



UNIVERSITY OF GUYANA
SEXUAL HARASSMENT
AND
SEXUAL MISCONDUCT POLICY

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Contents

Statement of Values	2
Notice of Non-Discrimination and Non-Tolerance of Sexual Harassment.....	2
Purpose	2
Compliance with Anti-Discrimination Laws	2
Scope of the Policy and Procedures	4
Definition of Sexual Harassment	4
Examples of Sexual Harassment.....	4
Virtual Sexual Harassment.....	6
Definition of Sexual Misconduct	6
Consensual Relationships	8
Reporting Sexual Harassment or other forms of Sexual Misconduct	9
Informal Complaints.....	9
Category 1:	10
Category 2	10
Category 3	11
Requests for Confidentiality	12
Mediation.....	14
Formal Complaints	14
Investigation	15
Enforcement.....	15
Role of Human Resources/Personnel Department.....	14
Rights of the Respondent/Accused	15
Filing a Criminal Complaint and Cooperation with Law Enforcement.....	16
Preventing Sexual Harassment and Sexual Misconduct: Education and Training	17
Preventing Sexual Harassment Glossary of Terms	18
References.....	21
Appendix A.....	23
Informal Complaint Protocol: Students, Faculty, Staff & Administration	22
Informal Complaint Protocol: Officers Designated to Respond to Sexual Harassment Issues	23
Informal Complaint Protocol: Senior Administration	23
Appendix B	24
Formal Complaint Protocol: Students, Faculty, Staff & Administrators.....	25
Formal Complaint Protocol: Senior Administration.....	25

Statement of Values

The University of Guyana is committed to promoting an environment of learning, teaching and research at the highest level that is free from sexual harassment and all forms of sexual misconduct. The University of Guyana will: implement measures to enhance awareness of all forms of sexual harassment and misconduct; seek to eliminate its manifestation on its campuses; seek to eliminate its manifestation in its virtual environment; discretely but thoroughly investigate reported allegations of misconduct; offer support to victims and; deal with offenders decisively and fairly. The University is committed to ensuring the safety and equal treatment of all its members, students, faculty and staff and clients, without respect to individual differences.

Notice of Non-Discrimination and Non-Tolerance of Sexual Harassment

The University of Guyana is committed to creating and maintaining a physical and virtual environment and culture for all members of the community that are free of all forms of sexual harassment and sexual misconduct. The University of Guyana does not discriminate on the basis of sex. All forms of sex harassment and sexual misconduct, elements of sex discrimination, are prohibited.

The University of Guyana prohibits sexual harassment and sexual misconduct against any person on the basis of ethnicity, religion, sex, age, national origin, physical or mental disability, sexual orientation, gender identity or expression, or any other basis.

Purpose

The University of Guyana Sexual Harassment and Sexual Misconduct Policy is intended to protect all stakeholders within the University and those who engage with the University from unwanted sexual advances and conduct and to provide guidelines for the reporting of incidents. The Policy also outlines how the University will address claims and support victims.

Compliance with Anti-Discrimination Laws

The University of Guyana complies with all laws including local legislation and international conventions, regulations and guidelines that prohibit discrimination, sexual harassment and other forms of sexual misconduct. Specifically, the University embraces and complies with:

1. The Prevention of Discrimination Act Chapter 1997:99:08, of the laws of Guyana under which sexual harassment is defined as “...unwanted conduct or a sexual nature in the workplace or in connection with the performance or work which is threatened or imposed as a condition of employment on an employee or which creates a hostile working environment for the employee.”¹
2. The Sexual Offences Act 2010 (Cap. 8:03) (No. 7 of 2010).²
3. The International Labour Organisation’s Violence and Harassment Convention, 2019, which recognises that “... violence and harassment is incompatible with the promotion of sustainable enterprises and impacts negatively on the organization of work, workplace relations, worker engagement, enterprise reputation, and productivity”³
4. The United Nations First Resolution on Sexual Harassment (2018) and Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority (2008). The UN definition for Sexual Harassment, is “any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment.”⁴

Scope of the Policy and Procedures

This Policy provides the University of Guyana community with an unambiguous set of standards of conduct and definitions of prohibited conduct. The Policy is applicable to all individuals

