was aware of the harassment, and the Rotary organisation itself.

An allegation of sexual harassment is a serious matter which may affect the alleged harasser's reputation. Accordingly, privacy, not least because of widespread defamation laws, must be paramount in investigating and resolving complaints of sexual harassment. Information about allegations must be made available only to those persons authorised to deal with complaints. Written records of interviews and proceedings must be kept securely to ensure confidentiality and rumours must not be allowed to be spread.

A Rotarian or participant in Rotary associated activities should not be deterred from making a complaint about sexual harassment out of concern for defamation proceedings. If the person making a complaint acts in good faith and only discloses the complaint to the appropriate people in Rotary, then they will not be liable for defamation.

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The Effects of Sexual Harassment

The most distressing effects of sexual harassment obviously are borne by the complainant, for whom the harassment is both threatening and offensive.

It should be noted that the effect of the conduct is the same whether the conduct was intentional or unintentional. The person may feel embarrassed, annoyed, scared, humiliated, powerless, intimidated or distressed.

If the offensive behaviour occurs over a prolonged period, it can lead to psychological distress and permanent emotional scars.

Procedure for Dealing with Sexual Harassment Allegations

Of paramount importance is to reassure the complainant who has come with allegations of sexual harassment.

In many cases, sexual harassment can leave the complainant feeling disempowered and threatened, meaning that support is the greatest need at the time any allegations are raised.

Rotary International must ensure that there are trained and experienced counsellors available to assist the complainant and take over the reporting process.

- The first point of contact in all allegations should be the complainant's nominated support person, ideally a Club Counsellor or similar. Their role is at all times to provide support and information to the complainant. They should take preliminary details and advise of possible routes of action, as well as informing the matter promptly to the Club President and District Governor.
- Except in the cases involving serious or criminal offences, every attempt should be made to deal with the matter informally, whilst nevertheless ensuring that the matter is dealt with comprehensively to the emotional and substantive satisfaction of the complainant.
- The complainant must also be informed of the options available to resolve the dispute, depending on the outcome they wish to achieve. These may include an informal dispute resolution process, such as mediation, or lodging a complaint with an external agency such as the Human Rights and Equal Opportunity Council or the Anti Discrimination Board, or reporting the incident to police.
- The alleged harasser should be approached separately and privately, not by the complainant unless they desire to do so, in order to present the nature of the claims to them. No mention should be made of the complainant's identity unless it becomes necessary in order to enable the alleged harasser to substantiate their denial of the claims. This approach may be made by the complainant or their nominated support person either in person or in documentary form.
- Allow the alleged harasser to give their version of accounts, and make no accusations until an issue becomes clear.

SEXUAL HARASSMENT POLICY AND PROCEDURES

Procedure for Dealing with Sexual Harassment Allegations continued

- If it becomes apparent that a problem does exist, steps must be taken with the complainant so as to determine how best to resolve it. If necessary, interview any witnesses, requesting confidentiality at all times. The offender must be issued immediately with an official warning, informing them that any continued behaviour will result in immediate legal action being taken against them.
- If the complainant is willing, a round-table mediation or conciliation-style proceedings may occur, in order for the complainant to express their views about the offensive behaviour, and demand an end to that behaviour and achieve resolution. This will only be appropriate in matters which are less serious, or where the harasser was unaware of the effect of their behaviour or acting unintentionally.
- If this course of action is inappropriate, whether because the complainant is unwilling to pursue it or the complaint is quite serious, or the process not resolve matters, the Club President must report the matter to the relevant District Chairperson, and the District Governor, who must treat the complaint in all seriousness, deal with it promptly and confidentially, and provide the complainant with support and information as to the causes of action available, whether legal or otherwise. This may include informing the police or Rotary taking the appropriate disciplinary action.
- At all times throughout the process, essential procedure will include:
 - Ensuring that the complainant is accompanied by a third person of their choice in order to provide support and substantiate events
 - Hearing the complainant out sympathetically and seriously
 - Recording the details of the complainant, and any interviews, always in the complainant's own words and as accurately as possible. Have these records signed if necessary by all parties present
 - Check all details with the complainant without making them feel like they are on trial or disbelieved
 - Obtain the complainant's agreement (written if necessary) before taking the matter any further than a preliminary counselling session
 - Maintain confidentiality and keep all records secure at all times.
- Should the District Governor find that the complaint is substantiated, the following procedures are appropriate as disciplinary orders, subject to the approval of the complainant etc:
 - A public or private written or verbal apology
 - Transfer of the harasser to another committee or Club (or the complainant, if requested)
 - Re-imburement of any medical/counselling fees
 - Warning and counselling
 - Closer supervision of the offender
 - Dismissal from a committee/Club
 - Termination of Rotary membership
 - Civil liability legal action
 - Pursuing criminal penalties

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Procedure for Dealing with Sexual Harassment Allegations continued

At all time, the complainant must be treated seriously and no victimisation will be tolerated.

If this does occur, immediate disciplinary action must be taken.

If the District Governor decides on whatever grounds that the complaint is not sufficiently substantiated, or serious, to be further reported, the Governor must explain the reasons for those findings to both parties and the complainant must be informed of their right to pursue the matter to HEROC (Human Rights and Equal Opportunity Council) or otherwise. The situation should continue to be monitored to ensure that the behaviour complained of is not occurring and that the complainant is not experiencing continued problems in any way.

Under no circumstances may any attempt be made to suppress an allegation of sexual harassment; all allegations must be dealt with promptly, sympathetically and appropriately.

PROCEDURE FOR DEALING WITH SEXUAL HARASSMENT ALLEGATIONS

