



Geneva, 28 January 2022

SERVICE ORDER NO. 22/03

ITU Policy Addressing Harassment, including sexual harassment, Abuse of Authority, and Discrimination

(This Service Order abrogates and replaces Service Order 19/08 of 2 May 2019)

Section 1

Purpose and Application

1. ITU has a zero-tolerance approach to harassment, including sexual harassment, abuse of authority, and discrimination in any form within the workplace or associated with the work performed on behalf of the Organization. Such conduct is unacceptable and reports thereof will be dealt with promptly and effectively in accordance with the applicable regulatory framework and the procedures set out in this Policy.
2. ITU is committed to fostering and maintaining a harmonious working environment that respects the inherent dignity of all persons, allowing them to reach their fullest potential and empowering them to deliver on ITU's mission.
3. Every person has the right to be treated with dignity and respect and to work in a safe environment free from harassment, sexual harassment, abuse of authority, and discrimination. ITU personnel have a corresponding responsibility to promote such an environment actively.
4. ITU personnel have a duty to report harassment, including sexual harassment, abuse of authority, and discrimination.
5. Harassment, including sexual harassment, abuse of authority, and discrimination may be perpetrated by any person or against any person regardless of their contractual status with ITU. An offender's status as a supervisor or a senior official (P.5 and above as well as an Elected Official) may be treated as an aggravating circumstance.

Section 2

Definitions

6. Unless otherwise specified below, harassment, including sexual harassment, abuse of authority, and discrimination shall be collectively referred to as “Abusive Conduct” under this Policy.

Harassment

7. Harassment is any unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person when such behavior interferes with work or creates an intimidating, hostile, or offensive work environment. Harassment may take the form of words, gestures, or actions that annoy, alarm, abuse, demean, intimidate, belittle, humiliate, or embarrass another. Harassment will often consist of a series of incidents, but it may be brought about by a single incident.
8. Managers are responsible for managing their teams and must take a number of decisions that impact individual employees, such as assigning tasks, monitoring progress, and communicating sensitive matters such as giving performance feedback. The mere expression of disagreement, admonishment, criticism, or similar action regarding work performance or conduct within a supervisory relationship, when made in good faith, will not be considered harassment.

Sexual harassment

9. Sexual harassment is any unwelcome conduct of a sexual nature that might reasonably be expected or perceived to cause offence or humiliation, especially when such behavior interferes with work, it is made a condition of employment or creates an intimidating, hostile, or offensive work environment. Sexual harassment may occur in the workplace or in connection with work.
10. Although it typically involves a pattern of conduct, sexual harassment may take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct shall be considered.
11. Sexual harassment may involve any conduct of a verbal, non-verbal, or physical nature, including written and electronic communications. Sexual harassment may occur outside the workplace and outside working hours, including during official travel or social functions related to work.

Abuse of authority

Abuse of authority is the improper use of a position of influence power or authority against another person. This is particularly serious when a person uses their influence, power, or authority to, in particular, improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal,

12. performance evaluation, working conditions, secondment, transfer or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment that includes, but is not limited to, the use of intimidation, threats, blackmail, or coercion.

Discrimination

13. Discrimination is any unfair treatment or arbitrary distinction based on a person's race, sex, gender, sexual orientation, gender identity, gender expression, religion, nationality, ethnic origin, disability, age, language, social origin, or other similar shared characteristics or trait.

Affected Individual

14. An affected individual is a person in the workplace or in connection with work towards whom possible Abusive Conduct is directed.

Complainant

15. A Complainant is a person who has made a formal report under this Policy and may or may not be an affected individual.

ITU personnel

16. ITU personnel, as described in the Code of Ethics, are ITU elected officials, ITU appointed staff (including staff members holding a short-term contract as well as those on secondment), and related personnel such as interns, Junior Professional Officers, and individuals who are working as consultants under a Special Service Agreement (SSA) contract with ITU.

Alleged offender

17. The alleged offender is a person who is alleged to have engaged in Abusive Conduct.

Section 3 Prevention

18. Prevention is essential in promoting a positive and safe work environment and in protecting individuals from Abusive Conduct.
19. Prevention is a shared individual/organizational responsibility. All ITU personnel, at any level, and in particular at the supervisory level, are responsible for promoting a harmonious work environment free from Abusive Conduct.