¹ Prevention of Discrimination Act 1997 Chapter 99:08, <https://mola.gov.gy/information/laws-of-guyana/873-chapter-99:08-prevention-of-discrimination/file>

² <https://mola.gov.gy/information/laws-of-guyana/463-chapter-803-sexual-offences>

³ C190 Violence and Harassment Convention, 2019 (No 190),

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

⁴ United Nations, Secretary General’s Bulletin ST/SGB/2008/5, Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N08/238/36/PDF/N0823836.pdf?OpenElement>. See also UN Resolutions: Preventing Sexual Exploitation and Abuse. <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/resolutions>

associated with the University including governing and advisory boards, senior administrators, faculty, staff, students, visitors and independent contractors and vendors who conduct business with the University.

This Policy addresses sexual harassment or any other sexual misconduct that warrant intervention from law enforcement. It outlines the University's definitions of sexual harassment and sexual misconduct and the approaches to be used to address them.

Definition of Sexual Harassment

Sexual harassment is understood to be unwelcome sexual advances or overtures, the solicitation of sexual favours, and other spoken, written or visually displayed communication or behaviour of a sexual nature when either:

- 1) Compliance with the request is implicitly or explicitly made a condition of the individual's employment or academic standing, or
- 2) Compliance or non-compliance with the request is used to determine the individual's employment or academic standing, or
- 3) The behaviour has the intentional or unintentional effect of inappropriately interfering with an individual's work or academic performance or creates a hostile, threatening or abusive academic or work environment.

Lack of intent to harass another does not nullify the effects on the victim and therefore does not absolve the perpetrator of wrongdoing.

Examples of Sexual Harassment

The following list includes examples of what may be considered sexual harassment. It is not comprehensive and other forms of sexual harassment may exist. The ultimate determination of impropriety will take into account the broader circumstances, pervasiveness and severity of the conduct:

- Unwanted physical sexual contact such as touching, brushing up against another in a sexual manner, cornering, pinching, grabbing, hugging, kissing, or fondling;
- Leering and graphic or sexually suggestive gestures;
- Dissemination or offensive posting of sexually suggestive or explicit correspondence such as letters, voicemail, email, text messages, graphics, downloaded material or web sites’
- Displaying sexually suggestive pictures, objects or cartoons;
- Unwanted invitations to go out on dates or requests for sexual interaction;
- Intrusive questions about a person’s private life or body;
- Unwelcome inquiry, discussion or gossip about an individual’s sexual experience or activity;
- Sexual comments, slurs, epithets, derogatory statements, teasing, jokes or other forms of verbal abuse;
- Repeated catcalling or “seeping off”;
- Exerting pressure on someone to accept social invitations, to meet privately, to date, or to have sexual relations;
- Insinuations that rejection of sexual advances will result in legal action, negative publicity, family disruption, poor grades, termination of employment, slander, denied promotion, increment, research opportunities, funding, project approval, travel/book allowance, leave, salary or health benefits;
- Repeated compliments of an individual appearance;
- Commenting on the attractiveness of others in front of an employee;
- Leaving unwanted gifts of a sexual or romantic nature;
- Spreading sexual rumours about an individual;
- Indecent exposure to an individual without consent;
- Amending academic or employment tasks (increased difficulty or less responsibility) because of refusal to welcome sexual advances;
- Using authority status to threaten or punish refusal to accept unwanted sexual attention or for reporting harassment or to promise favourable treatment in return for sex;

- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.

Virtual Sexual Harassment

Sexual harassment can also occur in the virtual realm. Virtual sexual harassment involves undesirable digital interactions. Virtual sexual harassment or online sexual harassment occurs under two categories: a) the victim receives unwanted content and b) posted content about the victim.

Under (a), emails, texts, social media pages, online forums or instant messages that contain sexually explicit words, photos, images or videos of themselves or others can be sent to the victim by their harasser. Harassers might also make inappropriate propositions to the victim.

Under (b), derogatory comments or rumours about a victim's sexual activities, their sexuality by a harasser. The latter could also share without consent sexually explicit photos of the victims.

