

Dealing with harassment The complainant's guide

CERN Ombuds

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CAVEAT

This document is an informal document issued by the CERN Ombuds. It does not represent any notice from the Organisation and should not be considered as an official CERN document. Its purpose is only to provide some help to the persons who wish to read it on a voluntary basis.

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Introduction

CERN recognizes that workplace harassment¹ may have significant consequences on the well-being of an individual staff member as well as on the morale of the team. With the Policy on Harassment, and Abuse of Authority², CERN is committed to stopping such behaviour and to dealing with it promptly and seriously. Action against harassment includes education, provision of advice and counselling as well as offering informal and formal ways of addressing it.

Living through harassment of any kind is a very personal experience and each individual often has his/her own idea of how to deal with it. Their choice is influenced by various factors including the emotions they experience, organizational policy, level of support and so on. The purpose of these guidelines is to:

- help you determine if you are being harassed;
- highlight important issues at each stage of dealing with it; and
- enable you to make an informed choice of what action to take.

This guide addresses you, the complainant, but it is hoped that other readers will find it informative and useful. You should also consult the *CERN Policy on Harassment, Sexual Harassment and Abuse of Authority*, in order to familiarize yourself with officially adopted definitions of harassment and abuse of authority.

¹ Harassment, sexual harassment and abuse of authority will, for the sake of simplicity, be referred to generally in this document as “harassment”.

² *CERN Principles and Procedures Governing Complaints of Harassment, OC 9 (2011)*

1. Responding to harassment

There are three stages in responding to harassment:

A. Understanding your options: understanding what you are going through; collecting information about possible action; keeping notes on the harassment incidents.

B. Choosing an approach: deciding on what action to take from informal amicable and discreet to formal:

B1. Informal approach:

Personal action: complainant, either personally or through a third party, clearly indicates to the alleged harasser that certain behaviour is unacceptable.

See the Ombuds: confidential discussion and possibly mediation between the complainant and the alleged harasser.

B2. Formal approach:

Use the mechanism of investigation that may lead to disciplinary measures in case misconduct is established.

As a potential complainant it is your decision whether you choose to pursue the informal or the formal process. It is, however, important to note that in some cases, mediation might not prove effective or appropriate given the context or the nature of the allegations, in which case the Ombuds might advise you to consider the formal approach instead. Similarly, a complaint lodged formally with the Harassment Investigation Panel [HIP] might not be pursued because the alleged behaviour falls well short of misconduct. In such instances, the HIP might instead advise you to consider the informal approach.

C. Follow-up: ensuring that the behaviour stops and does not happen again. In this phase, the manager also needs to ensure that the morale of the team is not affected.

In the following sections, you will find information on each of these stages as well as on what to do about your reactions and feelings that are likely to appear during each of them.

2. Understanding your options

Victims of harassment often experience confusion and a feeling of loss of control. It is important for them to try to see clearly what is going on; the impact that the situation has on them; what they would like to do about it; and what resources are available to help. This chapter describes each of these elements in detail.

2.1 Understand what is going on

Understanding objectively what is going on includes being aware of:

- the exact instances of harassment and the circumstances under which they occur;
- your own behaviour in such instances;
- your emotional, cognitive, physical and behavioural reactions in these situations.

2.1.1. Identify the harassing behaviour

In most cases, it takes time to realize that you have been harassed. In fact, you are likely to develop a range of psychological and behavioural reactions before realizing the causes of them. Let us first focus on what can help to pinpoint harassment.

a) *Read and learn about harassment*

As soon as you think you may have been harassed or are being harassed, try to learn more about it. *CERN Principles and Procedures Governing Complaints of Harassment, OC 9*, is an important start. Keep in mind that sexual harassment is the easiest form of harassment to recognize as it involves sexual behaviour, both verbal and non-verbal.

Harassment in literature is often referred to as psychological harassment, bullying and/or mobbing, usually takes longer to recognize, depending on the consistency of such behaviour. Use of rude or disrespectful language (“Are you stupid or what?”, “I’d be better off working with donkeys than with you.”) or any other kind of unacceptable language may be a part of harassment. At times, the lack of communication could be an element of harassment.

b) *Start to keep a record*

It is important to keep a record of the instances of harassment bearing in mind the following:

- Date, place and time;
- Brief description of the context and situation;
- Relevant quotations (as accurate as possible) and description of behaviour;
- Possible witnesses;

- Any other relevant information.

