



## **POLICY ON HARASSMENT**

### **1. SCOPE**

- 1.1 This Policy on Harassment (herein referred to as “The Policy”) shall comprise of the agreement and undertaking of the Singapore Dragon Boat Association (herein referred to as “SDBA”) employees (herein referred to as “Employees”) ; helpers, volunteers or service providers (herein referred to as “Workforce”) ; National Team Athlete, Coaches and Team Manager (herein referred to as “Nteam”) with the SDBA, which is the National Sport Association for the authority and governance of the sport of dragon boat (herein referred to as “The Sport”) in Singapore.
- 1.2 Refer to “Definitions” below for clarification on what constitute as the definitions

### **2. DECLARATION**

- 2.1 SDBA is committed to creating a healthy working, training and competition environment that enables Employees, Workforce and Nteam to work, train or compete without fear of prejudice, gender bias and sexual harassment.
- 2.2 SDBA has zero tolerance for sexual harassment and believes that all Employees, Workforce and Nteam have the right to be treated with dignity.
- 2.3 Sexual harassment at the work, training and competition place or other places designated for official SDBA function or activity, is a grave offence and is strictly prohibited by SDBA.
- 2.4 This Policy has been formulated to create and maintain a safe working, training and competition environment where all Employees, Workforce and Nteam treat each other with courtesy, dignity and respect irrespective of their gender, race, caste, creed, religion, place of origin, sexual orientation, disability, economic status or position in the hierarchy.
- 2.5 Employees, Workforce and Nteam are entitled to work in an environment free from any form of discrimination or conduct which can be considered harassing, coercive, or disruptive.
- 2.6 This Policy comes into effect immediately.

### **3. OBJECTIVE**

- 3.1 To foster a respectful workplace, training and competition place or other places designated for official SDBA function or activity, through the prevention and prompt resolution of harassment and make SDBA as a satisfactory place for all Employees, Workforce and Nteam

to have their genuine concerns being looked into by SDBA's Management Committee (herein referred to as "The Management").

- 3.2 SDBA is committed towards giving every Employees, Workforce and Nteam a just and fair hearing on issues encountered by them at the workplace, training and competition place or other places designated for official SDBA function or activity, with special attention to sexual harassment.
- 3.3 SDBA will take very serious disciplinary action against any victimization of the Employee, Workforce and Nteam who is complaining or the alleged harasser that may result from a complaint.

#### **4 DEFINITIONS**

- 4.1 "Act" means POHA, the Protection from Harassment Act (2014).
- 4.2 "Aggrieved Woman" means a woman of any age, in relation to the workplace whether employed or not, who alleges to have been subject to any act of sexual harassment by the respondent.
- 4.3 "Complaint" is meant to construed, defined, understood and interpreted as a formal allegation of Harassment submitted in writing or otherwise by the Aggrieved Woman to The Management
- 4.4 "Conciliation" a process to resolve conflict/complaint by The Management on the specific request of the aggrieved Employee, Workforce and Nteam in the manner provided under the Act.
- 4.5 "Employee" means a person employed by SDBA at a workplace for any work on regular, temporary, ad hoc or daily wage basis, either on permanent, part-time or contractual basis, including a contractor, with or, without the knowledge of the principal employer, whether for remuneration or not and includes probationer, trainee, apprentice or called by any other such name.
- 4.6 "Workforce" means a person who on own free-will, offer to volunteer his self, services, time, resources, ideas, energy and effort to help, assist, manage or operate own or SDBA-owned equipment, accessory and machinery, in SDBA organized events or any other activity whether for remuneration or not and includes the services as Race Official, Event Crew, Trainer, Steersperson, Lifeguard, Boat Driver of both towing and non-towing capability or called by any other such name whether the terms of employment are expressed or implied.
- 4.7 "Nteam" means Singapore National Dragon Boat Team paddler, drummer and steersperson who can either be carded or non-carded by Sport Singapore (SportSG) ; team officials, coach or team manager ; either making up the main premier squad, developmental squad or age group squads
- 4.8 "Harassment" is any improper conduct by an individual, that is directed at and offensive to another person or persons in the workplace, and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation or threat. It includes harassment within the

meaning of the POHA (2014) and applicable international and united nation's conventions and treaties. Harassment shall also include Sexual harassment as defined below.

