

Policy on Prevention of Sexual Harassment

- **1. Preamble**

This policy is a general guideline on the subject of sexual harassment. It applies to the Hong Kong Contract Bridge Association (HKCBA) Council members, members of HKCBA, as well as full time or part time staff and contractors of the Association.

Under the Sex Discrimination Ordinance (SDO), sexual harassment is unlawful. The Association is committed to prohibiting any form of sexual harassment. Any person found to have acted in breach of this policy will be subject to disciplinary action including termination of duties and membership, summary dismissal (for full time or part time staff) and suspension of participation and representation in local and overseas tournaments.

- **2. Definition**

2.1 Under SDO, sexual harassment is a form of discrimination which consists of any unwelcome sexual behavior in circumstances where a reasonable person would have anticipated that the harassed person would be offended, humiliated or intimidated. Such behavior includes physical contacts, gestures, spoken words, written statements, use of images of a sexual nature, requests for sexual favours, creating a sexually hostile work environment, etc.

2.2 Sexual harassment covers both verbal and non-verbal conduct. It may occur to any person, regardless of gender. A single incident, even if it is not intentional or there is no evidence to prove the intention, may amount to sexual harassment once the act falls within the definition of sexual harassment.

2.3 Sexual harassment is usually related to an inappropriate use of power by a person over the other. It can also take place in situations where there is no power relationship.

- **3. Preventing Sexual Harassment**

3.1 Every person has a responsibility to eliminate sexual harassment and is encouraged to report any potential or actual incident of sexual harassment.

3.2 If a person believes that he/she has been sexually harassed or becomes aware of sexual harassment, he/she is recommended to take the following actions:

3.2.1 Speak up at the time. Tell the harasser that the latter's act is unwelcome and should stop immediately.

3.2.2 Keep a record of all evidence.

3.2.3 Tell someone he/she trusts and ask for emotional support and advice.

- **4. Sexual Harassment Complaints**

4.1 A complaint of sexual harassment may be lodged with the President of HKCBA. To ensure a fair and proper process, individuals who report the alleged harassment should identify themselves. Anonymous reports or complaints will not be processed, save in exceptional circumstances.

4.2 There are informal and formal procedures to deal with sexual harassment complaints depending on the severity of the incident and the wish of the complainant.

4.3 Informal Procedure

- HKCBA Council will act as a conciliator/mediator to assist in reaching a settlement, if the parties concerned are agreeable to such course of action.

- If a settlement is reached, HKCBA Council will prepare a report signed by all parties for filing.

- If the complainant cannot be resolved, a formal procedure will be commenced.

4.4 Formal Procedure

- The complainant should lodge a written complaint containing a precise account of the incident with the President of HKCBA.

- The President of HKCBA will appoint Council member(s) to investigate the complaint.

- The alleged harasser will be given an opportunity to respond to the complaint. He/she will be required to refrain from contacting the complainant during the investigation.

- If a case of sexual harassment is established, HKCBA will take appropriate disciplinary measures against the harasser.

- Where the behavior in a sexual harassment case may amount to criminal offences, HKCBA may consider referring the cases to the police. A complainant may also lodge a complaint of sexual harassment directly with the Equal Opportunities Commission (EOC) or take action in the District Court.

- **5. Principles of Handling Complaints**

HKCBA will handle sexual harassment complaints in accordance with the following principles:

5.1 Fairness: all enquiries and complaints will be handled in a just and impartial manner.

5.2 Confidentiality: all information and records related to complaints will be kept confidential and will only be disclosed to relevant Council members and the alleged harasser on a need-to-know basis.

5.3 Promptness: complaints will be handled promptly

5.4 Protection against victimization: complainants and witnesses will be protected against victimization, including retaliation.

5.5 Avoiding conflict of interest: a member related to the complainant or the alleged harasser will not take part in the conciliation or investigation process.

- **6. Enquiries**

6.1 For further enquiries on this policy, please contact the Vice President or Secretary of HKCBA via email to hkcbaadm@hkcba.org

6.2 Further information pertaining to sexual harassment is available at the website of the EOC (www.eoc.org.hk).

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