20. Supervisors have a duty to address behavior that is not consistent with the principles in this Policy, regardless of whether the behavior may rise to the level of Abusive Conduct.

Section 4

Early Intervention and the Informal Approach

21. To the extent possible, wrongdoing must be discouraged at an early stage.
22. The informal approach can address concerns and resolve conflict as soon as possible in an informal manner. It can resolve issues and prevent situations from escalating to the point where making a formal report becomes necessary. ITU encourages but does not impose, the use of informal channels and mechanisms where appropriate.

Early Direct Action

23. Individuals who consider having experienced or witnessed Abusive Conduct may, if they feel comfortable and safe, make their disapproval clearly known to the individual concerned and ask that the behavior cease; this can be done in writing. There is no requirement for such early direct action to be taken as there may be reasons, such as disparity in status or fear of retaliation, that may make confrontation difficult.

Managerial Intervention

24. If an affected individual is uncomfortable taking early direct action by him/herself, he or she can call on a supervisor or a senior official to address the conduct in question. Such intervention does not preclude the matter from being formally reported.
25. Supervisors in ITU are under an obligation to assist in resolving the problem and to take action to prevent recurrences. A supervisor approached by an affected individual shall inform that person that information about options available to that person to address Abusive Conduct, including anonymously, can be obtained from the Ethics Office. Supervisors approached shall keep a record of such communication.
26. Supervisors shall provide assistance and/or information in a timely and impartial manner and shall treat the matter with sensitivity and confidentiality to the greatest extent possible. The intervention may allow for the matter to be addressed promptly at the managerial level. Supervisors may facilitate a discussion amongst the affected individual and the alleged offender about the conduct in question; request that the Mediators facilitate such a discussion (with the consent of the concerned ones); and/or consider any other appropriate managerial action.

27. Supervisors shall keep a record regarding any managerial intervention carried out to document the action taken and any outcome. Such records may be requested by the Ethics Office during the Formal Reporting and/or Investigation Process.

Informal Resolution

28. An affected individual or a witness of Abuse Conduct may call on the ITU Mediators or another individual, such as a peer or a colleague, to address the conduct in question.
 - a. Informal resolution efforts include discussing options and referrals, taking into account the wishes of the affected individual. Nothing is triggered automatically by contacting the ITU Mediators or other individuals called upon to assist in reaching an informal resolution. Communications with the Mediators are “off the record.” Affected individuals, therefore, remain in control of any decisions they may wish to make.
 - b. Informal resolution provides a mechanism for dialogue, identification, and resolution of problems before any recourse to formal mechanisms.
29. Informal resolution is a confidential process where the terms of the discussion are not disclosed to any party outside the process unless agreed by all parties.
30. An attempt to resolve the matter by informal resolution does not preclude it from being formally reported. The informal resolution of a matter involving serious allegations of Abusive Conduct does not prevent the Secretary-General from taking further action in the interest of the Union and its personnel.

Advice from the Ethics Office

31. Affected individuals are encouraged to discuss their situation with the Ethics Office, which can offer confidential advice on the applicable Policy and legal framework, the options available, and indicate resources available for support.

Support by the Staff Counsellor

32. The Staff Counsellor may provide support and guidance on potential referral to external resources, such as mental health resources if needed.
33. Where necessary and appropriate, such support is available to witnesses of instances of Abusive Conduct.
34. Any discussion with the Staff Counsellor is confidential, unless the contrary is agreed with the concerned person. And any written record will be kept on a strictly confidential basis.

Section 5

Scope and Duty to Report

35. Reports of Abusive Conduct, in the ITU workplace or in connection with ITU's work, can be made by any person or against any person regardless of whether they may have any contractual status with ITU.
36. ITU personnel who have information or evidence to support a reasonable belief that Abusive Conduct has occurred have a duty to report it.
37. Action by ITU following a formal report of alleged Abusive Conduct will depend on the alleged offender's status.
38. ITU staff members who are alleged to have committed Abusive Conduct under this Policy, if proven, may be subject to disciplinary or other administrative action.
39. Non-staff personnel who are alleged to have committed Abusive Conduct, if proven, may be subject to action following the terms and conditions of the contract governing their services and other applicable policies regarding non-staff personnel.
40. ITU reserves the right to refer any credible allegations of criminal conduct to law enforcement authorities. Alleged Abusive Conduct may also be reported directly to national authorities by an affected individual without prejudice to the application of privileges and immunities.