The record can be brief. Emails and similar messages can be a useful addition. Record-keeping will help you establish some sense of control over the situation. It may also help identify patterns of harassment.

Importantly, record-keeping is necessary because it documents the case should you pursue the formal process. Please note, however, that personal records, although helpful, are subjective and therefore not necessarily sufficient proof of harassment.

c) *Talk to others about harassment*

Talking to others allows you to share the heavy burden. The traditional saying “Two heads are better than one.” would best describe the benefit of sharing. The pressure on emotional well-being will often be eased.

When choosing who to talk to, it is extremely important to take into account the need for confidentiality and prevention of rumours. It cannot be stressed enough that rumours often cause more damage to both you, the complainant, and the alleged harasser [see Appendix 1].

You can talk to anyone you trust – a close friend, a colleague, a supervisor – or you can approach the Ombuds who is there to give you confidential advice. The Ombuds will provide you with an opportunity to talk about your experience on a completely confidential basis; will help you clarify your thoughts; and will ensure that you have all information necessary for an informed decision [Appendix 2]. No action will be taken on your behalf without your agreement.

d) *The perspective of the alleged harasser*

Who really wants to think about this? Actually, you do. There are several issues important to consider here:

Intention and motivation

The probability for a positive outcome is greater when the harassment is unintentional and results from a misunderstanding, a misinterpretation, or similar,.

Support to the alleged harasser

Lack of support to the alleged harasser could make you feel he/she got what he/she deserved. Yet, the appropriate support to the alleged harasser may help him/her understand you better and in turn lead to a more successful informal reconciliation and resolution.

It should not be your goal to think of the well-being of somebody who harasses you. Yet, understanding his/her perspective can advance your situation. More on this is written in the “Dealing with harassment, the manager’s guide” and you are encouraged to look through it.

2.1.2 Reflect on your behaviour

We are often unaware of how we behave when exposed to harassment as we are so much focussed on the external threat, i.e. alleged harasser. Yet, this is an important

aspect of the situation - not to determine the blame but rather to help you get a better understanding of where you need most help and how to proceed.

Most of complainants prefer to address the alleged harasser indirectly hoping that the alleged harasser will “get the message” and that consequently, the harassment would stop. Here are some examples of indirect ways of dealing with harassment.

Ignoring the offensive behaviour

Very often, the complainants hope that the harassment will stop if they simply do not respond to the offensive comment and continue as if they haven't heard or noticed anything.

Unfortunately, this approach is successful only in some cases but in most, ignoring the alleged offender is not a successful method of stopping unwanted behaviour. On the contrary, indirect ways of dealing with harassment may give a mixed message to the alleged harasser. At times, the alleged harasser might even understand the “message” as a challenge. So, if you chose this approach, do not be disappointed if it did not bring you wanted results.

Minimizing the offensive behaviour

Similarly, minimizing the significance of the offensive behaviour is efficient in only a few situations. Examples of minimizing are:

- Say in a casual way to the alleged harasser not to be “silly” or something similar;
- Make a joke about the alleged harasser's behaviour.

If you have tried this way of stopping the harassment and it did not work, perhaps you need to reconsider your strategy.

Changing one's own behaviour

There are several ways how changing one's own behaviour may minimize the exposure to harassment. For example:

- You may try to do anything to please the alleged harasser in order to avoid the verbal abuse;
- You may change your work routines and social routines in order to minimize the possibilities of contact with the alleged harasser. Examples of that – change the place where you normally do the photocopying; come to the office earlier in order to leave earlier; keep a low profile and minimize your interactions with others in the office; withdraw from the social events involving the colleagues from the office and so on.

The hope behind all these indirect ways of dealing with harassment is that with time, the alleged harassers may forget about you and that their attention will be attracted by somebody else. In most cases, this is not what happens.

Blaming?

When something goes wrong, it is very natural that we try to see whose fault it is. When the complainants doubt themselves, they would often ask questions such as: “Why me?”, “What did I do?” “Did I provoke this situation?”

