

# WO=MEN Code of Conduct

(Including Undesirable Conduct Protocol with applicable complaints procedure)

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## Equal opportunities

WO=MEN promotes a working environment where everyone is treated with respect and dignity. Direct or indirect discrimination is not part of that. WO=MEN does not discriminate on the basis of social customs, culture, nationality, skin colour, origin, language, religion, gender, disability, beliefs, sexual orientation or political opinion.

## Legislation, rules, culture and values

WO=MEN expects all employees<sup>1</sup> to comply with all legislation and to adapt to the rules, manners and customs applicable in the country of stay. If necessary, WO=MEN will inform the employee of the local laws and customs, but such does not lift the employee's personal responsibility.

## Property

WO=MEN expects all employees to use and store all property of WO=MEN given or provided on loan or made available for performing their duties with all due care and to comply with all agreements concluded at the time the property was first used. All property belongs to its owner. This can be WO=MEN or a natural person. Misappropriation of such property is a punishable offence.

## Health and safety

WO=MEN provides optimum working conditions to safeguard its employees' welfare. All employees must themselves actively contribute to a safe working environment. They may not endanger themselves or other persons or animals or damage the environment. All employees have been made aware of the emergency instructions and WO=MEN expects all employees to act in conformity with these instructions.

Should you stay abroad, you must inform yourself on the local customs and safety guidelines.

## General Data Protection Regulation (GDPR)

The WO=MEN IT system provides employees with access to personal data. It is required by law to handle personal data with due care and discretion. WO=MEN has drawn up a privacy policy and expects all employees to be informed of and act in accordance with its contents.

## Undesirable conduct, with applicable complaints procedure WO=MEN

### *Preventing undesirable conduct*

1. Aggression, (sexual) intimidation, discrimination, bullying and any other undesirable conduct at any level is not accepted within WO=MEN. The objective of this procedure is to prevent and counter arbitrariness and/or negligent treatment within our organisation. If an employee is confronted with undesirable conduct, WO=MEN provides adequate support to end it.
2. A policy aimed at preventing and countering any and all aggression, discrimination and (sexual) intimidation at work is actively pursued within WO=MEN in the appropriate manner and with the appropriate means and measures.

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<sup>1</sup> Employee: any person performing work for WO=MEN on the basis of an employment agreement, volunteer agreement, or otherwise, including hired-in workers.

3. The employer commits itself to pursuing a coherent policy that prevents and counters aggression, violence, discrimination, (sexual) intimidation and other undesirable conduct.

#### *Confidential Contact Undesirable conduct*

1. The employer will appoint an internal Confidential Contact for undesirable conduct. This confidential contact will be charged with providing initial assistance to persons having complaints about aggression, violence, discrimination, (sexual) intimidation and other undesirable conduct. The confidential contact will, above all, need to be trusted by the company's staff. The confidential contact must be approachable and accessible, able to treat information confidentially and, preferably, have knowledge about and experience in the field of individual assistance.
2. Confidential contacts
  - = The internal confidential contact is: Ans Lavèn, 0031 6 2806 1047
  - = The Supervisory Board confidential contact is: Heleen Schrooyen

#### *Duties of the Confidential contact*

1. The confidential contact will listen to, assist, counsel and render advice to the person complaining about aggression, violence, discrimination, (sexual) intimidation and other undesirable conduct.
2. The confidential contact will, in consultation with the complainant, conduct an investigation and, in consultation with all parties involved, try to find a solution for the problem identified.
3. The confidential contact will, if so desired, support the complainant with submitting a complaint to the Board and to the confidential contact of the Supervisory Board, as appointed by this latter Board (in 2019: Heleen Schrooyen), and/or, if it concerns a punishable offence, with reporting it to the police.
4. The confidential contact will only act in the performance of his/her duties after consultation with, and with the consent of, the employee who brought the complaint. The confidential contact is exclusively responsible to the Board for the performance of his/her duties and will respect the confidentiality of all information when rendering account to the Board. The employer must ensure that the confidential contact can be consulted in writing, orally and by telephone in a confidential manner.
5. When performing his/her duties, the confidential contact must also take into account the rights of the (presumptive) perpetrator.
6. The confidential contact will provide solicited and unsolicited advice to the Board and other relevant operating units on the topic of preventing and countering sexual intimidation.

#### *The undesirable conduct complaints committee*

1. The employer will establish a complaints committee, comprised of a representative of the employees, appointed by the Works Council or employee representative body, and a representative of the employer, appointed by the Supervisory Board. This complaints committee will process all complaints concerning aggression, discrimination, (sexual) intimidation and other undesirable conduct, except for anonymous complaints.
2. The Board will, upon consultation, provide the complaints committee with all resources required for the proper performance of its duties.

3. The complaints committee is comprised of:
  - = Ans Lavèn ([a.laven@wo-men.nl](mailto:a.laven@wo-men.nl), 0031 6 2806 1047);
  - = Heleen Schrooyen.

