

CSWCD's Guidelines for Preventing Sexual Harassment

Introduction

The University of the Philippines in its "Implementing Rules and Regulations of the Anti-Sexual Harassment Act of 1995" (APPENDIX) affirmed the following policy declaration of Republic Act No. 7877:

Section 1. Affirmation of Policy – In affirmation of the Declaration of Policy set forth in Section 2 of Republic Act No. 7877, the University of the Philippines System shall establish and maintain an intellectual and moral environment in which the dignity and worth of all members of the academic community are guaranteed full respect.

The University affirms its commitments to provide a secure and conducive learning and working environments for students, faculty members and employees free from sexual harassment and all forms of sexual intimidation and exploitation.

The IRR firmly states that:

Sexual harassment is a reprehensible conduct which subverts the mission of the University and undermines the careers of students and faculty members as well as those of the research and administrative personnel. The University shall take measures to prevent sexual harassment and eliminate conditions which give rise to sexual intimidation and exploitation within the purview of these Rules and Regulations.

The College of Social Work and Community Development as an academic unit of the University of the Philippines Diliman adheres to this university policy and commitment. An environment free from sexual harassment and all forms of sexual intimidation and exploitation is a concrete manifestation of gender responsiveness which is an integral component of CSWCD's mission and core values¹. **The College does not and will never tolerate sexual harassment**

¹Mission

Academic excellence in the service of the nation and the global community through participatory, gender responsive, empowering and transformative development praxis.

Core Values

Motivated by love of country and nationalism, while at the same time impelled by a global consciousness prioritizing justice, peace, equity, human rights, and sustainable well-being, CSWCD's development praxis is anchored on people's participation and empowerment, personal and social transformation, solidarity with marginalized groups, and gender responsiveness. **(From CSWCD's Vision-Mission Statement)**

The University's IRR defines sexual harassment in this manner:

Section 3. Sexual Harassment Defined –

(a) Sexual Harassment is committed by an officer, faculty member, employee, coach, trainor, or any person who having authority, influence or moral ascendancy over another in any aspect of academic or administrative work in any campus, unit, office or classroom of the University demands, requests or otherwise or requires any sexual favor from the other, without regard as to whether such demand, request or requirement is accepted by the latter.

(b) In a work-related environment, either academic or administrative, sexual harassment is deemed to exist when:

(1) The sexual favor is made as a condition in the hiring or employment or reemployment of the individual who is the object of sexual harassment, or in granting such individual favorable compensation or promotion or any other terms, conditions or privileges; or the refusal to grant the sexual results in limiting, segregating or classifying a faculty member or employee which would discriminate, deprive him or her or diminish employment opportunities or otherwise adversely affect such faculty member or employee;

(2) The above acts would impair the rights or privileges of the faculty member or employee under the Civil Service Law, rules or regulations;

(3) The above acts would result in an intimidating, hostile or offensive employment environment for the faculty member or employee.

(c) In the academic, teaching or study environment, sexual harassment is committed:

(1) Against a student, trainee or one who is under the care, custody, supervision or advisorship of the offender;

(2) Against one whose education, training, apprenticeship or tutorship is entrusted to the offender;

(3) When the sexual favor is deemed to be a condition to the giving of a passing grade, the granting of honors and scholarships, or the payment of a stipend, allowance or other benefits, privileges, or considerations; or

(4) When sexual advances result in an intimidating hostile or offensive environment for the student, trainee or apprentice.

UP's IRR of the Anti-Sexual Harassment Law of 1995 covers cases involving "those in peer relationships" and cases "involving persons of the same or opposite sex.":

Section 5 (b) Sexual Harassment under these Rules and Regulations is not limited to cases involving abuse of authority or power but includes as well those in peer relationships, such as in faculty-faculty, employee-employee or student- student relations, or those involving harassment of faculty members or employee by students. It contemplates cases of harassment involving persons of the same or opposite sex.

Aside from the actual perpetrator of sexual harassment, the IRR also holds liable persons who induce or cooperate in the commission of the act: "Any person connected with

the University as an officer, faculty member, employee or a student, who directs or induces to commit any act of sexual harassment as herein defined, or who cooperates in the commission thereof by another without which it would not have been committed, shall be held accountable under these Rules and Regulations."

The IRR provides the processes and procedures by which complaints of sexual harassment are filed, investigated and heard. Both "formal and informal procedures for resolving cases or dealing with incidents of sexual harassment " are contained in the university's regulation. ²The IRR also includes the penalties for those found guilty of committing such act.

