

BOLGATANGA TECHNICAL UNIVERSITY



SEXUAL HARASSMENT POLICY

2022

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SECTION ONE: INTRODUCTION

Sexual harassment is a behaviour characterized by the making of unwelcome and inappropriate sexual remarks or physical advances in a workplace or other professional or social situation. It is thus a behaviour which is frowned upon by Bolgatanga Technical University (BTU) because of its intimidating or inappropriate nature. BTU considers such behaviour, whether physical or verbal, as breach of one's sexual rights. To this end, BTU designs this policy to provide an environment free from the demoralizing effects of harassment or unwelcome offensive or improper sexual conduct.

1.1 The Purpose of the Policy

This policy seeks to create an awareness of the sexual harassment menace while providing an atmosphere that is free from the fear of any form of sexual harassment in the University community. To this end, the policy identifies and describes five (5) forms of conduct to guide both staff and students as follows:

a) Physical conduct

Unwelcome sexual advances in the nature of physical contact including inappropriate touching, patting, pinching, stroking, kissing, hugging and fondling.

b) Verbal conduct

Verbal conduct is a type of non-physical behaviour that makes staff and students feel less comfortable, humiliated, threatened, or intimidated which could easily influence the victim into submission. The most common forms of verbal conduct include:

- i. Making inappropriate jokes, remarks, teasing, or asking sexually related questions.
- ii. Asking someone at work to go out with you, unwelcome sexu-

al advances, and sexual favours.

- iii. Inquiring about the sexual preference or history of a colleague at the workplace.
- iv. Gossiping about someone and spreading lies about them.
- v. Using abusive language and offensive name-calling.
- vi. Commenting negatively about a person's clothing, body, or personal behaviour.
- vii. Making inappropriate sounds such as kissing sounds, whistling, or smacking lips.
- viii. Sending someone sexual emails, notes, or letters.
- ix. Verbal attacks such as arguing with someone using threatening, discriminatory, or demeaning words.
- x. Embarrassing someone in front of people, like an employer shouting and yelling at an employee over poor performance. Please note that the law does not consider all verbal harassment forms illegal unless it appears unlawful under the rule of law. When verbal abuse is not illegal, the victim can talk to the abuser and explain how the words make them uncomfortable.

c) Visual Conduct

Visual conduct is a behaviour where an individual exposes himself/herself to another person without the victim's consent, and the act affects their work performance or attitude. Examples of visual conduct include:

- i. Exposing one's private part(s).
- ii. Sending sexual images or videos to another person. For instance, sending unsolicited pornographic videos to another person through social media.

- iii. Unwelcome gestures towards another person.
- iv. Staring at someone else's body offensively and making the person feel uncomfortable.
- v. Placing a poster with information related to sexual behaviors.
- vi. Exposing someone else's private pictures or images without their consent.
- vii. Display of sexually explicit or suggestive material and sexually-suggestive gestures including but not limited to whistling, and grinning.

d) Sexual Assault

The forcibly and aggressive requests for sexual favours and acts as in being forced to give or receive oral sex or putting a penis, object or other parts of the body into someone's mouth, anus or vagina. It also includes the use of weapon(s) to threaten the victim and rape. (SAPAC, 2016).

e) Abuse of Authority

A demand by a person in authority for sexual favours. The demand may include the use of threats or insinuations which lead the victim to reasonably believe that granting or denying sexual favours will affect his/her reputation, education, employment, advancement, or standing in the institution.

f) Sexual Retaliatory Acts

Retaliation is where an individual suffers a negative action such as being given low grades, denial of work or academic opportunities, denial of promotion, unfavorable job-assignment or having their project work sabotaged, termination, demotion, unfavorable transfer, pay cut, removal from the schedule, reduction of hours, suspensions, reprimands, unfair queries, management hostility, menial tasks, changed

schedule designed to oppress, reduced schedule, denial of needed help, ostracism, negative review or evaluation, unexplained or unsupported customer or co-worker complaints, accusations of poor work performance, sudden increase in workload, denial of breaks, vacations or benefits. When any of these occur shortly after a complaint or resistance of sexual harassment, it may signal evidence of retaliation.

g) Hostile Environment

A hostile environment exists when one's behaviour within a workplace creates an environment that is difficult for another person to work in. Some common hostile activities that amount to sexual harassment include sexually-suggestive photos like pornographic pictures or cartoons displayed at the workplace, the use of sexual language, sexual remarks or jokes and the physical interference with movement at the workplace.

