



# HUMAN RESOURCE POLICY

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CODE OF CONDUCT AND ORGANISATIONAL  
ETHICS

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## 1.0 INTRODUCTION

### 1.1 Background

**AFRICAN EMPOWERMENT FOR PROGRESS ORGANIZATION (ACEPO)** has developed this code of conduct and organizational ethics policy that is intended to assist all ACEPO employees to make ethical decisions in their professional and private lives, both within the office and outside office hours.

The policy provides guideline to better understand the obligations placed upon the personal and professional relations, conduct and behavior in as much as it affects their working life in relation to ACEPO as the employer.

The policy is also intended to provide protection of both employee and employer and give a basis for transacting business.

This policy refers to any misuse of position, power and exploitation in the working relationship among ACEPO employees and with those they serve.

It covers aspects of corruption, bribery, fraud and money laundering, sexual exploitation and abuse, harassment, and unethical business relations, practices conduct and behavior during office and outside hours.

It also covers the act of misuse of position and power.

It therefore comprehensively covers both formal and informal perspective during the period employee tenure is in force.

The policy has been developed as guideline document of ACEPO to which employees will comply and comply with at all times.

A form is attached for employees to sign upon reading, understanding and agreeing to the policy. Failure to sign it shall mean non-compliance.

### 1.2 Commitment to Ethical Standards

ACEPO is committed to promoting ethical practices, relations and forms of conduct and behavior from the Board level to staff.

Basic ethical commitment and standards are to be lived out in the work of the ACEPO employees. These include:

- Responsible stewardship in the exercise of power and use of financial and other resources
- Respect of diversity, inclusiveness and participation, and transparency and accountability.
- Fair and just treatment of all, without discrimination, exploitation or harassment.

- Respect for the dignity and integrity of all human beings.
- Respect for personal integrity and human rights.

These commitments require that attention is given to the multicultural work contexts where differences based on race, ethnicity, religion, gender, age or disability can lead to attitudes or practices that violate individuals' personal integrity or sense of what is just, right and appropriate.

Where poverty, conflict or displacement inevitably erode and weaken social and political structures aimed at protecting local communities, ACEPO will promote practices that honour those it serves and interacts with.

The temptations to misuse position, opportunity, and power to harass and exploit others especially in relation to personal dignity and rights, access to justice and protection of the vulnerable in relation to material goods, finances, sexuality are considerable.

Particular attention must therefore be given to humanitarian action and programme work in the field, where;

- The lack of economic opportunities may result in commercial and exploitative tendencies related to financial, material, opportunities and sex being the few options for generating income to meet basic needs.
- Crisis affected and target communities come from an environment of gender-based violence.
- The usual social protections are not in place or are no longer functioning, levels of protection and security are generally poor, or justice and policing frequently do not exist.
- The business context is also competitive and vendors might exploit the occasion for opportunities of business.

Creating an overall atmosphere or organizational 'culture' with ongoing awareness raising, information, education and communication of intended efforts to expose, deter and prevent any undue relations conduct and behaviour is paramount to ACEPO This is crucial to prevent the abusive use of position, opportunity, power, sexual exploitation, harassment, fraud and corruption and unethical business practices. It is fundamental to preserve the responsible exercise of power and respect for the dignity and respect of all persons.

## **2.0 LEGAL AND DIMENSIONS OF THE CONDUCT BEHAVIOUR AND RELATIONS**

### **2.1 Mandate of Board, Management and Employees**

The ACEPO Board and Management have the responsibility to disseminate, share for information, education and communication that inculcates this policy among all employees (old and new). The sharing of the policy will include among others parties with whom ACEPO conducts business and inter-relates with for its work. It will be the

responsibility of the all Governance and Management functions in ACEPO to ensure that all relevant persons and entities understand and comply with this code of conduct, and organizational ethics.

The ACEPO management will be accountable in particular to enforce and monitor that all conduct, behaviour and relations in ACEPO adhere to this code of conduct, and organizational ethics. The Board and senior management including, management staff at all levels have a particular responsibility to uphold these standards, to set a good example and to create a working environment that supports and empowers staff.

## **2.2 Zero tolerance**

The ACEPO Code of Conduct and Organizational Ethics embodies zero tolerance to all vices, including but not exclusive to corruption, bribery, fraud and money laundering, sexual exploitation and abuse, harassment, abuse of position, opportunity, and power. Compliance to this Code of Conduct and Organizational Ethics will be monitored as part of performance in all forms of conduct, behaviour relations and responsibilities.

This will be part of quality assurance and performance management at the organizational, program and operations level in humanitarian, development and advocacy work. ACEPO will enforce the rules and penalties for any breaches or violations to the Code of Conduct and Organizational Ethics. When the code of conduct is violated, necessary procedures and disciplinary measures will be applied accordingly within the set up of ACEPO and the Laws of the Republic of South Sudan.

