

**SEXUAL HARASSMENT POLICY KM ADVOCATES AND ASSOCIATES**

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## SEXUAL HARASSMENT POLICY

### 1. Policy statement.

KM Advocates and Associates is committed to providing a safe environment for all its Employees free from discrimination on any ground and from harassment at work including sexual harassment. KM Advocates and Associates will operate a zero tolerance Policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment.

An Officer found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

### 2. Policy objectives.

- i. To provide for protection to all persons against sexual harassment within The Service.
- ii. To provide for a mechanism of addressing complaints of sexual harassment.
- iii. To promote a work environment in which persons of both gender complement each other for maximum productivity whilst maintaining Personal dignity.

### 3. Definition of 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 may involve incidents and actions, which may be physical, Verbal or non-verbal. Examples of conduct or behavior, which constitute sexual harassment include, but are not limited to:

**(i) Physical conduct.**

- (a) Unwelcome physical contact including patting, pinching, stroking, Kissing, hugging, fondling, or inappropriate touching.
- (b) Physical violence, including sexual assault.
- (c) The use of job-related threats or rewards to solicit sexual favors.

**(ii) Verbal conduct.**

- (a) Inappropriate comments on a worker's appearance, age, etc.
- (b) Sexual comments, stories and jokes.
- (c) Sexual advances.
- (d) Repeated and unsolicited social invitations for dates or physical Intimacy.
- (e) Insults based on the sex of the worker.
- (f) Sending sexually explicit messages (by phone or by email).

**(iii) Non-verbal conduct.**

- a) Display of sexually explicit or suggestive material.
- b) Sexually suggestive gestures

**1.4 General rules on sexual harassment.**

- (i) Any employee may be a victim of sexual harassment, regardless of their Gender and the gender of the harasser as long as the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.
- (ii) An Employee shall not subject others or be subjected to conduct of a sexual Nature affecting his or her dignity, which is unwelcome, unreasonable and Offensive to the recipient.
- (iii) Sexual harassment is strongly prohibited whether it takes place within the Precincts of KM Advocates and Associates office or outside (including at social events, business trips, training sessions or conferences).

- (iv) Anyone, including employees, clients, customers, casual workers, contractors or visitors who sexually harass another will be reprimanded in accordance with this policy.
- (v) Throughout the complaints procedure, a victim is entitled to be helped by a counsellor under the Employee Assistance Programme.

### **1.5 Complaint procedure.**

- (i) An employee who is subjected to sexual harassment may inform the alleged harasser that the conduct is unwanted and unwelcome.
- (ii) Where the victim cannot directly inform the alleged harasser that their Conduct is unwelcome, the victim can approach their immediate supervisor to inform the alleged harasser to refrain from such conduct.
- (iii) Where the alleged harasser is the victim's immediate supervisor, he or She can inform the alleged harasser's supervisor.
- (iv) Upon receipt of the complaint of sexual harassment, the supervisor will:
  - a) Immediately record the dates, time and facts of the incident(s);
  - b) Ascertain the views of the victim as to what outcome he or She wants;
  - c) Ensure that the victim understands the institution's procedures for dealing with the complaint;
  - d) Ensure that the victim knows that they can also lodge the complaint Outside of the institution through the relevant legal framework;
  - e) Discuss and agree on the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he or she is not satisfied with the outcome
  - f) Keep a confidential record of all discussions;
  - g) Respect the choice of the victim;
  - h) Ensure that the victim knows that they can also lodge the complaint Outside of the institution through the relevant legal framework;

- i) Meet with the alleged harasser and inform him or her that his or her conduct towards the victim is unwanted and unwelcome and failure to refrain could lead to lodging a complaint through formal Or informal mechanisms.

#### **1.5.1 Informal complaints mechanism.**

Where the victim wishes to seek an informal resolution for the matter, he or She shall inform the Human Resource Manager who Shall:

- (i) Give an opportunity to the alleged harasser to respond to the Complaint;
  - (ii) Ensure that the alleged harasser understands the complaints Mechanism;
  - (iii) Facilitate discussion between both parties to achieve an informal Resolution, which is acceptable to the complainant;
  - (iv) Ensure that a confidential record is kept;
  - (v) Ensure that the above is done expeditiously within five days of Receipt of the complaint.
- (vi) Follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped;

#### **1.5.2 Formal complaints mechanism.**

- (i) Where the informal complaint mechanism has not led to a satisfactory outcome for the victim, the Human Resource Manager shall refer the matter to the Managing Partner.
  - (ii) The Managing Partner shall cause an investigation in line with due process.
  - (iii) Where the alleged harasser is a Partner, the matter shall be reported to the Law Council.
- (iv) Upon receipt of a sexual harassment complaint, the allegations shall be Investigated in a fair and expeditious manner.

#### **1.5.3 External redress.**

An Employee who has been subject to sexual harassment has the right to make a complaint outside of the workplace , ,under the applicable laws of Uganda

### **1.6 Sanctions against sexual harassment.**

- (i) Commission of any act of sexual harassment shall result in disciplinary Action in line with the laws of Uganda
- (ii) An Employee who falsely accuses another commits an offence and is liable to disciplinary action.

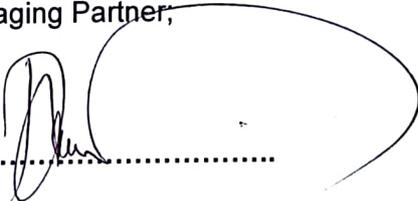
### **1.7 Confidentiality.**

Confidentiality shall be maintained throughout the investigation process and KM Advocates and Associates shall protect the privacy of individuals involved.

### **1.8 Protection against retaliation**

- i. An employee who has lodged any complaint regarding sexual harassment shall not be unduly victimized or subjected to reprisal or retaliation. Any form of Victimization, reprisal or retaliation shall lead to disciplinary action.
- ii. Retaliation may take the form of physical violence, threats, insults or Blackmail against a complainant or witness.

This Policy is approved by the Managing Partner;

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a cursive flourish, is written over a horizontal dotted line.

**Signature**