It is important to note that sexual harassment that creates a hostile or abusive working environment can include an intimidating/ seductive behaviour of supervisors, co-workers, and non-employees at a work site or work-related site. A hostile environment may also be created when management acts in a manner designed to make an employee suffer in retaliation for the denial of some sexual favours.

i) Sexual Harassment by a Third Party

- i. The University prohibits sexual harassment by non-members of the University community.
- ii. Individuals outside the University community are not subject to disciplinary actions under the University's internal processes.
- iii. When a non-member of the University allegedly commits a sexual harassment act, it will be reported to the appropriate state institutions to take the necessary action.
- iv. Any student or staff of the University who believes that she or he has been sexually harassed by an individual who is not a member of the University should report the alleged sexual

harassment to Management.

j) Intentionally Filing False Report

The University is mindful of the fact that complaints of sexual harassment may be false. In this regard, any member of the University who intentionally makes reports that are later found to be false or malicious will be subjected to disciplinary action.

k) Time Limit for Complaints

- i. The University can most effectively investigate and respond to alleged sexual harassment if the complaint is made as promptly as possible after the alleged sexual harassment occurs.
- ii. Under this policy, a written complaint may be filed within one (1) week of the occurrence of the alleged harassment.
- iii. The respondent will be informed of the complaint lodged against him/her within four working days of receiving a written complaint.
- iv. Depending on the gravity of the offence and its complexity, investigations of sexual harassment will normally be completed within two weeks.
- v. If for any reason the investigation cannot be completed within that time frame, both the complainant and the respondent will be informed of the reasons for the delay and an estimated date of completion.

l) Confidentiality

The review of sexual harassment complaints and formal investigations will be conducted in confidentiality and to the extent permitted by law, except where the information needs to be disclosed for further investigation into the matter.

SECTION TWO: COMPLAINTS PROCEDURES

Complaints of sexual harassment can be dealt with through the normal Technical University complaints procedure.

At the Department level, Academic Counselors shall be responsible for receiving and dealing with complaints of sexual harassment. When a counselor receives a complaint of sexual harassment, he/she shall:

- i. issue a form on sexual harassment to be filled by the victim to indicate the dates, times and facts of the incident(s).
- ii. ensure that the victim understands the University's procedures for dealing with the complaint.
- iii. keep a confidential record of all discussions.
- iv. respect the views of the parties involved.

However, due to the sensitive nature of matters of sexual harassment, victims may report directly to Management (the Vice Chancellor, the Pro Vice Chancellor and the Registrar). Further, victims of sexual harassment may want to resolve the matter outside the University if he/she feels unsatisfied with the University's handling of the case.

2.1 Sanctions and Disciplinary Measures

Staff and students who have been found to have sexually harassed another member of the University will to the extent of his/her crime as determined by an appropriate disciplinary committee, be liable to any of the following sanctions in addition to other state laws where applicable:

- i. dismissal
- ii. termination
- iii. suspension
- iv. reduction in rank
- v. interdiction
- vi. denial/deferment of promotion
- vii. reprimand
- viii. warning

2.2 Policy Implementation

Given that sexual harassment is a disciplinary issue, the appropriate committee shall be constituted by Management to deal with it as and when it occurs.

In addition, this policy will be published on the University's website. Orientation of fresh students and newly appointed staff will include topics on sexual harassment.

Management will ensure the effectiveness and compliance with this Policy, including the number of incidents, how they were dealt with, and any recommendations made. The University will regularly evaluate the effectiveness of this Policy and make recommendations for any review.

APPENDICES

BOLGATANGA TECHNICAL UNIVERSITY

SEXUAL HARASSMENT COMPLAINT FORM

(CONFIDENTIAL)

COMPLAINANT'S PROFILE

Name:.....

Staff/Student Number:..... Age:.....

Cell Phone & Email:

Status: Staff Student Others.....

Address:.....

.....

Department:.....

Hall:.....

Date(s) & Time(s) of Incident(s):

Alleged Perpetrator's Profile

Name:..... Age:.....

Telephone & Email:

STATUS: Student Staff Others:.....

Address:.....

.....

Department:.....

Hall:.....

Relationship with Alleged Perpetrator

.....
.....
.....

DESCRIPTION/NATURE OF COMPLAINT

(Provide a Summary of the Incident (s) below. You may add an Attachment if possible)

.....
.....
.....
.....

CONFIRMATION

I..... confirm that the information provided on this form is a true reflection of what happened to me and I am willing to subject myself to any investigations by the University for appropriate action(s) to be taken.

Signature of Complainant: Date:

Comments by the Academic Counselor/Receiving Officer:

.....
.....
.....

Signature of Receiving Officer: Date:.....