Such questions are very uncomfortable and they may undermine your self-confidence. If you catch yourself having such thoughts, you should remind yourself that nobody, including you, deserves to be treated in a disrespectful way. It is not your fault that you are harassed. Blaming yourself will make your position more vulnerable. Such questions may also be a good sign to ask for help and the Ombuds can assist you in this.

Most of complainants today are aware of the fact that harassment is not their fault. However, one should also be careful with blaming others. Blaming is often associated with the emotion of anger. When that is the case, you may need to deal with the anger first before deciding which step to take next.

The real question for most complainants is not who to blame, but how to resolve unwanted situations and move on.

Impact of rank, gender and culture

From experience, we know that a complainant’s behaviour in circumstances of harassment may depend on the rank, gender and culture of the persons involved. It might be helpful to reflect on relevance of these factors in your situation. This reflection may help you identify other options.

2.1.3 Understand your own reactions to harassment

Exposure to harassment is likely to cause a number of stressful reactions in the physical, cognitive, emotional and behavioural area. These reactions may change through time. At the very beginning, you may feel confusion related to how to interpret somebody’s behaviour. At this stage you are still likely to believe that bad behaviour was accidental. As the harassment is repeated, you may start developing emotional reactions ranging from anger and hurt through shame to a sense of helplessness and anxiety/depression. A wish for revenge comes from a need for justice. Sleeping problems, difficulties with concentration, obsessive-like thinking about harassment could be yet another manifestation of your distress with the situation.

All these reactions are most probably interlinked. If you think of the following questions you will probably be able to see this link:

- What is the first thought that comes to your mind when you think of the alleged harasser (“Gosh, what do I do now?” “I can’t handle this, I am tired”, “Who cares, I’ll finish my business here and only then I will leave”)
- What are the associated emotions that you experience in such instances (fear, anger, panic, helplessness or something else)?

- What are the bodily sensations that you experience in such instances (heart palpitation, change of breathing, loss of voice, nausea, dizziness, blushing, headache or anything else)?
- What is your behaviour in such instances (changing the subject, getting distracted by something else, thinking more, getting a drink to help you cope, staying and fighting; anything else)?

The research has shown that the way we think and feel will have a very strong impact on our behaviour. Negative self-referring thoughts are more likely to undermine our potential to successfully address the situation. If that should be your case, try to get professional support to help you go through this process step by step. The Ombuds can advise you where to obtain this support.

Finally, when harassment coincides with other difficult challenges in your life, the emotional impact can be even more serious.

2.2 Take care of yourself.

Experiencing harassment, sexual harassment or abuse of authority may be a long and exhausting process. For that reason, it is important that you start taking care of yourself immediately, and Appendix 3 gives you some ideas of how to do that. The Ombuds is also available to you for further discussion and brainstorming on how you could support yourself.

2.3 What solution?

“What do I want to happen in this situation?” It is very important to ask yourself this question because it will guide you towards your choice of approach. Most complainants experience anger, hurt, humiliation and a desire for justice. When these emotions influence decision-making, the outcome might not necessarily be what was initially hoped for. Here are some examples of various desires commonly expressed by the complainants.

- I want the harassment to stop;
- I want the harassment to stop and the alleged harasser to apologize;
- I want the harassment to stop and the alleged harasser to be punished;
- I want the harassment to stop and the punishment to be severe;
- I want the alleged harasser to suffer for the rest of his/her life;
- I want the whole world to know what this person did to me so that it follows him/her wherever he/she goes.

Any solution that involves sanctioning the alleged harasser will normally involve the formal process i.e., an investigation and disciplinary action. While it is your responsibility as the complainant to initiate the investigation, once it has started, you have no control over its progress and will not have any role in determining eventual sanctions. Section 3.2 (below) refers specifically to the formal approach.

2.4 Find the resources available

It is equally important to understand what resources are available to you to deal with harassment, sexual harassment and abuse of authority. Appendix 2 referred to above, contains details of resource entities and their roles. Familiarize yourself with them and contact them to get a better sense of how you could use their services.

