



Diversity & Inclusion

Anti-Harassment Framework and Support Structures WIT Talk (29 Jun 2021)

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The Diversity & Inclusion Team



under recruitment

Louise Carvalho

Legal Adviser (50%)

Diversity & Inclusion Programme Leader (50%)

Diversity & Inclusion Analyst (100%)

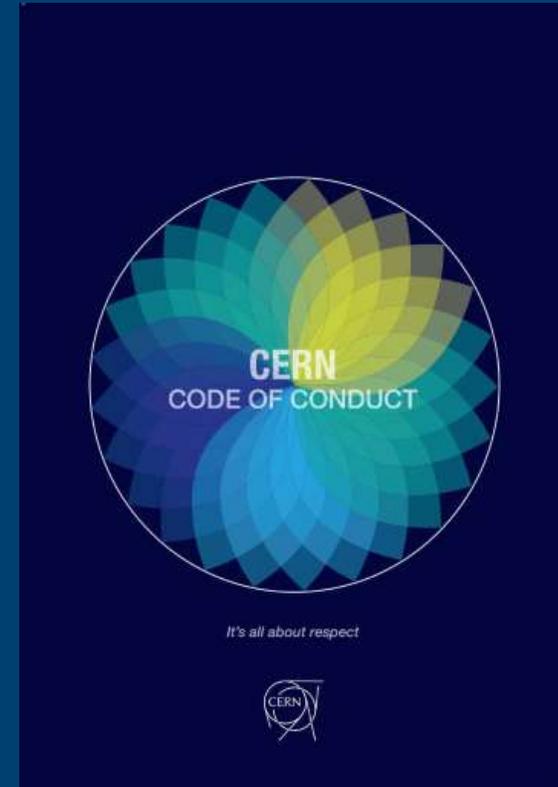
*“When we create a **work environment** in which we can bring our **full selves** to work, that is when we experience our **full potential**.”*

- Louise Carvalho, D&I Programme Leader.



Overview

- I. Duty of Care
- II. Policy & Legal framework
- III. Complaint & Investigation
- IV. Intervention & Support



I. Why it matters: Duty of Care

Obligation:

Safe work environment

Transparent framework

Timely response

Accountability

* Applies to all CERN
contributors *

Impact:

Trust in framework

+

Improved individual performance

+

Improved team performance

= **Better results**

II. Policy: Code of Conduct



It's all about respect

- ❖ Treat others with tact, courtesy and respect (*diversity*)
- ❖ Statements not intended to be offensive may be perceived as such (*diversity*)
- ❖ Abstain from and actively discourage all forms of harassment (*professionalism*)

Legal Framework

Staff Rules & Regulations, Chapter 1: Conduct

“Members of the personnel shall **conduct** themselves with due regard to the interests and proper functioning of the Organization.” – Staff Rule S I 3.01

“Employed members of the personnel shall perform the functions entrusted to them with **integrity...**” – Staff Rule S I 3.02

Operational Circular No.9 «Principles and Procedures Governing Complaints of Harassment»

“the Organization does not tolerate harassment” - §3

- **Sexual harassment:** unwanted shoulder rubs, offensive jokes, sexual assault
- **Moral harassment:** bullying, seeking to discredit, discriminatory behaviour

- The Organization prohibits any form of retaliation against an alleged victim - §6
- All persons with knowledge of potential cases should inform their hierarchy - §9

III. Inappropriate behaviour? Misconduct? Harassment? CERN's Response Channels

Handling your concern in <u>full confidentiality</u>	Contact Information Building-floor-office location	Listening	Mediation	Advice &/or Guidance	Receipt of formal complaint; Investigation; Disciplinary action
Ombud's Office	ombuds@cern.ch 500-1-04	✓	✓	✓	
Social Affairs Service	social.affairs@cern.ch 33-1-38	✓		✓	
Medical Service	medical.service@cern.ch 57-1	✓		✓	
HR Adviser (Staff) or HR Coordinator (Fellows, Trainees, Students)	cern.ch/hr/hr-key-contacts 5-1 & 5-2	✓	✓	✓	
Staff Association	staff.association@cern.ch 64-R-010	✓		✓	
Your Department Head, or Head, Human Resources	(name)@cern.ch, or hr-dept.head@cern.ch	✓		✓	✓
Harassment Investigation Panel (HIP)	HIP Chairperson HIP.Chair@cern.ch			✓	✓



All members of personnel
(incl. Users)