The University of Guyana prohibits all forms of virtual or online sexual harassment

Definition of Sexual Misconduct

“Sexual Misconduct” includes a wide gamut of behaviours from sexual harassment to criminal sexual assault. This policy also speaks to the latter aspect of sexual misconduct, i.e., sexual assault conducts. These are prohibited under this policy as well as under the laws of Guyana. Such behaviours include but are not limited to rape, acquaintance rape and stalking, dating violence, relationship abuse and violence.

This policy prohibits all forms of sexual misconduct that happen both on and off the University of Guyana campuses, if the conduct occurred during a University recognized activity or program, or if the conduct has the potential to create an adverse environment for any member or client of the University's community. Since some aspects of sexual misconduct namely assaults cross the

legal boundaries, the University's position on these would be in keeping with the applicable Laws of Guyana.

Examples of sexual misconduct that include behaviour which would also be an offence under the criminal law include but are not limited to:

- Forcible Rape which encompasses; (a) sexual intercourse without consent; (b) oral or anal sexual intercourse without consent; (c) utilising an object to penetrate to any degree, the genital or anal opening of another person's body without consent or against the individual's will - including in circumstances where the individual cannot give consent because of his/her age or because of the individual's temporary or permanent mental or physical incapability;
- Attempted forcible rape which encompasses any unsuccessful attempt to commit (s), (b) or (c) referenced in the bullet point above.
- Intentional touching of another person's intimate parts without that person's consent;
- Other intentional sexual contact with another person without that person's consent;
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent;
- Penetration, no matter how slight, of the mouth of a person by a sex organ of another person, without that person's consent;
- Stalking (i.e. persistent, unwelcome attempts to interact or engage another person as in following, spying or communicating)

Sexual harassment, sexual assault and other forms of sexual misconduct can occur in any relationship irrespective of: (1) status or power dynamics or, (2) gender or sexual orientation.

They can therefore occur:

- Between individuals considered equals i.e., such as student to student, faculty to faculty, staff to staff;
- Between individuals of unequal power dynamics, such as supervisor to subordinate staff and faculty [lecturer/ tutor/instructor] to student. Although sexual harassment

predominates in circumstances where a person with greater power exploits such power, it is also possible for a person with less power in a power dynamic to commit sexual harassment (for example a student sexually harassing a member of faculty or a lecturer/tutor/instructor).

- In circumstances where there may have existed a prior personal, intimate, or sexual relationship.
- Against any individual on the basis of sex, gender identity or expression, or sexual orientation.

Consensual Relationships

Sexual relationships between members of the University community who have the professional responsibility to teach and advise students or to supervise and appraise the performance of employees with members who have less power, raise grave concerns about objectivity, potential conflict of interests, fairness and exploitation. Such relationships can cause harm to others in the Units or Departments and lead to complaints of favouritism. Ultimately such relationships undermine the trust required for successful teaching, learning, and career advancement. It is for these reasons that the University of Guyana strongly discourages such relationships. University members who nonetheless engage in consensual relationships with an imbalance of power are cautioned that consent does not guarantee that an allegation of sexual harassment cannot be brought against them.

Specifically, in relation to the unbalanced power dynamic between the lecturers/tutors/instructors and students, no member of faculty who has any teaching, supervisory, appraisal, or other authority or influence over a student should be engaged in a consensual relationship with that student. In circumstances where a prior relationship existed, the faculty member is asked to report the relationship so that alternative evaluative arrangements can be formulated and implemented.

Reporting Sexual Harassment or other forms of Sexual Misconduct

Informal Complaints⁵

The University of Guyana urges victims and witnesses of sexual harassment to report all incidents of victimization. The University further urges that these reports be made as promptly as possible since that will assist the University to respond more effectively. While the University recognizes that it is the prerogative of a victim or a witness to report incidents of sexual harassment or misconduct, the person making the complaint is strongly advised to disclose his or her experiences.

The University strongly encourages anyone who believes he/she been or, is being, sexually harassed or, any witness of sexual harassment, to bring the matter to the attention of one of the following officers on campus, hereafter referred to as “Officers Designated to Respond to Sexual Harassment Issues (ODRSHI),” to help the complainant determine what response best facilitates his/her needs.

