



TRUNG TÂM PHÁT TRIỂN VÀ HỘI NHẬP
Center for Development and Integration



PREVENTION OF WORKPLACE SEXUAL HARASSMENT AND DISCRIMINATION POLICY

(APPLICABLE FROM JANUARY 1ST, 2023)

CENTER FOR DEVELOPMENT AND INTEGRATION

info@cdivietnam.org

1. GENERAL

1.1. About us

The Center for Development and Integration (CDI) is a Vietnamese non-profit science and technology organization established in 2005, working for the rights of disadvantaged groups to build a just, united, and sustainable society.

CDI is committed to providing a healthy and efficient working environment. CDI has zero tolerance for sexual harassment, gender-based violence, and discrimination in the workplace. CDI carefully considers complaints about the above acts involving CDI employees and the Persons involved. CDI will seriously investigate complaints about possible violations of this policy and is committed to taking appropriate and timely measures in accordance with the law.

1.2. Scope of application

This policy applies to all CDI Employees and related Persons.

1.3. Definition

- The term “**CDI Staff and related Persons**” includes all permanent employees, probationary staff of CDI, and partners that enter into agreements with CDI. The term also includes founding board members, the advisory council, volunteers, interns, consultants, institutional or individual contractors, and other stakeholders. This term includes entities and individuals other than CDI who have signed a cooperation, sponsorship or support agreement with CDI.
- **Workplace sexual harassment**¹ is the conduct of a sexual nature by any person toward another person in the workplace that is not desired or accepted by that person.
- **Labor discrimination**² is the practice of discrimination, exclusion, or preference on the basis of race, color, national or social origin, ethnicity, sex, age, maternity status, marital status, religion, beliefs, political opinion, disability, family responsibilities, or HIV status. This also includes the establishment, membership and activities of unions or organizations of workers at an enterprise that has an impact on equality of employment or career opportunities.
- **Workplace**³ is any place where a CDI employee physically works under the agreement or assignment of CDI, including work-related places or spaces such as social activities, seminars, training, official business trips, work-related meals, phone conversations and other work-related electronic communication activities, transportation arranged by CDI from place of residence to destination workplace and vice versa, accommodations provided by CDI (if any), or banquets and receptions organized by CDI for employees/partners.

¹ Clause 9, Article 3, Labor Code 2019 (Labour Code 2019)

² Clause 8, Article 3, Labor Code 2019

³ Clause 9, Article 3, Labor Code 2019 and Clause 9, Article 3, Labor Code 2019

2. WORKPLACE SEXUAL HARASSMENT

The following acts are considered Workplace Sexual Harassment:

- Sexual harassment via physical behaviors, including but not limited to: Actions, gestures, or physical contact that is sexual in nature or sexually suggestive such as intentionally touching or using objects to make contact with another person's body against their will, intentionally rubbing against their body against their will; forcing others to touch, squeeze, kiss or caress the body of the harasser; touching, squeezing, hugging, kissing, or caressing another person's body against the will of that person.
- Verbal sexual harassment including but is not limited to: Face-to-face, telephone or electronic communication with sexual content or sexual implications. This includes verbal or written remarks of a sexual nature, sexually suggestive jokes, calling someone sexually suggestive names and words, asking questions of a sexual nature, making comments about the clothing or body of someone in their presence, referring to them in a manner that causes them discomfort, or offering unwarranted sex repeatedly. This also includes offers to exchange sex for favoritism, promises related to work and other benefits, teases or insinuations, or the use of obscene or sexually suggestive language.
- Non-verbal sexual harassment, including body language. Examples include: displaying or depicting sexually explicit material or material involving sexual activity in person or electronically, and using provocative, sexually suggestive body language (e.g., finger gestures, erotic looks, repeated winking, etc.). This form of sexual harassment also includes the display of sexually explicit materials, images, objects, and sexually related texts that are offensive to the recipient.