## **2.3 Code of Conduct and Organizational Ethics**

The ACEPO Code of Conduct and Organizational Ethics outlines the responsibilities of all members of ACEPO among them the Board of Directors, Senior Management and employees and associates to safeguard the dignity and rights of people with whom they work. This Code of Conduct and Organizational Ethics is designed to clarify principles and promote the understanding leading to willingness to agree and comply with obligations placed on their conduct, behaviour and relations so as to prevent misuse of position, power and opportunity; or any forms of manipulation vide corruption, bribery, fraud and money laundering, sexual exploitation and abuse, harassment, and unethical business relations, practices, conduct and behaviour during office and outside hours.

## **2.4 Overall Components**

Internally the ACEPO staff must:

1. Uphold the highest standards of accountability, integrity, transparency, competence, and efficiency, in the provision of service to humanity, relations and transactions in the execution of their functions, roles, responsibilities and duties.

2. Respect the dignity and worth of every individual (*COLLEAGUES, COMMUNITY AND BUSINESS ASSOCIATES*), and adhere to ACEPO values, Code of Conduct and Organizational Ethics.
3. Respect and promote fundamental human rights without discrimination of any kind and including discrimination based on age, language, race, ethnicity, color, religion, gender, sexuality, age, disability, marital status, socio-economic status, national origin or political affiliation. Treat colleagues at work, persons with whom we work and other persons fairly (*with justice*), and with respect, courtesy, dignity and according to the respective laws of the Republic of South Sudan, international law and local customs.
5. Not to commit any acts or forms of (*overt and covert*) sexual exploitation or harassment against colleagues, members of the community and any other associates
6. Not to commit any acts of corruption, bribery, fraud and money laundering, unethical business practices and business relations; including personal conflict of interest.
7. Create and maintain an environment that prevents manipulation towards abuse of position, power, opportunity, and sexual exploitation,
8. Promote the implementation of ACEPO values, Code of Conduct and Organizational Ethics.
9. All managers at all levels will have the responsibility to inform, communicate, and educate all employees, on the importance of the ACEPO values, Code of Conduct and Organizational Ethics without biases.
10. All managers at all levels will disseminate, inculcate to employees that procedures that articulate, promote, and advocate for compliance to ACEPO values, Code of Conduct and Organizational Ethics and maintain an environment that ensures willingness towards compliance without biases.

### **3.0 SPECIFIC COMPONENTS OF THIS CODE OF CONDUCT AND ORGANIZATIONAL ETHICS**

#### **3.1 Unethical conduct, behaviour, relations and business practices**

ACEPO promotes moral and ethical business practices, including transparent, accountable and honest practices in all material (*in-kind*), virtual (*information of all types vide all channels i.e. email, internet, phone, computer-based*) and financial transactions, donations, gifts and human resource management ACEPO family will avoid personal conflict of interest at all functional roles, and in all duties and activities they engage in, (*formal and informal*) which affect ACEPO's credibility and integrity. ACEPO Board, Senior Management and employees will: -

1. Always uphold and articulately develop a work ethic of transparent, accountable and honest practices when receiving cash donations from public and private sources earmarked for its work in purposes of humanitarian, development and organizational growth.
2. Never use opportunity, position or power to manipulate, harass, exploit solicit, seek or promise favours, for personal physical, psychological, intellectual, social, material or financial benefit.

3. Never use or accept a bribe in the form of money, goods and or services to secure a contract for services when dealing with suppliers in any humanitarian and development work.
4. Never take part in activities that generate personal conflict of interest in their functions and roles at ACEPO that, counter organizational or collective interest such as buying or selling goods and services in circumstances that may affect or appear to affect or appear to affect ACEPO's credibility or integrity.
5. Not to share revenues, profits or budget leftovers as kickbacks, cuts or discounts for personal benefit.
6. ALL shall declare any known or potential personal conflict of interest on any matter related to ACEPO (e.g. direct

relationship and friendships with vendors, service providers or suppliers of goods and services to ACEPO or family members of its employees)

7. Not accept any gifts or other favors that may influence the decisions and performance of staff functions or duties.
8. Never use illegal labor, child labor and forced labor in any work area
9. Always pay compulsory state taxes and comply with national laws and international standards
10. Always strive for the highest health safety, security and environmental standards in ACEPO and its working localities
11. Ensure where possible, that goods and services purchased are produced and delivered under conditions that do not involve harassment, abuse or exploitation of any persons and where used, the goods and services have the least negative impact on the environment.
12. Never use/ distribute known unsafe products or supplies in a development/ humanitarian setting or assign, commit or deploy any persons known not to comply with this code of conduct and organizational ethics to any aspect of the work of ACEPO, its associates and beneficiaries.