Reports may be made formally or informally. The ODRSHI in Categories 1, 2 and 3 listed below can receive informal complaints. Once a complaint is received, the ODRSHI in Categories 1 or 2 is required to disclose the receipt of said complaint in writing to the Personnel Officer or Human Resource Director but without identifying information. The ODRSHI under Category 3 are confidential resources and are not required to disclose the reported incident to the Personnel Officer or Human Resource Director but will advise the complainant of his/her options, including filing a formal complaint with the University.

Confidential ODRSHI under Category 3 will not share information with anyone. Non-confidential ODRSHI under Categories 1 and 2 are also required to respect the complainant’s and respondent’s privacy as much as they possibly could and will not disclose identifying

⁵ Appendix A lists the protocols for filing informal complaints.

information without consent but will disclose the nature of the complaint received to one other University Officer, the Personnel Officer/Human Resource Director.

ODRSHI under Categories 1 and 2 must advise all individuals making complaints of their reporting obligations. If the individual is desirous of the report remaining confidential, then these officers must direct them to the confidential ODRSHI listed under Category 3.

Category 1:

Students may report incidences of sexual harassment or other forms of sexual misconduct to the following officers:

- Student Advisors
- Heads of Department
- Assistant Deans
- Deans
- Directors
- Assistant Registrar, Student Welfare
- A University of Guyana Students' Society Representative

Category 2

Faculty and staff may report incidents of sexual harassment or other forms of sexual misconduct to the following officers:

- Assistant Personnel Officer, Welfare
- Heads of Departments/Units
- Assistant Deans
- Deans
- Directors
- Registrar
- Librarian
- A Union Representative

Category 3

Students, Staff and Faculty may also disclose incidents of sexual harassment and sexual misconduct to the following officers whose positions legally require confidentiality and who are not required to make a disclosure to any University official:

- The University's Guidance and Counselling Officer
- The University's Legal Officer
- The University's Medical Officers

The University is aware that victims of sexual harassment and sexual misconduct are often reluctant to report these incidents, particularly to individuals with whom they might not be comfortable or who they might not know. In those circumstances, apart from the ODRSHI, victims are encouraged to report the incident to a University employee they know well and/or trust or even someone external to the University environment since withholding such experiences may add to the personal trauma incurred.

ODRSHI listed in Categories 1, 2 and 3 and the Personnel Officer/Human Resources Director will afford the complainant the opportunity to consult on the basis of his or her claim of sexual harassment or sexual misconduct, options for:

1. informal resolution with the respondent (i.e. mediation, counseling),
2. filing a formal complaint and/or
3. referral to counselling.

The complainant has the right to file a formal complaint regardless of the results of the consultation with the ODRSHI. Formal action however will not be pursued by the University without the consent of the complainant unless it is determined that not doing so would put her/him or another member of the university in imminent danger. Furthermore, the complainant is at liberty to bypass both informal and formal complaint procedures and or concurrently pursue criminal or civil action through normal legal means according to the laws of Guyana.

Other faculty, staff and administrators who receive complaints of sexual harassment are obligated to report the information to the Personnel Officer or Human Resource Director and to consult the Guidance & Counselling Officer to assist the complainant. All complaints are considered confidential and every effort should be taken to safeguard the identities of those involved, including the accused, as well as the details of the allegation.

Requests for Confidentiality

If the complainant reports an incident and requests confidentiality, the Personnel Officer/ Human Resources Director and the Registrar (along with any other senior administrators) will evaluate the request and determine the University's response to determine whether honouring the request would conflict with the University's duty to provide a safe environment for all, including the complainant. When assessing whether to honour a request for confidentiality and non-pursuance of an investigation for possible further action, the aforementioned administrators will consider a number of factors, including whether:

- The alleged behaviour violates the laws of Guyana;
- Other sexual harassment or misconduct complaints about the same respondent have been reported;
- It is possible the respondent will likely commit additional acts of sexual harassment or misconduct;
- The respondent has a police record for any form of sexual harassment or sexual misconduct;
- The respondent has threatened the complainant or others with continued harassment or misconduct including physical violence;
- Several individuals were involved in committing the sexual harassment or sexual misconduct;
- A weapon was used in perpetrating the sexual harassment or sexual misconduct;
- Illegal drug use accompanied the perpetration of the sexual harassment or sexual misconduct
- The complainant/victim is a minor;

- Other means to assist the investigation of the sexual misconduct exists, such as security camera footage, witnesses or physical evidence.