Section 6

Formal Reporting and Investigating

41. Formal reports of Abusive Conduct may be made at any time after the incident has occurred and are not subject to time limits. However, individuals are encouraged to report as early as possible after an incident as that may significantly contribute to ITU's ability to address the conduct in question.
42. Formal reports should describe, as precisely as possible, the acts, behavior, language, or situation which are believed to have constituted Abusive Conduct and the circumstances under which they took place, and give any other relevant documentation or evidence. The report should include, if available:

- The name, work location, and title of the alleged offender;
 - Date(s) and location(s) of incident(s);
 - Description of incident(s);
 - Names of any witnesses;
 - All available supporting documentation; and
 - Any other relevant information.
43. The complainant should be aware that the report or information from the report may at some later stage be shared with the alleged offender.
 44. The complainant may identify himself/herself or decide to remain anonymous. The anonymity of reports may result in an increased difficulty for ITU to act upon the allegation through proper internal proceedings. In such cases, it will be for the responsible authorities at each stage of the process to determine whether there is a sufficient basis to move forward.
 45. The complainant may keep their identity anonymous, although anonymous reports may be more challenging to investigate, and the responsible authorities at each stage of the process will need to determine whether there is a sufficient basis to move forward.
 46. The complainant should be aware that the formal report or information from the formal report may be shared with the alleged offender. Complainants will be provided with a notice of the outcome following a formal report under this Policy.
 47. On a strictly confidential basis, the affected individual will receive a notice of the outcome following a report under this Policy.
 48. Where a report is filed anonymously, the complainant is encouraged to at least provide an email address or phone number for potential follow-up questions.
 49. It is unacceptable to ITU for any individual to knowingly make false or unfounded allegations. Such behavior may lead to disciplinary measures. Furthermore, false or unfounded allegations of Abusive Conduct may constitute harassment.
 50. ITU policy on Whistle-blower protection applies to ITU staff members found to have engaged in retaliation against or intimidation of another person who has initiated a procedure under this Policy or is involved in such a procedure.
 51. Without prejudice to paragraphs 49 and 50 above, steps may be taken to protect the reputation of all parties involved where a complaint proves to unfounded.

Reporting Channels

52. Formal reports can be made through any of the following channels: a supervisor, the Secretary-General, or the Ethics Office. Unless received by the Ethics Office, reports shall be forwarded to the Ethics Office, which shall keep a confidential record of all complaints received and acknowledge receipt of reports made by identifiable sources. Reports should be made preferably in English or French or, in any case, in one of the six ITU official languages.

53. Reports can be made to the Ethics Office through any of the following channels:

- Encrypted email: HelplineITU@protonmail.com
- In person or by mail: ITU Ethics Officer
Office T. 1205
ITU
Place des Nations
CH-1211 Geneva 20
Switzerland

Confidentiality

54. All ITU personnel who are aware of reports filed or of measures that have been taken or are underway to address alleged Abusive Conduct shall respect the sensitivity and confidentiality of the matter. In all such matters, ITU personnel must refrain from discussing the matter or otherwise sharing information or documentation among themselves or with anyone who does not have a “need to know” to perform ITU official duties in connection with this Policy. Every effort must be made to preserve the dignity, rights and self-respect of the parties to the matter. A staff member who fails to observe the confidentiality requirements may be subject to disciplinary measures.

Section 7

Formal process

55. Upon receipt of a formal report of Abusive Conduct, or if the basis for any such allegation comes to the Ethics Office’s attention, the Ethics Officer shall make a determination as to whether the matter falls within this Policy. If so, s/he shall open a confidential file, in which s/he shall record the information received, the name of the alleged offender, and, if known, the name of the complainant reporting the alleged Abusive Conduct.