2.5 Role of the manager

The manager (Head of Unit or a direct supervisor) has an important role to play in dealing with harassment in terms of supporting due process and also in supporting the working team. The primary interest of the manager should be to foster an environment free of harassment by setting an example, acting appropriately in a situation of concern and encouraging the staff to use the different approaches available.

The manager's objectivity towards, and respect for, both parties involved is of extreme importance. For the alleged harasser, it is principally related to the respectful handling of the situation, including communication with him/her. However, respect should not be mistaken for tolerance of unwanted behaviour and equally, the manager must not take sides.

The pamphlet "*Dealing with harassment, the manager's guide*" describes fully the various aspects of the manager's responsibility. You may want to familiarize yourself with the pamphlet to have a better understanding of what you can expect from a manager.

3. Choosing an approach

As mentioned earlier, each person has the right to a harassment-free environment and can choose in the case of harassment, from the two basic approaches available, the one that suits them best.

Informal dispute resolution

- Personal action
- Third party
- Mediation through the Ombuds

Formal complaint

3.1 Informal approach

Although the informal approach can be a good starting point, you, as the complainant, are free to choose whether to start with the informal or formal process. The following paragraphs are intended to provide you with the necessary information to make an informed choice.

3.1.1. Personal action

a) Informing the alleged offender

You can decide to inform the alleged harasser that his/her behaviour, whether intentional or not, is unacceptable to you and that you would like that behaviour to stop. This might help in cases where the alleged offender is unaware of the impact of his/her behaviour.

Of course, it is not always easy to decide whether or not to take the personal, more informal, approach. So, one should consider:

- The type of harassment;
- The hierarchical relationship with the alleged offender;
- Risks and possible negative outcomes of the personal approach;
- Emotional strength at a given time.

For example, it is much more difficult to give direct feedback to the alleged harasser in the case of psychological harassment or abuse of authority. Often such situations are vague and less fact-specific. If you have kept personal notes of the incident/s in which harassment occurred, this may help you to formulate your response.

Complainants often do not feel comfortable with the personal approach as they do not want to be seen as openly criticizing the alleged harasser. On the other hand, this may be the fastest and most efficient way of dealing with harassment. Appendix 4 contains more helpful information for preparing the personal approach.

If you chose this approach, it is crucial that you are well prepared:

- Be clear about what behaviour on the part of the alleged harasser is unwanted and be able to describe it exactly;
- Use the right way of “criticizing”: assertive but respectful;
- Be clear in your expectations and aware of the limitations;
- Control your emotions;
- Be prepared for denial and angry reactions on the part of the alleged harasser [see Appendix 5].

The best preparation involves practice with another person (a good friend, for example). This would give you an opportunity to see how credible your approach is and to identify the weak or the strong points in it.

b) *Writing a confidential note*

In order to support the personal approach in the early stages, you have the option to describe your situation in a confidential note to the Ombuds. The Ombuds will keep the note without taking action until you indicate what should be done with it.

The purpose of this note is to give you some support in the personal approach of the alleged harasser, knowing that if this approach does not work, you may immediately ask the Ombuds for support which could give you more confidence. If the harassment subsequently stops, you are encouraged to inform the Ombuds who will then destroy the note.

If, on the contrary, the harassment continues, you may contact the Ombuds to discuss the next steps.

3.1.2 Involving a third party

It is not always easy to inform directly the alleged harasser about the undesirable behaviour. Taking that into account, the CERN policy on harassment introduced the role of a so-called, “third party”. Anyone, as long as he/she is a staff member, including the concerned parties’ managers, can act as the third party, defined as a person who should act in the best interests and with consent of the person whenever possible, mindful of the fact that the best assistance may be to advise the person to take the matter to the Ombuds or file a formal complaint.

You have the right to expect them to:

- be impartial and not take any party’s side;
- inform you of your options in dealing with harassment and in accordance with the *OC 9*;
- address the alleged harasser in a respectful manner; and only with your consent;
- remain discreet and confidential about the matter.

You should not expect them to:

- take your complaint lightly;
- take your side;
- discredit the alleged harasser;
- investigate your complaint;
- act on your behalf or report your complaint to the manager without your prior approval.

