



SEXUAL HARASSMENT POLICY

For
**NIGERIAN INSTITUTE
OF MEDICAL RESEARCH**

YABA, LAGOS

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NIMRNIGERIA    

NIMR... the Foremost Research Institute in Nigeria

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WHO WE ARE ■

- * The nation's foremost Institute of Medical Research
- * We carry out medical research in Nigeria to improve public health and national development
- * We collaborate with several institutions nationally and internationally to facilitate enabling environment for medical research
- * We attract some of the brightest and best brains nationally and internationally in research collaboration
- * Research Collaboration/Ajdunct positions in National and International Universities
- * We disseminate health research findings for policy practices and programme

VISION ■

To be an institution of excellence in basic, applied and operational research for the promotion of National Health and Development in Nigeria.

MISSION ■

To conduct research into diseases of public health importance in Nigeria and develop structures for the dissemination of research findings while providing the enabling environment and facilities for health research and training in cooperation with the federal and state ministries of health and in collaboration with universities, allied institutions and organized private sector nationally and internationally

CORE VALUES

Honesty, Integrity

Leadership

Excellence

Respect, Fairness, Dignity

Teamwork, Innovation

Relevance

Hardwork

Fair Reward and Recognition

Accountability and Transparency

Communication: Internal and External

Equity



1. Policy Statement

Nigerian Institute of Medical Research (NIMR) is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. NIMR will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any employee found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint.

2.0. Objective

The objective of this policy is to define workplace harassment and outline procedures for filing complaints, investigating sexual harassment claims and issuing appropriate disciplinary measures in the case of violations.

3.0. Scope

This policy applies to all employees of NIMR at all locations. All workers at every level will be subject to discipline, up to and including dismissal, for any violation of this policy. Employees are prohibited from harassing others both on and off the employer premises and during or outside of work hours. Employees include permanent, volunteers, intern, youth service corps and project staff.

4.0. Definition of Sexual Harassment

Sexual harassment is an unwelcome conduct of a sexual nature, which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations that create an environment, which is hostile, intimidating or humiliating for the recipient (staff).

5.0. Types of Sexual Harassment

Sexual harassment can involve one or more incidents and actions constituting harassment, which may be physical, verbal and non-verbal. Examples of conduct or behaviour, which constitute sexual harassment include, but are not limited to:

- Physical Misconduct
- Verbal Misconduct
- Sexual Misconduct

5.1. Physical Misconduct

1. Unwelcome physical contact including patting, touching, pinching, slapping, hitting, stroking, kissing, hugging, fondling, or inappropriate touching.
2. Physical violence, incorporated in sexual assault

5.2. Sexual Misconduct

1. Unwanted sexual advances
2. Repeated and unwanted social invitations for dates or physical intimacy
3. Sexual comments, stories and jokes
4. Non-verbal conduct: Sending sexually explicit messages (by phone or by email)
5. Sexually-suggestive gestures: Display of sexually explicit or suggestive material
6. The use of job-related threats or rewards to solicit sexual favors.

Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser (Male-Female, Female-Male, Male-Male, Female-Female). NIMR recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

NIMR recognizes that sexual harassment is a manifestation of power

relationships and could occur within unequal relationships in the workplace, for example between heads of Units/Departments/Committees and employees/members.

Anyone, including employees of NIMR, patients, clients and visitors who sexually harasses another will be sanctioned in accordance with this internal policy.

All forms of sexual harassment are prohibited whether it takes place within NIMR's premises or outside, including at social events, research trips, training sessions or conferences sponsored by NIMR.

5.3. Verbal Abuse

- i. Insults based on the sex of the worker
- ii. Condescending or paternalistic remarks

6.0. Complaint Resolution Procedures

1. Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. NIMR recognizes that sexual harassment may occur in unequal relationships (i.e. between a head and his/her member) and that it may not be possible for the victim to inform the alleged harasser.
2. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff/committee members responsible for receiving complaints of sexual harassment. This person could be a senior staff, a member of the administrative department, etc.
3. When a designated person receives a complaint of sexual harassment, he/she will:
 - i. Immediately record the dates, times and facts of the incident(s)
 - ii. Record the name, department and position of the person or persons that allegedly committed the harassment.
 - iii. Record if there was/were a witness/witnesses present
 - iv. Ascertain the views of the victim as to what outcome he/she wants.

- v. Ensure that the victim understands the Institute's procedures for dealing with the complaint
- vi. Discuss and agree on the next steps: either informal or formal complaint, with the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome.
- vii. Keep a confidential record of all discussions
- viii. Respect the choice of the victim
- ix. Ensure that the victim knows that they can lodge the complaint outside of NIMR through the relevant legal framework in the state or country.