If one or more of the preceding exists, the University might deem it necessary to pursue an investigation, notwithstanding the request by the complainant for confidentiality. If the University is unable to honour the request for confidentiality because it conflicts with its duty to provide a safe environment for all, the complainant will be informed before any investigation commences. If however, none of the preceding circumstances exist in the complaint, the complainant's request for confidentiality will likely be honoured. In such circumstances, the University will be unable to meaningfully pursue action against the respondent.

Role of Human Resources Department/ Personnel Department

The Human Resource/ Personnel Department will handle sexual harassment and sexual misconduct complaints with sensitivity and ensure that affected staff are effectively supported.

The Department will be responsible for the following:

- a. Ensure that the Sexual Harassment and Sexual Misconduct Policy information is available and that all staff members are aware of the policy. This may include awareness training and ensuring the accessibility of information contained in the policy.
- b. Apprise complainants of the options available for filing complaints – including formal complaints, informal complaints and mediation within the University or externally via a formal report to law enforcement.
- c. Liaise with affected staff members (both complainant and respondent) and work to ensure that all are protected from retaliation or victimisation.
- d. Respond swiftly and efficiently to all reports received to ensure that complainants and respondents get the opportunity for a just and speedy resolution.
- e. In keeping with statutory regulations, constitute, notify and/or communicate with the members of investigative and disciplinary panels to facilitate investigations and determination of complaints.

- f. Create detailed written reports that summarizes the interactions surrounding the complaints, the findings of the investigation, and provide these to appropriate University officials and statutory bodies.

Mediation

Mediation in circumstances where the law has not been broken and where the complainant is willing, will be made available for the informal resolution of sexual harassment complaints through the University's Law/Legal Department. The service will be delivered free of charge by faculty trained to conduct the service.

Formal Complaints⁶

Individuals are entitled to file a formal complaint to the Registrar orally or in writing. If circumstances make filing the complaint with another individual more convenient, individuals are permitted to lodge complaints with any ODRSHI instead and request that that report be lodged formally with the Registrar. Filing a formal complaint is necessary to initiate an investigation of the reported offense. Promptly reporting the complaint permits more efficient and reliable investigation. The University seeks to maintain the dignity of all its member, respondents, witnesses and complainants alike. Therefore, the complainant is advised to carefully prepare and present his or her case. In so doing, the complainant may seek legal counsel before reporting the incident[s]. Verifiably spurious accusations are considered an abuse of this policy.

Formal complaints filed by or against members of Senior Administration will be facilitated by a Committee of the Council in an effort to neutralize the potential influence of power differentials.

⁶ Appendix B lists the protocols for filing formal complaints.

Investigation

Receipt of a formal complaint will trigger an official investigation that will be completed within two months. Two investigators will be appointed to gather the relevant information primarily through interviews with the alleged victim, the respondent and witnesses. All faculty, students and staff must fully cooperate in this process. The investigators will submit a report to the Disciplinary Committee or, The University Council when the allegation involves a member of Senior Administration, for a ruling and a determination of the corrective action to be meted out. Normal Disciplinary Committee or University Council protocols and procedures will be followed with respect to determining the University's response to the matter, corrective action and appeal. The complainant retains the unique right to disband an investigation at any time provided no other community members are considered to be imminently at-risk.

Enforcement

The Disciplinary Committee or, University Council when necessary, will determine punishment commensurate with the severity and duration of the offense using the full range of options including termination of employment and expulsion.

Non-compliance with this protocol is a violation of this policy and may result in corrective action.

Rights of the Respondent/Accused

Any individual accused of sexual harassment or sexual misconduct within the University's environs will be afforded the following rights during an investigation or disciplinary hearing:

- An impartial, thorough and truthful investigation that will take the accusations seriously and simultaneously give the accused the right to respond and offer evidence in his/her defence;
- The right to obtain and hire an attorney to represent his/her case;
- The right to have the University Unions present to represent his/her case;
- The right to challenge the findings of any university investigation;
- The right to take legal action against any accuser who the respondent believes is lying.