3. DISCRIMINATION IN LABOR

3.1. Basis for determining discriminatory behavior

Discrimination occurs when a person discriminates, excludes, or favors—in other words, treats another person unfairly on the basis of one or more of that person's characteristics, such as:

- Sex
- Skin color
- Religion
- Beliefs
- Nationality
- Race
- Social origin
- Disability
- HIV Status
- Pregnant female workers
- Female workers taking maternity leave or raising children under 12 months old
- Membership status of a trade union or other organization that represents workers
- Marital status
- Sex and gender
- National origin
- Age
- Family Responsibilities
- Political opinions
- Appearance

The discriminatory, exclusionary, or preferential practices outlined above may involve:

- Recruitment
- Salary
- Working conditions
- Promotion opportunities
- Transferring
- Labor discipline
- Contract termination

4. RESPONSIBILITIES, TIME, AND PROCEDURES FOR HANDLING OF SEXUAL HARASSMENT AND DISCRIMINATION AT WORK

4.1. Responsibilities and obligations to prevent sexual harassment and discrimination in the workplace

a. For CDI

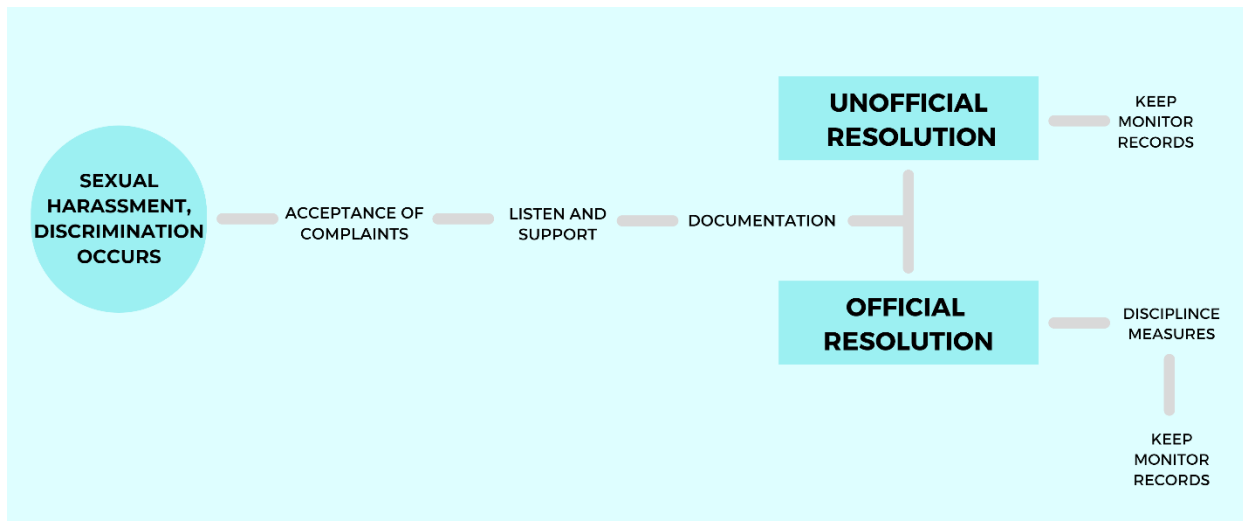
- Establish an internal control system to combat the risks of sexual harassment and discrimination to ensure the system's safety and effectiveness.
- Ensure conditions are in place to conduct investigations and verify all suspected and alleged acts of sexual harassment and discrimination.
- Promulgate, implement and supervise the implementation of legal provisions on the prevention and combat of sexual harassment and discrimination in the workplace.
- CDI will not tolerate retaliation against someone who has complained/reported about sexual harassment and discrimination in the workplace. CDI will take the necessary steps to ensure that this matter is investigated, verified, and resolved as required.
- CDI will take immediate and effective measures to end sexual harassment and discrimination. CDI is committed to taking action if the organization perceives there to be sexual harassment in the workplace, even if there is no formal complaint/allegation.
- The Human Resources Manager is the primary point of contact for questions or concerns regarding sexual harassment. The Human Resources Manager is responsible for investigating, verifying, and overseeing investigations and verifications of alleged sexual harassment and discrimination. CDI is committed to ensuring that all investigations and verifications of sexual harassment are carried out promptly, comprehensively, and fairly.
- The Human Resources Manager will provide guidance as necessary on the investigation, verification, and handling of alleged sexual harassment and discrimination. HR managers need to take effective measures to ensure that no further apparent harassment or alleged harassment/discrimination occurs during the investigation or verification process.
- CDI will protect the personal information of victims, alleged harassers/discriminators and witnesses, reporting sexual harassment and discrimination as CDI's Personal Data Policy.
- CDI will take the necessary steps to protect the person who reported the incident and to ensure that there is no retaliation.
- If CDI finds that an employee is subjecting another employee to unwanted harassment of a sexual or discriminatory nature, and that conduct falls within the concept of sexual harassment and discrimination treatment provided for in this policy, the employee will be subject to discipline as the perpetrator of the acts of sexual harassment and discrimination.