Throughout the complaints procedure, a victim is entitled to be helped by a counsellor within the Institute. NIMR will nominate a number of counsellors and provide them with special training to enable them to assist victims of sexual harassment. NIMR recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. NIMR understands the need to support victims in making complaints.

7.1. Informal Complaints Option

If the victim wishes to deal with the matter informally, the designated person will:

- I. Give an opportunity to the alleged harasser to respond to the complaint.
- ii. Ensure that the alleged harasser understands the complaints mechanism.
- iii. Facilitate discussion between both parties to achieve an informal resolution, which is acceptable to the complainant, or refer the matter to a designated mediator within NIMR to resolve the matter.
- iv. Ensure that a confidential record is kept of what happens.
- v. Follow up after the outcome of the complaints mechanism to ensure that the behaviour has Stopped.

- vi. Ensure that the above is done speedily and within 10 working days of the complaint being made.

7.2. Formal complaints Option

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter. The designated person who initially received the complaint will refer the matter to a senior staff to instigate a formal investigation. The senior staff may deal with the matter him/herself, refer the matter to an internal or external investigator or refer it to a committee in accordance with this policy (choose what options are most appropriate for the case presented). The person carrying out the investigation will:

- i. Interview the victim and the alleged harasser separately
- ii. Interview other relevant third parties separately
- iii. Decide whether or not the incident(s) of sexual harassment took place
- iv. Produce a report detailing the investigations, findings and any recommendations

If the harassment took place:

- i. Decide what the appropriate remedy for the victim is, in consultation with the victim (e.g. an apology, a change of working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal).
- ii. Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome.

If it cannot be determined that the harassment took place, he/she/they may still make recommendations to:

- i. Ensure proper functioning of the workplace.
- ii. Keep a record of all actions taken.

- iii. Ensure that the all records concerning the matter are kept confidential.
- iv. Ensure that the process is done as quickly as possible and in any event within 10 working days of the complaint being made.

If it is confirmed that the harassment did not happen

- i. The complainant is sanctioned accordingly.
- ii. Apologies through a written letter.

8.0. Steps for Investigation

Upon receipt of complaint, take any interim actions, as appropriate;

- i. Temporarily change schedules or reporting structures, place the alleged harasser on administrative leave pending investigation, if necessary.
- ii. If a complainant alleges Sexual Assault, s/he should be referred to a counselling Unit, i. e. Clinical Sciences Department, for appropriate counselling.
- iii. If the complainant involves allegations against a Management /Board Member, immediately refer to the Chair of the Committee for a determination on how to proceed.
- iv. Request and review all relevant documents and information.
- v. Interview all parties involved, including the complainant, the accused, and all relevant witnesses.
- vi. Keep relevant documents and information in a secure and confidential location.
- vii. Make findings and determinations after gathering and reviewing all relevant documents and information and interviewing relevant parties and witnesses.
- viii. Promptly notify the individual who complained and the individual(s) about whom the complaint was made of the final determination.
- ix. Implement corrective or remedial actions, as appropriate.

9.0. Outside Complaints Mechanisms

A person who has been subject to sexual harassment can also make a complaint outside of the Institute. They can do so through external disciplinary committees, mediation, tribunals, court etc.

10.0. Sanctions and Disciplinary Measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- i. Verbal or written warning
- ii. Adverse performance evaluation
- iii. Reduction in wages
- iv. Transfer
- v. Demotion
- vi. Suspension
- vii. Dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

NB: Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

11.0. Implementing this policy

NIMR will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the Institute. Every year, NIMR will require all employees to attend a refresher-training course on the content of this policy. It is the responsibility of the Administrative Department to ensure that all employees are aware of the policy. A Sexual offense committee shall be appointed by the Director General (or Chair of the Ethics Committee, if the allegation is against the Director General), consisting of five senior staff with head of Clinical Sciences department and a senior member of IRB as members. The committee should

be head by a woman of not below Chief Research Fellow cadre.

12.0. Monitoring and Evaluation

NIMR recognizes the importance of monitoring this sexual harassment policy, and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Focal persons and Heads responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, NIMR will evaluate the effectiveness of this policy and make any changes needed.

13.0. Contacts (When Assault Occurs)

Chairperson, Sexual Offences Committee, Director General Office

Policy Drafting Committee

1. Prof Olaoluwa P. Akinwale
2. Prof Oliver Ezechi
3. Dr Olayemi Nwogbe
4. Dr Agatha David
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