Filing a Criminal Complaint and Cooperation with Law

Enforcement

The University of Guyana encourages and will offer support to victims of all forms of sexual misconduct who wish to file criminal and civil complaints. If the alleged incident occurred on University campuses, the University will cooperate fully with law enforcement agencies. If, however, a victim does not wish to pursue criminal charges, the University will not force him/her to do so.

Protection against Retaliation and Victimization

It is prohibited for any individual [complainants, respondents and any other individual including friends or relatives of the parties] to adopt threatening or adverse treatment or action against an individual who has reported sexual harassment or sexual misconduct, or against any individual who has assisted an individual to report sexual harassment or sexual misconduct, or against any individual who intervened in a reasonable manner to act against sexual harassment or sexual misconduct. Prohibited adverse treatment and actions include verbal and physical threats, intimidation, coercion or discrimination with the intent of interfering with any provision catered for under this Policy.

Preventing Sexual Harassment and Sexual Misconduct: Education and Training

The University of Guyana will provide adequate and appropriate training for all Officers Designated to Respond to Sexual Harassment Issues (ODRSHI), those who facilitate mediation and informal types of dispute resolution and those conducting investigations into sexual harassment and sexual misconduct allegations. All training and educational materials will be available to the public on the University of Guyana's website.

The University of Guyana will also make available online, a free training module on Recognising and Responding to Sexual Harassment and Sexual Misconduct as part of the Human Relations Course. This module will be available for faculty, staff, and students to assist them to recognise as well as respond to reports of sexual harassment and sexual misconduct behaviours. The module will also provide information in the resources that are available to support victims.

Monitoring and Evaluation

The implementation of the Sexual Harassment and Sexual Misconduct policy will be assessed to determine how consistently new procedures are utilised and their effectiveness in positively impacting the culture and environment at the University.

- ❖ Monitoring processes will include collating and ascertaining over time, knowledge of and responses to sexual harassment and sexual misconduct via the administration of questionnaires.
- ❖ Sexual harassment and sexual misconduct prevention and response measures, including policies and procedures, training, services for employees, and safety and security mechanisms will be formally evaluated and reviewed biannually to monitor workplace responses, compliance and effectiveness.

- ❖ Records will be kept in a confidential location and will be utilised by authorised person/persons to monitor and evaluate the University's sexual harassment and sexual misconduct prevention and response measures.

Preventing Sexual Harassment Glossary of Terms

Coercion - the application of authority or force to impose an undesirable and uninvited advance.

Complainant refers to the individual who alleges that she/he has been the subject of sexual harassment or sexual misconduct. The individual may be a University of Guyana student, staff, faculty, governing agents, whether paid or unpaid, vendor or visitor.

Confidentiality is the pledge not to disclose any identifying information with others, except in instances required by law in emergency circumstances - including risk of death or bodily harm.

Consent is an intentional, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be communicated by words or actions, in so far as those words or actions indicate clearly a willingness to participate in the sexual activity. Uncommunicativeness or absence of resistance, in and of itself, does not determine consent.

Discrimination - any conduct or action that unlawfully or unjustly leads to unequal treatment of persons or groups based on race, colour, gender, national origin, religion, age, disability, sexual orientation, gender identity or other category protected under local laws.

Disparaging Term - a term used to demean or insinuate negative sentiments. Such terms include insults, printed material, visual material, signs, symbols, posters, or insignia.

Harassment - The act of harassing, or state of being harassed; a sense of deep annoyance, anxiety or worry triggered by being tormented.

Hostile Work Environment – an environment where unwelcome sexual conduct is severe and persistent and that interferes with an individual's job performance and/or create an intimidating or offensive work environment.

Sexual Innuendo - an indirect or subtle, usually derogatory sexual implication or insinuation.

Privacy - the assurance that the University will only reveal information about allegations of sexual misconduct to those who require said information in order to carry out their duties or responsibilities or as otherwise required by law.

Respondent refers to the person who is alleged to have committed sexual harassment of and/or sexual misconduct against a UG student, employee, vendor or visitor.