As the involvement of the third party is a part of the informal process, the third party does not need to inform anybody about your request or ask anybody for permission to act on your behalf unless :

- you clearly specify that you would like them to do so; and/or
- the harassment or abuse of authority that you report, amounts to misconduct in their view. In this case, your third party has an obligation to report the allegation to the Head of the Human Resources Department [HR] but only after having informed you about it³.

Who you choose as the third party is entirely up to you. Here are some examples:

- Trustworthy colleagues able to treat your situation as described above. It is in your interest that they feel comfortable with addressing the alleged harasser on your behalf. At times, you both may agree to refer your case to the appropriate resources.
- The Human Resources Advisers can also act as your third party and address the alleged harasser on your behalf.
- The managers' role as a third party follows the same principles as mentioned above and in addition, managers have a duty to address your situation appropriately. If you decide to bring your complaint to them, they have an obligation to listen carefully to your complaint without being dismissive or aggressive about it. Apart from addressing the alleged harasser in a respectful and constructive manner, they also have an obligation to monitor further behaviour to ensure that the alleged harassment stops.

If the harassment continues despite all efforts and you decide to report the allegations to the HIP, third parties, including the managers, could be asked to cooperate with the investigation.

3.1.3 What if the personal approach fails?

In case none of the above personal approaches succeeds, you still have the option to see the Ombuds, use mediation or to move to the formal approach by filing a formal complaint to the Chairperson of the HIP. The formal approach engages the

³ Although the acts of harassment, sexual harassment and abuse of authority could constitute misconduct, CERN allows the parties to try to resolve these issues informally. However, if the case involves misconduct, the third party has no choice but to report these allegations to the Head of HR.

investigative mechanisms of the organization and may lead to disciplinary measures, (see Section 3.2 Formal Approach).

3.1.4 Mediation

Another option under the informal approach is mediation with the Ombuds. Mediation is a process in which communication between two or more parties of a conflict, or in a difficult relationship, is facilitated by the Ombuds in an objective and impartial manner. The CERN Ombuds provides support to all staff members. He/she is also at the disposal of User's and other personnel associated with CERN, as long as the alleged harasser works on behalf of CERN.

Mediation provides staff with an opportunity to solve this type of problem without their personal files being affected. The mediation process leads neither to disciplinary measures nor to a reprimand. The Ombuds will not act upon anonymous complaints and works under conditions of strict confidentiality. The Ombuds takes no action without the explicit agreement of the complainant.

a) *When to initiate mediation*

Mediation can take place either:

following an unsuccessful personal approach, or

if the complainant is unwilling or unable personally to confront the alleged harasser.

As explained before, in some cases the complainants prefer to avoid any further contact with the alleged harasser for fear of making the situation worse. The Ombuds will establish whether mediation could help or could lead to a worsening of the situation, in which case, the Ombuds would propose alternative ways of dealing with the conflict. Should the circumstances indicate a possible misconduct, the Ombuds will advise the complainant to consider the formal process.

The complainant can notify the Ombuds by phone or by email. The correspondence received by the Ombuds remains strictly confidential. The Ombuds will not undertake any action on behalf of the complainant without his/her prior agreement.

More information about the process of mediation can be found in Appendix 6.

It should be noted that mediation cannot be pursued once the formal approach has been activated and an investigation is underway. However, should the HIP decide not to pursue an investigation, or should the allegations be unsubstantiated, the complainant is then in a position to consider reverting to mediation.

b) *Record-keeping*

The Ombuds, with the agreement of the parties involved, might take notes during the mediation process. These notes are kept on the Ombuds's file confidentially and only the Ombuds has access to them. No information is shared with the Personnel Files, which is the official file that CERN maintains for every staff member. Should the complaint subsequently be taken to the HIP, the investigation team would not have access to the Ombuds's files.

c) *Psychological support*

Conflict resolution of any kind is a difficult process, throughout which both the complainant and the alleged harasser may experience a number of psychological reactions (i.e. fear, anger, panic, self-doubt, withdrawal) and may require counselling.

The Ombuds may refer you to the psychologist of the Medical Service, as appropriate, or you may ask for help from he/she directly.

d) *Follow-up on the outcome of mediation*

When mediation ends positively, the Ombuds might prepare a note on the agreement reached and give it to each party for his/her own record. This note, however, will not be placed on the personal file of either staff member. The Ombuds continues to monitor the situation for a limited period of time once agreement between the parties has been reached.