- Raise awareness and dissemination among employees and partners, and encourage partners to have policies and measures to prevent sexual harassment and discrimination in the workplace.
- CDI is responsible for developing and disseminating this policy to all CDI Employees and related partners.

b. For CDI Employees and Related Persons

- If the CDI Employee and the Person concerned believe that they have been the target of sexual harassment/discrimination, they should notify the alleged harasser/discriminator verbally or in writing that the conduct is in violation of the Sexual Harassment and Discrimination Policy, and that Violator(s) must stop these acts immediately.
- If a CDI Employee or Related Person does not wish to communicate directly with the alleged harasser/discriminator, or if such communication is ineffective, the employee may report Report sexual harassment and discrimination to the CDI Human Resources Manager. CDI employees participate in building a work environment free of sexual harassment and discrimination.
- CDI employees have a responsibility to prevent and report sexual harassment and discrimination in the workplace.
- CDI employees who witness, are informed of, or have reasonable grounds for suspecting sexual harassment/discrimination must immediately report the incident to the Human Resources Manager to initiate a quick verification investigation.

4.2. Process for handling issues related to sexual harassment and discrimination in the workplace



4.3. Principles for receiving and resolving issues related to Sexual Harassment and Discrimination in the workplace

- a) Quickly and promptly;
Objectively, honestly, and with the right person for the right violation;

- b) Protecting confidentiality, honor, reputation, dignity, and safety for the victims of sexual harassment/discrimination, the complainant, the denouncer, and the perpetrator.
- c) Protecting confidentiality, honor, reputation, dignity, and safety for the victims of sexual harassment/discrimination, the complainant, the denouncer, and the perpetrator.

4.4. Measures for handling sexual harassment and discrimination

a. Processing time

The processing time for disciplinary action shall not exceed 6 months from the date of occurrence of sexual harassment/discrimination in the workplace.

This time shall be counted from the date of occurrence of the act to the date of issuance of the decision on disciplinary action for this act. This time includes the entire time for receiving complaints and denunciations, handling, setting up an investigation committee to verify behavior, holding a disciplinary meeting, and issuing a decision on the case.

b. Handling measures

Employees who engage in sexual harassment/discrimination or employees who engage in acts to force other employees to suffer sexual harassment are subject to disciplinary action depending on the severity of the situation, the importance of the case, the result of conciliation, appropriate requests, and wishes of the parties involved. Rxtenuating circumstances such as sincerity, repentance, change, contributions to the organization are also involved. Disciplinary actions may include:

- Verbal reprimand
- Written reprimand
- Extending the salary increase period to no more than 6 months
- Dismissal

Principles and procedures for handling people who commit acts of sexual harassment and discrimination are implemented in accordance with Article 35, Labor Regulations of CDI. In serious cases, CDI will transfer the violation documents to the relevant authorities for administrative handling in the field of labor or criminal handling in accordance with current legal regulations.

4.4. Victim compensation and handling measures for sexual harassment

- *CDI's responsibilities towards victims of sexual harassment or discrimination are as follows:*
 - Provide professional psychological assistance to victims of sexual harassment or discrimination under allowable conditions.
 - Consider arranging other working positions according to the employees' wishes if appropriate to the capabilities of the organization.
 - Review and evaluate the Regulation to supplement solutions to prevent sexual harassment and discrimination in the workplace.
- *Responsibilities of those who commit acts of sexual harassment or discrimination are as follows:*

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- Make a public apology to a victim of sexual harassment or discrimination in the presence of a Human Resources Manager.
 - Provide compensation for physical and mental damage arising from sexual harassment or discrimination to the victim caused by sexual harassment or discrimination. The two parties shall make a voluntary compensation agreement. In case of disagreement, the case shall be brought to court for settlement according to current law.

5. EFFECTIVENESS

- This policy is effective January 1, 2023.
- If Vietnam's legal regulations related to these issues are amended or supplemented, this policy will be updated by CDI with appropriate regulations and . All CDI employees and relevant people will be notified when applicable.

CENTER FOR DEVELOPMENT AND INTEGRATION

**Managing Director
Nguyen Quang Thuong
(Signed)**