4.9 "Sexual Harassment" shall mean and include any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- a) physical contact and advances; OR
- b) a demand or request for sexual favours; OR
- c) making sexually coloured remarks; OR
- d) showing pornography; OR
- e) any other unwelcome physical, verbal or non-verbal conduct of sexual nature

4.10 "Unwelcome Sexual Advances" shall mean any one or more of the following unwelcome acts or behaviour (whether directly or by implication) namely:

- a) requests or demand for sexual favours, either explicitly or implicitly, in return for favours, benefits, advantages and/or special preferential treatment; OR
- b) unwelcome sexual advances involving verbal, non-verbal, or physical conduct such as sexually coloured remarks, jokes, letters, phone calls, e-mail, gestures, showing of pornography, lurid stares, physical contact or molestation, stalking, sounds, display of pictures, signs, verbal or non-verbal communication which offends the individuals sensibilities and affect her/his performance; OR
- c) eve teasing, innuendos and taunts, physical confinement against one's will and likely to intrude upon one's privacy; OR
- d) act or conduct by a person in authority which creates the environment at workplace, training and competition place or other places designated for official SDBA function or activity hostile or intimidating to a person belonging to the other sex; OR
- e) conduct of such an act at workplace, training and competition place or other places designated for official SDBA function/activity or outside in relation to an Employee, Workforce and Nteam or vice versa during the course of employment, training, competition and official SDBA function/activity; AND
- f) any unwelcome gesture by an Employee, Workforce and Nteam having sexual overtones

## **5. POLICY REQUIREMENTS**

5.1 Employee, Workforce and Nteam are responsible for fostering a Harassment free work environment.

5.2 All Employees, Workforce and Nteam shall be informed of this policy during recruitment and by general publicity during the course of their employment and/or engagement with SDBA and shall be deemed to be incorporated in the service conditions of all Employees, Workforce and Nteam and comes into effect immediately.

- 5.3 Early Resolution Mechanism should be used to resolve problems of Harassment at the outset.
- 5.4 The complaint process, including the investigation if necessary, should be completed without undue delay.
- 5.5 Corrective action must be taken timely in all situations of Harassment and the same must be communicated to all the parties involved in it.
- 5.6 Harassment may result in corrective or disciplinary measures being taken, up to and including termination of respondent.
- 5.7 Disciplinary or corrective measures may also be taken against the following:
  - a) any Manager, Key Race Official, Department Head, Nteam Coach and Team Manager who is aware of a Harassment situation and who fails to take corrective action; OR
  - b) anyone who interferes with the resolution of a complaint by threats, intimidation or retaliation; OR
  - c) anyone who files a complaint that is frivolous or in bad faith.

## **6 RESPONSIBILITY AND AUTHORITY**

The ultimate responsibility and authority for applying this policy rests with: -

- a) President and his or her authorized representative(s) AND
- b) SDBA Executive Committee (EC) AND
- c) SDBA General Manager (GM)

## **7. EXPECTATIONS**

### **A. EMPLOYEES**

- 7.1 Employees, Workforce and Nteam are expected to act towards other colleagues/ Employees, Workforce and Nteam professionally and respectfully, and in a cordial manner.
- 7.2 Employees, Workforce and Nteam, who believe they have been treated in an improper and offensive manner and feel that they are being harassed, may file a complaint with GM. It is advised to report the incident/last incident of harassment within 24 hours from the date of incident, however, maximum within a period of 3 months from the date of incident/last incident.
- 7.3 SDBA shall try its best effort to take prompt action if Employees, Workforce and Nteam report an incident of Harassment to their Manager, Key Race Official, Department Head, Nteam Coach and Team Manager or if necessary, to another appropriate Manager, Key Race Official, Department Head, Coach and Team Manager within 24 hours of incident or as soon as possible.

- 7.4 They can expect to be treated without fear of embarrassment or reprisal when dealing with a Harassment situation or involved in the resolution of a complaint via GM.