Staff, Fellows, Trainees,
Students*

*Students: TECH, ADMIN, DOCT, Short-Term Internship programmes coordinated by CERN HR

III. Informal or Formal resolution?

I Informal Resolution:

1. Early communication
2. Ombuds

II Formal Resolution:

HIP investigation



Formal resolution: “HIP”

Alleged victim:

- Written complaint
- Witnesses
- Does not face alleged harasser
- Interim protective measure, if needed

Investigator

Investigator

Legal
Expert

The Panel

Alleged harasser:

- Right to be heard
- Know the case against
- Right to reply
- Presumption of innocence

All parties

- Sufficiently resourced investigation
- Confidential
- May be assisted
- Impartial assessment
- Timely hearing and resolution

Disciplinary Action

“The Director-General may take disciplinary action taken against MPs who...are guilty of misconduct that is to the detriment of the Organization.”

– Staff Rule S VI 2.01

Potential disciplinary actions:

Warning - Reprimand – (Suspension without remuneration – Downward adjustment salary – Demotion) - Dismissal



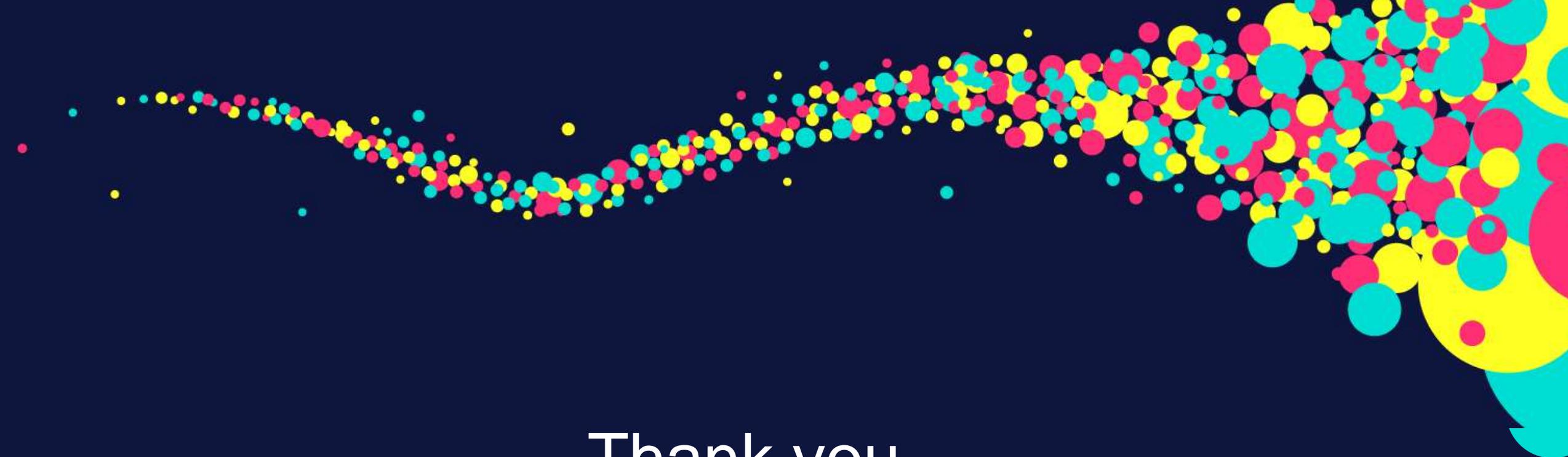
iv. Bystander Intervention

- **WHO:** someone who witnesses harassment at work but isn't necessarily the target of the harassment.
- **WHAT:** someone who witnesses harassment takes action to interrupt the situation or prevent further escalation or harm.
- **WHY:** can set a precedent and serve as a role model for workplace values and inclusive behaviour.
- **HOW:** 1/ Disrupt or Redirect the situation; 2/ Confront the Harasser; 3/ Call out the bad behaviour
 - Ask the person targeted if you could get their help on something in a different space
 - Change the subject of conversation
 - Cut off the harasser: "On another note ..." or "That reminds me ..." or by asking a question

Collective responsibility

- Be **familiar** with the framework, **share** the knowledge
- Consider **bystander** intervention
- **Remember:** *sexual harassment is everybody's problem. It's our collective responsibility to speak up about sexual harassment or stop it when we see it. Strive to be an ally to those who are targeted—not an enabler for the harassment to continue.* - rise.com





Thank you
for your attention.

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