Should the mediation fail (denial on the part of the alleged offender, for example), the Ombuds could propose a follow-up to the meeting to see if the problem persists. The complainant may also wish to pursue the formal approach and the Ombuds will inform the complainant on how to proceed with this.

e) *Who else can mediate?*

In situations when the Ombuds is unable to personally assist you, the Ombuds can arrange for a facilitator, according to the specifics of the case. You will be consulted in advance on the choice, who can be any staff member with integrity and excellent communication and reconciliation skills. However, some staff are excluded from this role, as described in OC 9. Apart from reporting to the Ombuds, the facilitator is obliged to maintain the same total confidentiality as the Ombuds.

3.2 Formal approach

The formal approach provides you with an opportunity to have your complaint investigated and, where the allegations of harassment have been substantiated, the alleged harasser can be subject to a disciplinary procedure. The investigation is undertaken by HIP.

Harassment complaints may sometimes create tension in an office or a team but this does not mean that it should not have been raised at all. Remember, it is the right of every staff member to work in a harassment-free environment.

4. Follow-up

Harassment and dealing with harassment may sometimes create tension in an office or a team however it is the right of every staff member to work in a harassment-free environment. It is the duty of the manager to organize the support to the entire office during or after such situations.

This guide has mentioned psychological support to you all through the process. If you still have some doubts and you have not yet asked for any support, do so now. Apart from decreasing the psychological impact of harassment, it is important to think about what you have learnt about yourself in the process of dealing with the harassment and if it would ever happen to you again, what lessons from this experience could be useful for the future. In other words, turn this difficult experience into a learning tool.

What if the harassment stopped only temporarily or it took on another form? Should you feel that you are the subject of retaliation, you should contact HIP since retaliation for reporting possible misconduct is itself misconduct. The Ombuds remains available for advice at all times and at any stage.

Appendix 1: Selecting the person to talk to

With whom will you share your troubles? This is extremely important - consider some of the following points while choosing the person you will confide in:

- Some will listen – be aware that not everybody has the same capacity to listen to you. Look for people who are good listeners.
- Some might not be able to understand the situation, might even blame you;
- Some will get angry with your alleged harasser and call for immediate punishment;
- Some will tell you what to do;
- Some will tell you that it is better to forget all about it.

When giving advice, people often start from their own perspective: “If that happened to me, I would...” Use such responses as part of the options to think about but make sure that whatever decision you take is based exactly on what **you** want to do. It is you who will have to go through the process and only you can determine what you want and can do.

In judging the intention of the alleged harasser and while reflecting on what could be the intention behind the undesirable behaviour, we should always remember that without talking about it to the alleged harasser, we can only assume what intentions the person had. Assumption can be right or wrong – we should always keep that in mind.

As to confidentiality and rumours, select those friends who you feel you can trust. Once rumours start, it is very difficult to control them and they can often cause additional damage.

Other confidential resources that can be consulted for help are:

- Ombuds
- HR Adviser
- Staff Association
- CERN Medical Service and psychologist

Appendix 2: Resources available internally

The list below contains the functions and services that would have more practical implications for the complainant's in dealing with harassment.

The Medical Service

Email: service.medical@cern.ch **Tel + 41 (0)22 767 3186**
Tel. secretariat: + 41 (0)22 767 8435

The Medical Service is at your disposal for:

- consultations;
 - dealing with the stress and health related problems.
-

The Psychologist of the Medical Service

Email: psychologist-me@cern.ch **Tel + 41 (0)22 767 6619**
Tel. secretariat: + 41 (0)22 767 8435

The psychologist, which is a part of the Medical Service is at your disposal for:

- consultations;
 - advice on dealing with the team and team-building.
-

The Ombuds

Email: Ombuds@cern.ch **Telephone:** + 41 22 767 4456
Mobile: + 41 76 487 0267.

The Ombuds is responsible for:

- providing initial advice in case of possible incidents;
- facilitating the informal process in dealing with harassment and abuse of authority.