CSWCD is duty-bound to implement the provisions of the IRR in dealing with complaints of sexual harassment and in ensuring that penalties imposed on those found guilty after due process has been applied are implemented. However, the College sees the importance of preventing such harassment from occurring by putting in place " measures to prevent sexual harassment and eliminate conditions which give rise to sexual intimidation. " (IRR).

The following are the College's preventive measures:

- Copies of the University's IRR of the Anti-Sexual Harassment Act of 1995 (**in English or in Filipino**) shall be circulated on line among faculty, REPS, administrative staff and students. If there is no existing Filipino translation of the IRR, the college will request the UPD OASH to provide such translation.
- All CSWCD faculty, REPS, staff and students must undergo orientation on the University's IRR of the Anti-Sexual Harassment Act of 1995. All new students of the College are required to attend such orientation during their first semester as CSWCD students. This will be done at the department/level in coordination with the UPD OASH when needed.
- Staff development programs on gender-sensitivity and on preventing sexual harassment shall be held at least once a year. The college's Research and Extension for Development Office (REDO), in coordination with the relevant department/units of the college will prepare the gender sensitivity modules and conduct the training.
- Gender sensitivity and responsiveness shall be integrated in the content, methods and processes of CSWCD courses and training modules

² Section 6, UP IRR of Anti-Sexual Harassment Act of 1995: "Each campus of the University, or where appropriate its constituent institution, shall provide facilities for both formal and informal procedures for resolving cases or dealing with incidents of sexual harassment.

(b) Informal procedure refers to University action through appropriate officials or committees, which does not involve formal investigation nor filing of formal charges. It may consist of counseling, providing information, or other means of support. However, incidents of sexual harassment dealt with in this manner will be documented to determine whether patterns of sexual harassment are present.

- Faculty members and trainers who intend to use sexually explicit teaching/training materials in classrooms and seminars must ensure that such use is justifiable on the basis of the learning objectives. Students must be warned that such material will be used beforehand and be allowed to opt out of that particular learning activity without prejudice to their grade or any type of evaluation. The faculty member/trainer is required to give alternative learning activities to students who opt out.
- Sexually inappropriate materials such as pictures of nude women/men selling liquor or other commodities posted in or around the workplace shall not be tolerated.
- One-on-one faculty-student consultations should be held in open areas in the college or if held inside faculty rooms, the faculty and student should ensure that the door is left open. This is for the protection of both faculty and student
- The Field Instruction Programs of the three departments shall come up with guidelines regarding dress codes, sleeping quarters for students and other measures necessary to remove conditions which may give rise to sexual harassment or other forms of sexual intimidation. (Appendix: DCD FIP Guidelines)
- The College shall monitor the emergence of sexual harassment through cellphones or the internet and shall come up with guidelines regarding these.
- Faculty, REPS, administrative staff and students are encouraged to:

- “be aware and conscious of engaging in potential sexual-harassment behaviors or incidents at work;
- be sensitive to individuals who may be offended by the verbal and non-verbal behavior of others;
- be aware of subtle forms of sexual harassment;
- watch for and discourage sexual behaviors that negatively affect work.
- pay attention to the response of others in order to avoid unintentional offense;
- do not assume that employees or co-workers enjoy or want to hear risqué jokes or sexually oriented comments about their appearance, or be touched, stared at, flirted with, or propositioned for dates or sexual favors;
- examine if your verbal or non-verbal behaviors might have a negative impact on other co-workers’ attitudes toward work;
- not take sexual harassment lightly. If you think you are being sexually harassed by an individual or a group, do not accept it as a joke. Do not encourage the harasser by smiling, laughing at his/her jokes, or flirting back. Let the harasser know that you do not enjoy and do not want this type of attention.
- seek confidential advice if you believe you have been sexually harassed;
*- document all the incidents of sexual harassment. Be detailed, precise about date, time, location, and person/persons involved”.*³

³Excerpts from “Prevention of Sexual Harassment” in “Sexual Harassment”
<http://www1.umn.edu/humanrts/svaw/harassment/explore/5prevention.htm>, accessed January 18, 2013

The implementation and monitoring of these guidelines shall be the responsibility of unit heads, the CSWCD's Gender Committee and its College Executive Board . The unit's annual report shall contain a section on upholding gender-responsiveness and preventing sexual harassment. The GAD Committee shall assist the Dean and the College Executive Board in evaluating and enriching these guidelines.

References:

IMPLEMENTING RULES AND REGULATIONS OF THE ANTI-SEXUAL HARASSMENT ACT OF 1995, UNIVERSITY OF THE PHILIPPINES SYTEM
Prevention of Sexual Harassment" in "Sexual Harassment"
<http://www1.umn.edu/humanrts/svaw/harassment/explore/5prevention.htm>, accessed January 18, 2013