#### **B. COMPLAINANTS, RESPONDENTS AND WITNESSES**

- 7.5 Complainants, respondents and witnesses are expected to provide information as required in the steps noted under "Complaint Process".
- 7.6 They are required to fully co-operate in the Complaint Process as and when called upon to do so.
- 7.7 They are strictly required to limit the discussion of the complaint or any matter pertaining to the complaint to only those who need to know.
- 7.8 They may review their statement as recorded by the investigator, to confirm its accuracy, prior to the final report being submitted, subject to only necessary modification.
- 7.9 Complainants and respondents will receive information related to the complaint in writing, including allegations, as noted in the steps below, under "Complaint Process", and in accordance with the principles of procedural fairness.
- 7.10 Complainants and respondents may review a copy of the draft report followed by the GM who after receiving such request applies his mind to judge if it would be in interest of justice to accede to such request. They will be informed of the outcome of the investigation and will receive a copy of the final report by email, post, courier or as may be directed by GM.

### **8 COMPLAINT PROCESS**

- 8.1 Any aggrieved Employee, Workforce and Nteam who feels and is being harassed, sexually or otherwise, directly or indirectly, may submit a complaint of the alleged incident to the GM in writing within 24 hours from the date of incident, however, maximum within a period of 3 months from the date of incident/last incident.
- 8.2 Where the aggrieved Employee, Workforce and Nteam is unable to make a complaint on account of their physical incapacity, a complaint may be filed by
- a) a relative or friend; OR
  - b) a colleague, co-worker, teammate ; OR
  - c) any person who has knowledge of the incident, with the written consent of the aggrieved person.
- 8.3 Where the aggrieved Employee, Workforce and Nteam is unable to make a complaint on account of their mental incapacity, a complaint may be filed by
- a) a relative or friend; OR
  - b) a special educator' OR
  - c) a qualified psychiatrist or psychologist; OR

d) the guardian or authority under whose care they are receiving treatment or care;  
OR

e) any person who has knowledge of the incident jointly with any of the above.

- 8.4 Where the aggrieved Employee, Workforce and Nteam on for any other reason is unable to make a complaint, a complaint may be filed by any person who has knowledge of the incident, with their written consent.
- 8.5 Where the aggrieved Employee, Workforce and Nteam is deceased, a complaint may be filed by any person who has knowledge of the incident, with the written consent of their legal heir.
- 8.6 GM, on receipt of such written complaint, may, if required, ask the aggrieved person to furnish additional information about the alleged harassment.
- 8.7 GM may, before initiating an inquiry and at the request of the aggrieved Employee, Workforce and Nteam take steps to settle the matter between them through conciliation provided that no monetary settlement shall be made the basis of such conciliation.
- 8.8 Where possible, the parties shall be given an opportunity of being heard.
- 8.9 GM must complete his/her investigation within a 90 days period.

## **9 ACTION FOR FALSE/MALICIOUS COMPLAINT**

If GM arrives at the conclusion that the allegation against the accused is malicious or the aggrieved woman or any other person making the complaint has made the complaint knowing it to be false or the aggrieved woman or any other person making the complaint has produced any forged or misleading document, he may recommend President or EC to take action against the Employee, Workforce and Nteam who has made the complaint. Provided that a mere inability to substantiate a complaint or provide adequate proof need not attract action against the Complainant.

## **10 CONFIDENTIALITY**

The identity and addresses of the aggrieved Employee, Workforce, Nteam respondent and witnesses, any information relating to conciliation and inquiry proceedings, GM's recommendations and action taken against the respondent under this policy shall not be published, communicated or made known to public, press and media in any manner by any person having knowledge of the same.

## **11 APPEAL AND OTHER RECOURSE**

- 11.1 Any person aggrieved from the recommendations made by GM or non-implementation of such recommendations may prefer an appeal to President
- 11.2 The appeal shall be preferred within a period of ninety days of the recommendations.

- 11.3 Assaults including sexual assault are covered by the Criminal Code and in such cases if proven guilty the employment and/or appointment will be terminated. Any allegation of such incident must be accompanied by a police complaint.
- 11.4 If a complaint on the same issue is or has been dealt with through another avenue of recourse, the complaint process under this policy will not proceed further and the complaint will be closed and concerned Employee, Workforce and Nteam must be suspended or immediately terminated.