56. Upon opening a confidential file, the Ethics Officer shall undertake an assessment of the seriousness and credibility of the allegations. Based on the assessment, the Ethics Officer may undertake any of the following:

- a. Request that the parties mutually agree to address the matter by informal resolution. If the parties agree, the individual raising a concern, the individual whose conduct is at issue, and any other affected individuals identified by the Ethics Officer, may attempt to address the matter informally. If the parties concerned reach an understanding of the matter at issue and mutually agree that no further action by the Ethics Officer is necessary, the Ethics Office shall document that fact and shall not take any further action on the matter at that time.
 - b. Refer the matter to the Secretary-General or the relevant Bureau Director to facilitate a resolution or undertake managerial action.
 - i. Facilitated resolution. The relevant supervisor tasked by the Secretary-General or the Bureau Director shall document the course of action taken by the parties, the timeline, and the outcome. The outcome of the facilitated resolution process shall be reported to the Secretary-General or the Bureau Director, as appropriate, as well as to the Chief, Human Resources Management Department (HRMD), or designated official by the HRMD.
 - ii. Managerial action. The relevant supervisor shall prepare and document the action plan to be implemented. The outcome shall be reported to the Chief, HRMD, or designated official by the HRMD. The ITU personnel whose behaviour is at issue must implement the action plan within the set timeline. Implementation of the action plan shall be taken into account during the performance appraisal.
 - c. Undertake a preliminary review under ITU Investigation Guidelines, as per the time frame described therein. Once a preliminary review is initiated, ITU personnel, including supervisors, may be requested to participate in the process in a specific capacity, such as a witness. However, any involvement by ITU personnel in an ensuing investigation process should be in accordance with the roles and responsibilities expected of ITU personnel in line with the ITU Investigation Guidelines. ITU personnel should respect the confidentiality of the investigation process and avoid any appearance of undue interference.
57. When a formal report of alleged Abusive Conduct is submitted by a person other than the affected individual, the Ethics Officer will seek the views of the affected individual where possible before deciding whether to proceed with any further action.
58. Individuals who formally report Abusive Conduct will be provided with a notice of the outcome.

59. An affected individual or alleged offender may appeal a decision taken by the Secretary-General, in accordance with the provisions of Chapter XI (“Appeals”) of the Staff Regulations and Staff Rules.

Section 8

Interim Measures

60. Individuals who report alleged Abusive Conduct and affected individuals may be afforded interim measures as necessary and upon decision by the Secretary-General to safeguard his/her interests.
61. At the direction of the Ethics Office, such interim measures may include, but are not limited to, temporary reassignment within or outside the department or unit or placement on administrative leave with full pay.

Section 9

Alternative Processes

62. Where allegations are raised involving alleged Abusive Conduct by an Elected Official, the matter will be referred by the Chairman of the Independent Management Advisory Committee (IMAC) to the Chair of the Council for a decision on how to proceed. Reports of alleged Abusive Conduct by the Ethics Officer may be raised to the Chair of the Council for further action.

Section 10

Advice

63. To promote a “speak up” culture, ITU set up a helpline at HelplineITU@protonmail.com to provide information on options for addressing alleged Abusive Conduct and the support available to affected individuals. Any person seeking such information may remain anonymous.
64. Individuals who are uncertain about how they should handle suspected Abusive Conduct may also directly contact the Ethics Office for confidential and impartial guidance and advice.
65. Resources available to ITU personnel are listed in Annex 1.

Section 11**Entry into Force and Periodic Review**

66. The procedure described in this Policy will apply from the date of promulgation of this Policy. In particular, this procedure will apply to all formal reports received after said date of promulgation.
67. Where all alleged acts occurred before the promulgation of this Policy, the definitions of harassment and abuse of authority in the prior Service Order 19/08 apply. However, when any of the alleged acts have taken place since the promulgation of this Policy, this Policy's definitions will apply.
68. This Policy will be reviewed periodically, as needed.

Partially abrogated - contact Library & Archives for more information

Annex 1
Resources Available to individuals concerned by this Policy

Staff Counsellor
staffcounsellor@itu.int

Ethics Office
EthicsOffice@itu.int or HelplineITU@protonmail.com

Mediators
mediateurs@itu.int

ITU Medical Adviser
medical@itu.int

Security and Safety Division
security@itu.int

Houlin ZHAO

Secretary General