



Sexual Harassment Policy

Caribbean Export Development Agency Sexual Harassment Policy

Policy Statement

Caribbean Export Development Agency (hereinafter referred to as “the Company”, “the Business Owner”, “the Proprietor” “We” or “Our”) is committed to providing a safe working environment for all employees free from discrimination on any grounds and from harassment at work including sexual harassment. Any employee found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment and any person making such a complaint will not be victimized as a result of doing so. Caribbean Export Development Agency will operate a zero tolerance policy on any form of sexual harassment in the workplace. We will treat all incidents seriously, promptly and confidentially investigate all allegations of sexual harassment and take corrective action in order to sustain a safe working environment for all employees of Caribbean Export Development Agency.

1.0 Purpose

- 1.1. It is the policy of Caribbean Export Development Agency to provide an environment free from harassment of any kind and for any reason, whether because of sex, age, relationship status, sexual preference, religious belief, colour, race, creed, national or ethnic origin, disability, or any other factor or relevant circumstance.
- 1.2. Sexual harassment is unlawful, and will not be tolerated by Caribbean Export Development Agency.
- 1.3. When Caribbean Export Development Agency determines that an allegation of sexual harassment is valid, Caribbean Export Development Agency will take prompt and appropriate corrective action.
- 1.4. The provisions of this policy are subject to the Employment Sexual Harassment (Prevention) Act, 2017.

2.0 Definition

- 2.1 Sexual harassment is unwanted or unwelcomed sexual attention of an offensive nature made by a person who knows, or reasonably should know, that the attention is unwanted or unwelcomed by the other person and that the other person may conclude that the conduct was intended to:
 - (a) offend, humiliate, disrespect or degrade him/her;
 - (b) intimidate, threaten or compel him/her by putting him/her in fear of being placed at a disadvantage if he or she does not submit to the sexual harassment; or
 - (c) create a hostile environment for him/her, or violate his/her dignity.

3.0 Scope

- 3.1 Sexual harassment covers a wide range of inappropriate conduct under the law. The conduct or acts prohibited under the law are incorporated into the examples of conduct specifically prohibited by Caribbean Export Development Agency which include:
- (a) Using job related threats or rewards to solicit sexual favours;
 - (b) engaging in sexually suggestive physical contact or touching or grabbing of another person in a way that is unwelcome including repeatedly standing too close to or brushing up against a person;
 - (c) engaging in explicit language, sexually suggestive gestures, indecent exposure or engaging in verbal abuse of a sexual nature;
 - (d) sexual pranks, or repeated sexual teasing, comments, jokes, or innuendo, in person or via e-mail or other electronic means;
 - (e) repeatedly asking a person to socialize during off-duty hours or making sexual or romantic advances toward a person when the person has said no or has indicated he or she is not interested.
 - (f) making or posting sexually demeaning or offensive pictures, cartoons or other materials in the workplace;
 - (g) unwelcome conduct of a sexual nature in all work-related settings and activities, whether inside or outside the workplace that ultimately affects the work environment;
 - (h) creating an overall offensive environment, including use of vulgar language, displaying, storing, or transmitting sexually explicit photographs or other materials, and the telling of sexual stories.
- 3.2 Sexual harassment can be physical, verbal, non-verbal and/or psychological in nature. An aggregate number of incidents and types of incidents can constitute sexual harassment even if one of the incidents considered on its own may not be sexually harassing.
- 3.3 Certain behaviours such as conditioning promotions, awards, grades, training or other benefits upon acceptance of unwelcome actions of a sexual nature, are always wrong and prohibited by Caribbean Export Development Agency.
- 3.4 An employee is prohibited from harassing another employee or third party whether or not the incidents of harassment occur on the premises of Caribbean Export Development Agency and whether or not the incidents occur during working hours.