Retaliation is taking or threatening adverse action against an individual following that individual's reporting of sexual harassment or sexual misconduct, assisting a victim to report sexual harassment or sexual misconduct, challenging in a reasonable manner an act or policy believed to comprise sexual harassment or sexual misconduct, or participating in any manner (or refusing to participate) in an investigation or resolution under this Policy. Examples of adverse treatment are threats, intimidation, coercion or discrimination with the intent of interfering with any right, protection or privilege catered for under this Policy. All individuals - complainants, respondents and any other individual including friends or relatives of the parties are prohibited from engaging in retaliation.

Sexual Assault: is any sexual contact, including sexual touching or sexual penetration for the purpose of sexual gratification of either party or degrading or abusing such person, without a person's consent. Such assault could occur under or over clothing and also includes forcing a person to touch to touch another in a sexual manner under or over clothing, or the ejaculation on the clothing or body of another person. Such assaults also include the use of a penis, finger, tongue or object to penetrate or attempt to penetrate the vagina, anus, or mouth of a person without consent.

Sexual Harassment is unwelcome verbal or physical advances requests for sexual favours, and unwelcome verbal or physical conduct of a sexual nature that occurs in the workplace. Advances are considered "unwelcome" if an individual did not request or invite it and considered the advance to be undesirable or offensive.

Stalking means conduct by one or more individual that is directed at another that can cause a reasonable person to: (1) be afraid for their safety or the safety of others and/or (2) experience significant emotional distress.

On-Campus Crisis Intervention, Support, Advocacy, and Health Resources

Registrar

Tel:

Email: registrar@uog.edu.gy

Personnel Officer/ Human Resources Director

Tel: 2224181

Email: personnel.head@uog.edu.gy

Librarian

Tel:

Email: uglibrarian@uog.edu.gy

Assistant Registrar, Student Welfare

Tel: 222 3595

Email: studentswelfare@uog.edu.gy

Assistant Personnel Officer, Welfare

Tel:

Email:

University of Guyana Student Society

Tel:

Email

University of Guyana Senior Staff Association/ University of Guyana Workers Union

Tel:

Email

Guidance and Counselling Officer

Tel: 624 4137

Email: juanita.cameron@uog.edu.gy

Legal Officer

Tel:

Email:

Medical Officer

Tel:

Email:

References

1. Boston University Sexual Misconduct Policy, <http://www.bu.edu/policies/sexual-misconduct-title-ix-hr/>
2. Harvard University website, <http://diversity.harvard.edu/pages/harvard-college-sexual-harassment-policies-and-procedures>, (2014).
3. Hunter College/CUNY website, <http://www.hunter.cuny.edu/publicsafety/policies-and-procedures/sexual-harassment-policy>, (2014).
4. Prevention of Discrimination Act 1997 Chapter 99:08, <https://mola.gov.gy/information/laws-of-guyana/873-chapter-9908-prevention-of-discrimination/file>
5. Smith College website, http://www.smith.edu/hr/docs/conduct_sexual_harrasment.pdf, (2014).
6. United Nations, Secretary General's Bulletin ST/SGB/2008/5, Prohibition of discrimination, harassment, including sexual harassment, and abuse of authority, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N08/238/36/PDF/N0823836.pdf?OpenElement>
7. UN Resolutions: Preventing Sexual Exploitation and Abuse. <https://www.un.org/preventing-sexual-exploitation-and-abuse/content/resolutions>
8. University of the West Indies website, <http://myspot.mona.uwi.edu/healthcentre/hivaidspolicy/policy-sexual-harassment>, (2014).

Appendix A: Informal Complaint Protocols

Informal Complaint Protocol: Students, Faculty, Staff & Administration⁷

- (1) The complainant takes his or her complaint to an University employee (i.e. Faculty, Staff, or Administrator) or ODRSHI⁸.
- (2) The employee will maintain the confidence of the complainant.