In case of serious complaints, the employer will engage an external expert (from among our supporters / members). Any costs associated with this engagement will be at the expense of the employer.

#### *Undesirable conduct complaints procedure*

1. Submission of the complaint  
All complaints about aggression, violence, discrimination, (sexual) intimidation and other undesirable conduct must be submitted to the complaints committee in writing by the complainant. The complainant and the subject(s) of the complaint will receive a copy of this chapter of the company rules concerning the complaints procedure.
2. The complaints committee does not process anonymous complaints.
3. Investigation  
The complaints committee will institute an investigation into every complaint about aggression, violence, discrimination, (sexual) intimidation and other undesirable conduct it receives. The complaints committee is entitled to receive all information it requires for fulfilling its duties from the employer.
4. Within one month from the receipt of the complaint, the complaints committee will hear the employee who submitted the complaint and all other persons involved, including the subject(s) of the complaint, separately.
5. The complainant and the subject of the complaint are entitled to be assisted by counsel and to access the relevant documents. The complaints committee is obliged to hear the complainant and the subject of the complaint.
6. The committee is authorised to also hear other persons.
7. The committee may decide to have an expert investigation conducted. The costs hereof are for the account of the employer.
8. The complainant and the subject of the complaint are given the opportunity to become informed of the position of the other party and to respond thereto.
9. All committee sessions take place behind closed doors.
10. A written report is drawn up of each session and signed as seen by all parties involved. If any party involved refuses to do so, the reason for this refusal is stated in the report.
11. Upon the conclusion of the investigation, a written report will be drawn up and submitted to the Board and to all parties directly involved.

#### *Temporary measures*

Both at the start of the procedure and during the investigation, the complaints committee may request the employer to take temporary measures. The employer will comply with such requests if such is required for the welfare of the complainant and/or of any other employee and party involved, including the subject(s) of the complaint.

#### *Opinion*

1. The decision is made by the complaints committee.
2. As soon as possible, but at any rate within two months from the date of submission of the complaint, the complaints committee will submit a written report to the Board.

3. The report must at any rate provide:
  - = the name of the complainant
  - = the name of the subject of the complaint
  - = the persons affected by the undesirable conduct
  - = a description of the complaint
  - = the committee's opinion on the plausibility of the complaint
  - = an advice to the employer on the measures (including any sanctions) to be taken in the specific case
  - = an advice to the employer on the general measures to be taken.
4. If the term is exceeded, the complainant and the subject of the complaint will receive notice thereof, stating the time it will take to process the case.
5. The persons directly involved and the confidential contacts, should they be involved with the processing of the complaint, will receive a copy of the written report.

### *Sanctions and measures*

1. Within 14 days from the receipt of the complaints committee's report, the Board will take a decision on the measures to be imposed on the individual level. In so doing, the Board will proceed from the advice as rendered by the complaints committee. Should the Board deviate from this advice, it will do so only upon consultation with the complaints committee and will provide reasons for doing so in its written decision.
2. Depending on the seriousness of the complaint(s), the Board can *inter alia* impose the following sanctions on the person who is the subject of a well-founded complaint:
  - = a written reprimand
  - = a suspension
  - = a fine
  - = transferral
  - = dismissal.
3. Should the complaint be deemed to be unfounded, the Board will take appropriate measures to normalise the situation on the work floor, such upon having asked the complaints committee for advice in this connection.
4. If the complaint submitted was deliberately false, the Board will take appropriate measures to rehabilitate the subject of the complaint. It will also take appropriate measures against the person who deliberately submitted a false complaint, such upon having requested the complaints committee for its advice.

### *The decision*

The parties directly involved will receive a copy of the decision.

### *Disagreement with the decision*

Should one of the parties disagree with the Board's decision, they may directly submit a substantiated written objection notice to the Board. The Board will respond to the objection notice in writing within 14 days.

1. If the party involved feels the Board's response is unsatisfactory, they may bring the matter before the competent court.

## *Confidentiality*

All parties involved must treat all details provided to them with the strictest confidentiality. Such confidentiality in principle does not apply to the complaints committee's advice and the final decision by the employer, albeit that such may be deviated from at the discretion of the Board.

## *Common Integrity Action Plan*

The Common Integrity Action Plan drawn up in 2018 by Partos (of which WO=MEN is a member), the Netherlands Red Cross, Save the Children, Cordaid, Care Nederland, Oxfam novib, ICCO, Dutch Relief Alliance (DRA), Dutch Interchurch Aid (DIA/Giro 555), Goede Doelen Nederland and the Central Fundraising Bureau, such in coordination with the Ministry of Foreign Affairs, forms an integral part of this Protocol.