- 3.5 The victim can be of the same sex as the harasser. The harasser can be a Supervisor/Manager/Director, another employee, client or a third party who has a business relationship with Caribbean Export Development Agency or may be on the premises of Caribbean Export Development Agency.
- 3.6 Although sexual harassment typically involves a person in a greater position of authority as the harasser, a person in a position of lesser or equal authority may also be found responsible for engaging in prohibited sexual harassment.
- 3.7 Consensual sexual or romantic relationships between employees are deemed unwise and are strongly discouraged by Caribbean Export Development Agency, in particular if one employee has supervisory authority over the other employee.

4.0 Employees' Rights and Responsibilities under this Policy

- 4.1 All incidents of sexual harassment or inappropriate sexual conduct should be reported by an employee or third party regardless of their seriousness.
- 4.2 If an employee, client or a third party believes that he or she has been subjected to sexual harassment or any unwanted or unwelcome sexual comment, conduct, innuendo, gesture, contact, advance or attention, he or she should—
 - (a) make his/her unease and/or disapproval directly and immediately known to the alleged harasser orally or in writing and advising that such conduct is unwelcome and offensive and must stop; and
 - (b) report the incident immediately to the Supervisor/Director/Manager in writing. If the Supervisor/Director/Manager is responsible for the sexual harassment, report the conduct to (1) the company's Human Resources representative (2) Business Owner/Proprietor.
- 4.3 A person should feel free to raise concerns and make a report without fear of reprimand.
- 4.4 The privacy of the complainant and of the person accused of sexual harassment must be maintained and all information must be kept strictly confidential.
- 4.5 Caribbean Export Development Agency shall not take any action which adversely affects the opportunities and terms and conditions of an employee who files a complaint of sexual harassment or who cooperates in an investigation of a sexual harassment complaint;
- 4.6 No employee shall make a false complaint of sexual harassment.

5.0 Responsibilities of Caribbean Export Development Agency under this Policy

- 5.1 If Caribbean Export Development Agency receives an allegation of sexual harassment, or has reason to believe sexual harassment is occurring, the Company will take the necessary steps to ensure that the matter is promptly investigated.

- 5.2 The Company is committed to take action if it learns of instances of sexual harassment, even if the individual does not wish to file a formal complaint.
- 5.3 All complaints will be promptly and carefully investigated by Management, and all employees are assured they will be free of any and all reprisal or retaliation from filing such complaints.
- 5.4 An investigation will include interviews with all relevant persons, including the complainant, the accused and other potential witnesses. In determining whether an alleged conduct constitutes sexual harassment, the record as a whole and the totality of the circumstances will be examined. Appropriate action will be determined based on the facts derived from the investigation.
- 5.5 Management will review the findings with the complainant at the conclusion of its investigation. If the investigation reveals that the complaint is valid, immediate and appropriate corrective action, up to and including dismissal will be taken to stop the harassment and prevent its reoccurrence. If the validity of the complaint cannot be determined, immediate and appropriate action will be taken to ensure that all parties are reacquainted with the sexual harassment policy.
- 5.6 Any finding can be appealed to Caribbean Export Development Agency using the company's existing grievance/disciplinary policy.
- 5.7 If a complaint involves a member of Management, then a written request should be made to the Business Owner/Proprietor to investigate the complaint.
- 5.8 If a complaint involves the Business Owner/Proprietor the employee may lodge the complaint with the Chief Labour Officer within the time specified in the Employment Sexual Harassment (Prevention) Act, 2017.
- 5.9 Caribbean Export Development Agency and its Management express strong disapproval of any acts that can be construed as acts of sexual harassment of any employee or third party on the premises of Caribbean Export Development Agency.

6.0 Resolution

- 6.1 An employee of Caribbean Export Development Agency who has been found to have sexually harassed another employee or third party will be subject to disciplinary action up to and including termination.
- 6.2 An employee who has made a false complaint of sexual harassment shall be subject to disciplinary action up to and including termination. It is an offence to make a false complaint of sexual harassment and under the law any person who does so will be subject to a fine of \$10,000 and/or two years imprisonment.
- 6.3 An employee who is dissatisfied with the resolution of a sexual harassment complaint or suffers further harassment after the resolution of a complaint from the same harasser may make a complaint to the Chief Labour Officer in accordance with section 10 of the Employment Sexual Harassment (Prevention) Act, 2017.