The Ombuds is a neutral, independent contact who can provide advice and help to explore options for resolving workplace-related problems and conflicts. Recourse to the Ombuds is strictly voluntary and is treated with strict confidentiality that can only be waived with the consent of the staff member(s) concerned. However, resorting to the Ombuds will not suspend an administrative decision or the measure that is being challenged.

Appendix 3: Taking care of yourself

Taking care of yourself means nourishing your “body and soul” with activities, events, people, and places that will allow you to recharge your batteries. Positive energy can easily decrease if you are not careful. The greatest enemy in situations of harassment, sexual harassment or abuse of authority seems to be self-doubt and a sense of depreciation of oneself. Once thoughts like: “It’s all my fault” start developing in our mind, it takes more and more energy to fight against bad feelings and eventually this can lead to depression.

So, as soon as you become aware that you may be a subject of harassment, sexual harassment or abuse of authority, and before you are overwhelmed by bad feelings, start thinking: *what can I do for myself?*

Think of what makes you feel good. Is it physical exercise (jogging, dancing, gardening) or relaxation (yoga)? Do you prefer meeting with your friends or do you tend to be more spiritual and reflective (praying, reading, meditating)? Are you a creative artistic person, (drawing, singing, sculpting) or an artisan (furniture-making, decorating, sewing)? Decide which activities make you feel good. If you have hobbies, partake in them.

Taking care of yourself is often easier said than done. Keep a diary of the activities of your self-care activities. Or, ask a friend to join you in various activities. Ask him/her to check on you regularly. You deserve to be treated well and to enjoy life around you.

Monitoring your negative self-related thoughts

As mentioned before, negative thoughts are hard to avoid. Here are some typical examples:

“I am always such a failure”.

“It always happens to me”.

“I am not capable of handling anything. Whatever I touch goes wrong.”

“Why do I have such bad luck in life?”.

Very often, such ideas become a way of thinking. We may have such thoughts without necessarily being aware of them. The problem is that they slowly begin to erode our self-confidence, and this generally leads to feeling worse about ourselves.

Do you have such thoughts? Write them down and have a good look at them, one by one. Are they really true? Are you really such a failure? Do you not think that there must be at least something that you have achieved in life? What is it? With that in mind, can you paraphrase your initial thoughts? Could you say something like “This situation is difficult for me but I am trying the best I can.” Whatever your positive statement is, write it down next to the original negative statement. Try to remember it and every time you notice the same negative statement coming back to your mind, make an effort and use the positive statement you had written down instead.

Replacing negative statements with realistic positive ones is extremely important.

Keeping a diary

At times, you find yourself overwhelmed by circular thoughts and flooded with anger, sadness or other emotions. Such thoughts are disturbing and cannot be stopped easily. One helpful technique might be writing. Have a special notebook in which you can “download” everything that is on your mind and in your heart.

An American researcher and practitioner, Dr. J. Pennebaker, suggests that writing about our emotions can improve our physical and mental health. He proposes very simple guidelines:

Choose a time and place to write when you will not be disturbed. Commit to writing for at least 15 minutes a day for at least 3-4 consecutive days. Once you start writing, do not worry about the grammar or structure. If you run out of things to write about, repeat what you have already written.

You can write in longhand or use the computer. Write about thoughts that keep coming to mind: your fears, your anger, your sadness. Try to be as honest as possible as nobody else will see your writing. The writing is only for you and once you are finished with writing you can destroy it or keep it. You can write about the same thing each time or you can change the subject. If it becomes too difficult, change the subject or stop writing for a while. Do not give it up completely. If it continues to be disturbing, ask for support from a professional counsellor.

Using other resources

Apart from relying on your own resources, you may consider to contact the professional counsellor. If no one is available in your duty station, you can contact the Ombuds and talk confidentially in person, by phone or by email.

Counselling is a process in which the emphasis is on your experience in the given situation, the impact of the situation on you and your needs. This process remains entirely confidential.

Appendix 4: Preparing to speak with the alleged harasser

Here are steps that could help you, as the complainant, to prepare yourself for when you discuss your complaint with the alleged harasser.