**Employers are obliged to ensure that the work environment is free of aggression, (sexual) intimidation, discrimination, bullying and other undesirable conduct that may cause mental strain. Laying down a protocol on the prevention of undesirable conduct that provides for a complaint's procedure is one of the measures to be taken by an employer to meet with its obligations.**

## *Comments*

All staff must have access to the procedure. Both employees and managers must be aware of the existence of the procedure and its effect and must be familiar with the measures that may be taken under the procedure. The procedure must be systematically embedded and applied in practice. The working method and any applicable periods must be laid down and observed.

The procedure must meet the requirements set for the careful processing of complaints: the hearing of both sides, confidentiality, and the provision of information.

The consent of the Works Council must be sought before implementing any policy concerning aggression, (sexual) intimidation, discrimination, bullying and other undesirable conduct.

The undesirable conduct protocol may be implemented separately or form part of an employee manual.

## *Warning*

The Works Council or employee representative body may submit a complaint to the Labour Inspectorate if the employer does not have an undesirable conduct policy in place, as may individual employees. The Labour Inspectorate may require an employer to introduce a policy. If an employee is faced with undesirable conduct, they may file a complaint on their employer with the Dutch Equal Treatment Commission. They may also invoke the undesirable conduct before the court, for instance when requesting that the employment agreement be terminated in connection with the undesirable conduct. In such a case, the employer must be able to prove that it has taken sufficient measures to prevent the undesirable conduct. Should the employer have failed to have a protocol and/or complaints procedure apply within its organisation, it will likely be deemed to have taken insufficient measures to prevent the undesirable conduct. The introduction of a protocol and complaints procedure therefore does not only have a preventive effect within a company, it may also help limit the employer's liability.

## [Duty of confidentiality and conflicts of interest](#)

(See also the separate confidentiality statements.)

Having direct or indirect (financial) interests in your personal or other projects or activities of WO=MEN is prohibited, for this may negatively impact the integrity or interests of WO=MEN. Should you wittingly or unwittingly find yourself in a situation where such a conflict of interests exists or appears to exist, please contact the Board.

## Internet and e-mail use

The employee is given access to the Internet and the WO=MEN e-mail system for business use. Use of these tools must, therefore, be related to the duties associated with the employee's position. Some limited personal use is permitted, provided such does not disrupt daily work, does not constitute forbidden use, and does not burden WO=MEN's digital infrastructure. The employee is not allowed to visit Internet sites that contain pornographic, racist, discriminatory, insulting or offensive material, nor to download and install such materials or to download and install any software and applications, without the system manager's explicit prior consent.

Furthermore, the employee is not allowed to send any messages of a pornographic, racist, discriminatory, insulting or offensive nature. WO=MEN retains the right to limit or even block access to certain websites or Internet applications. Should any violation of the rules concerning Internet and e-mail use be discovered, WO=MEN is allowed to inspect the Internet and e-mail conduct of the employee concerned on WO=MEN's hardware and software systems, such to prevent damage to the reputation of WO=MEN.

## Breaks, rest periods and private affairs

The rights and obligations concerning all sorts of breaks and rest times are governed by the Working Hours Act. The WO=MEN office, does not contain any smoking areas. Smoking is therefore not allowed inside the premises. Employees are expected, in the framework of mutual respect and collegiality, to take account of the burden imposed on others when taking (smoking) breaks, including time taken to have private conversations and have private appointments during work hours.

## Social media

WO=MEN respects freedom of expression. Be aware of sensitivities and various interests concerning our work and our members, partners and other relations. WO=MEN employees are co-responsible for (the interests of) WO=MEN. Employees should be able to estimate whether messages and/or images would harm (the interests of) WO=MEN. WO=MEN therefore expects its employees to act in a proper, sensible and ethical manner when deciding to share texts and images of matters relating to WO=MEN across the globe. Should an employee have doubts as to whether something is appropriate, they may always contact their superior or the WO=MEN communications officer.

## Contact with the media

WO=MEN is happy to promote itself through positive media publicity. Employees can contribute to such positive publicity. An unequivocal message and presentation is key in this respect. To have clear and consistent communications, employees must at all times coordinate all forms of publicity with colleagues and the WO=MEN communications officer.



### Third-party gifts

Building and maintaining networks is part of the job at WO=MEN. When maintaining a working relationship with a third party, you might receive gifts, favours and suchlike from this third party. To avoid compromising situations, accepting gifts with a value of over EUR 50 is not acceptable. All employees must report all gifts and services offered and accepted to their superior, to exclude integrity risks as much as possible.

### Prohibited substances

The use of narcotics is always prohibited at the WO=MEN offices. Many countries impose severe sanctions on the use of, being under the influence of, or possession of narcotics like alcohol, medication and drugs, including, in some cases, the death penalty. You may also endanger others. You should therefore avoid the use of narcotics or other illegal substances, both in your home country and abroad. Alcohol consumption is only acceptable if such does not prejudice the interests of the organisation.

### Violations of legislation and company rules and procedures

Any and all suspected and identified violations of legislation, company rules and procedures must be reported to the Board.