Informal Complaint Protocol: Officers Designated to Respond to Sexual Harassment Issues

- (1) The ODRSHI will secure informed consent from the complainant.
- (2) The ODRSHI will maintain the confidence of the complainant and the respondent but will advise the complainant of the obligation to submit a confidential report to the Personnel Officer or Human Resources Director and list the officers who are not obligated to report said incident and inquire whether the complainant wishes to proceed.
- (3) If the complainant wishes to proceed, the ODRSHI will inform the complainant of the options (i.e. mediation, individual counseling⁹), procedures and potential outcomes for settling the matter informally once no laws have been infringed.
- (4) The ODRSHI will refer the complainant and or the respondent to mediation or counseling or make no referral at the respondent's request or advise him/her of the option of filing a formal report which will trigger an investigation.
- (5) The ODRSHI will determine if the circumstances of the complaint place the complainant or any other campus community member in imminent¹⁰ danger (i.e. bodily harm) and therefore justify implementing the formal complaint procedure.
- (6) The ODRSHI will forward the report under confidential cover to the Personnel Officer or Human Resources Director.

⁷ The protocol for Senior Administration is different and is delineated in "Informal Complaint Protocol: Senior Administration."

⁸ If the complainant approaches the ODRSHI, the "Informal Complaint Protocol: ODRSHI is activated.

⁹ Counseling will be conducted for the complainant and the respondent separately.

¹⁰ In this instance, imminent is defined as certain to occur immediately if circumstances remain the same.

Informal Complaint Protocol: Senior Administration

- (1) Members of Senior Administration are encouraged to approach the Guidance & Counselling Officer (GCO) with complaints. However, if the GCO is the target of the complaint or the Senior Administrator prefers to engage another ODRSHI, he or she is free to do so.
- (2) The GCO or ODRSHI will secure informed consent from the complainant.
- (3) The GCO or ODRSHI will inform the complainant of the options (i.e. mediation, individual counseling), procedures and potential outcomes for settling the matter informally once no laws have been infringed.
- (4) The GCO or ODRSHI will refer the complainant and or the respondent to mediation or counseling or make no referral at the respondent's request, or advise him/her of the option of filing a formal report which will trigger an investigation.
- (5) The GCO or ODRSHI will determine if the circumstances of the complaint place the complainant or any other campus community member in imminent danger (i.e. bodily harm) and therefore justify implementing the formal complaint procedure.
- (6) The ODRSHI will forward the report under confidential cover to the Personnel Officer or Human Resources Director.
- (7) The GCO or ODRSHI will maintain the confidence of the complainant and the respondent.

Appendix B: Formal Complaint Protocols

Formal Complaint Protocol: Students, Faculty, Staff & Administrators

- (1) The complainant will lodge an oral or written complaint with The Registrar or, if the accusation is being made against The Registrar or another Senior Administrator, to a Committee of Council¹¹.
- (2) The Registrar will notify The Disciplinary Committee and encourage¹² the complainant to seek support through Guidance & Counselling Services.
- (3) The Disciplinary Committee will deploy a team consisting of at least two members (i.e. one male and one female) to complete an official investigation within one month of receipt of the complaint.
- (4) The Disciplinary Team will dispatch correspondence to the respondent informing him or her of the investigation and discouraging him or her from contacting the complainant during the course of the investigation.
- (5) The Team of Investigators will present all the evidence to a special convening of The Disciplinary Committee.
- (6) The Disciplinary Committee will consider the evidence presented and render a decision on the matter.
- (7) A written record of the complaint and the decision will be kept in the files of the complainant and the respondent.

Formal Complaint Protocol: Senior Administration

- (1) Senior Administrators will submit a written complaint to a Committee of Council.
- (2) The Committee of Council will encourage¹³ the complainant to seek support through Guidance & Counselling Services.

¹¹ If a complaint is filed against a Senior Administrator, the Formal Complaint Protocol: Senior Administration is activated.

¹² The Registrar is obligated to facilitate a referral to Guidance & Counselling Services if the complainant requests assistance.

¹³ The Committee of Council is obligated to facilitate a referral to Guidance & Counselling Services if the complainant requests assistance.

- (3) The Committee of Council will appoint a team consisting of at least two members (i.e. one male and one female) to complete an official investigation within one month of receipt of the complaint.
- (4) The Committee of Council will dispatch correspondence to the respondent informing him or her of the investigation and discouraging him or her from contacting the complainant during the course of the investigation.
- (5) The Team of Investigators will present all the evidence to The Committee of Council.
- (6) The Committee of Council will consider the evidence presented and render a decision on the matter.
- (7) A written record of the complaint and the decision will be kept in the files of the complainant and the respondent.