1. Choose the time and the place – make sure that the person is available for the length of time you think is necessary. Consider whether you want to meet in his/her office or in a neutral place.
2. Ask for permission – “I would like to talk about/share with you something that is bothering me”, “Do you mind if I tell you something which is bothering me”. “I would like to discuss something uncomfortable but important and I would very much appreciate your time”. Reflect which expression feels right for you. Asking for permission will set the scene and focus the alleged offender’s attention.
3. Acknowledge the positive side of the relationship – there is always something in any person that we value. Starting with something pleasant could make it easier for the alleged offender to hear you out. Example: “I greatly appreciate your contribution to our section” “You should know that I truly appreciate your professionalism ...”. It is important here to tell the truth.
4. Make the criticism direct and precise using “I” instead of “you”. “I feel uncomfortable when you do this.” “I must say that I feel very disturbed when you...” Avoid justifying yourself and explaining too much – the more you try to justify yourself, the more vague you will sound and the greater the risk that you will stumble over your words.
5. End amicably – “Thank you for your time” or something similar.

It is important that the content of the criticism:

- a. is focused on the behaviour (what one does) rather than on the person (who one is);
- b. does not contain absolute terms such as “you always”, “you never” because frequently this isn’t true;
- c. includes a request for a change of behaviour;
- d. explains how you feel when the other person behaves unacceptably;
- e. is well thought out beforehand;
- f. is provided at the right time.

TIP: As giving out negative criticism is never easy, you could think about practising beforehand, if necessary with a friend acting as the alleged offender. In this way you can hear how some criticisms sound and perhaps rephrase them in a more appropriate way. Pay attention to your body language and your tone of voice.

Appendix 5: Dealing with denial by the alleged harasser

If you choose to confront your alleged harasser personally, it is possible that he/she will simply deny everything you say and perhaps accuse you of lying or of bad behaviour. This kind of response must be anticipated. Should this occur, you should be prepared so that you can end the conversation constructively and with dignity.

Remain calm and listen what your alleged harasser has to say. Remember, listening does not mean accepting;

Do not enter into a defensive argument and do not try to prove your point unless you have kept a record of the incidents of harassment, citing specific examples;

If you are able to remain calm and you feel you could continue the conversation, you could propose something like: “I feel strongly that this issue needs clarification. I prefer to keep these things between you and me so let’s try to understand why we see this so differently and maybe we can resolve the problem without involving anybody else”.

If you are upset by the denial, you may wish to stop the discussion there and propose that you both involve a third party. For example: “Let’s not debate this here. I suggest we invite/involve XY.

Denial might be about saving face. If the unacceptable behaviour stops after this encounter, the situation may have been resolved and no further action may be needed.

Appendix 6: Process of mediation

The classic mediation process involves the Ombuds playing an impartial role between the two parties of a dispute – in this case, the complainant and the alleged harasser. The ultimate goal of the classic mediation process is to bring the two parties together, in the presence of the Ombuds, to seek an amicable solution.

Given the sensitivity of allegations of harassment, sexual harassment and abuse of power, and the fact that different power relations are often at the core of such problems, the Ombuds would only bring the two parties together if and when both have clearly indicated a willingness to do so and to actively and constructively seek a solution.

Before this point is reached, the Ombuds would undertake a process of “shuttle mediation”, by meeting with each party separately in an effort to move on in the process. It should be noted that the Ombuds would only approach the alleged harasser (or any other party) with the express agreement of the complainant, and would be informed by the complainant throughout the process in terms of what information is shared with whom. This can be a long process, and solutions, other than a face-to-face encounter with the alleged harasser, might be considered where appropriate.

During the process of mediation, whatever form it might take, the unwanted and unacceptable behaviour of the alleged harasser should be brought out into the open, however painful this might prove for each party. In this context the Ombuds plays a supportive but neutral role to both parties in their efforts to develop an acceptable way of moving forward and working together.

When the process of mediation finds a solution which is satisfactory to both parties, the Ombuds will agree with the parties on follow-up by the Ombuds to monitor implementation of the agreed upon changes in behaviour and to assure preventive measures against retaliation.

If, in the view of the Ombuds, the nature of the allegations might constitute misconduct, the Ombuds will encourage the complainant to consider the formal process