Under the Code of Conduct and Organizational Ethics, gifts are defined as but not limited to: services, opportunities, travel, accommodation, cash, entertainment and material goods among others. In order to respect national and local traditions and conventional hospitality, minor token gifts such as pens, calendars, desk diaries etc. can be accepted on behalf of ACEPO and should be declared to the immediate line manager appropriately upon receipt at ACEPO office. Such benefits will be the property of ACEPO under use by the recipient.

### **3.2 Bribery, Fraud, Corruption and Money Laundering**

ACEPO in all its work recognizes the importance of having in place effective systems of prevention and deterrence of bribery, fraud and corruption both in the field locations and in the offices. It is also understood that these vices can also occur in the informal and outside of ACEPO activities and still harm ACEPO. Strong systems of internal management controls, performance management will be put in place. This will include surveillance,

monitoring set up of standards and a Team to be responsible for compliance to this code of conduct and organizational ethics. ACEPO will use this Code of Conduct and Organizational Ethics and other policies among its members, management, employee's associates and beneficiaries to create a value ethic in the environment that conducts continuing risk appraisal systems at levels to deter these vices. ACEPO shall ensure that at all levels it:

1. Promotes a culture of honesty and openness among ACEPO employees, management associates and beneficiaries
2. Embraces accountable, transparent relations and practices in all conduct, behaviour and relations related its work on

financial transactions, business and social interactions formally and informally.

3. Encourages employees to never accept, solicit or promise any kind of undue payment or favor and actively say "no" to

any such practices.

4. Encourages employees to never steal or misuse opportunity, position, or inappropriate power, funds or property,

Materials, ensuring that financial and other resources are used solely for the intended purpose. This applies also to any other income generated such as any interest received/ earned on the funds.

5. Advocates for all employees its members and beneficiaries to never engage in document or take to forgery, money

laundering, taking of commissions and influencing tender process for improper benefit and theft.

6. Advocates for all employees its members and beneficiaries to manipulate, harass, exploit solicit, seek or promise favours, for personal physical, psychological, intellectual, social, material or financial benefit.

7. Promotes a culture that is counter to all forms of conduct, behaviour, reactions and practices that would promote or encourage falling into such vices as corruption, bribery, fraud and money laundering, sexual exploitation and abuse, harassment, abuse of position, opportunity, and power.

8. Seeks to create work environment where communities and staff can safely and confidentially raise and report all serious

concern about suspected fraud and corruption and where "whistle blower" will be protected.

### 3.3 Harassment and Intimidation

ACEPO members, management, employees, associates and beneficiaries shall be obligated not to commit any act or form of harassment resulting in physical, sexual or psychological harm or suffering to individuals, especially women, girls and children. ACEPO, *gender, and racial harassment*) intimidation and discrimination, that is, any



unwelcome comment or behavior that is offensive, demeaning, humiliating, derogatory, or any other inappropriate behavior that fails to respect the dignity of an individual. ACEPO members, management, employees, associates and beneficiaries shall;

1. Treat everyone with dignity and respect in the workplace, speak with civility and fairness, listen carefully, and consider

other wellbeing. This includes communities and localities where ACEPO works.

2. Never commit act or form of harassment as it causes physical, sexual, psychosocial or emotional harm or suffering to

individuals, especially women, children and people with disabilities.

3. Never engage in any form of conduct, behavior, and relationship; deliberate or otherwise, that makes the recipient feel persecuted, vulnerable and powerless.

4. Understand what constitutes intimidation and harassment, recognize early signs thereof (especially ethnic, sexual,

gender and racial intimidation/harassment) and take swift action to prevent and resolve.

5. Never tolerate intimidation, harassment (whether minimal, violent or otherwise) or any form of discriminatory behavior of any kind directed towards another person in the workplace or in the communities.

6. Proactively empower its members, management, employees, associates and beneficiaries that are affected by it, develop strategies for preventing, deterring it, and take necessary disciplinary action against those found to have committed an act or form of harassment.

7. Never access and use internet telephone and other communication media and channels for purposes contrary to

Identity, mandate, vision, mission, core values or Code of conduct, and organizational ethics in ACEPO such as pornography, personal entertainment, gambling, or unethical business and any personal conflict of interest with the functions, roles, responsibilities and line of duty).

### **3.4 Abuse of Opportunity, Position, Power and Sexual Exploitation**

ACEPO recognizes these aspects as degenerative to integrity, reputation of both the individual and the organization. While working for and with ACEPO, each member, senior manager, employee associate and beneficiary has a unique opportunity that places them in position of power in relation to those below them, and in the interactions they engage in this could be put into abuse. Misuse of opportunity, position and power occurs when any one has directly or indirectly chosen or allowed relations they have with others to create conflict of purpose contrary or outside of and contrary to their mandated function, role, responsibility and duty to personal benefit in any form (*in-kind, physical, material, psychological intellectual, virtual or financial*) among other personal benefits. ACEPO vide the relevant Policy will ensure deterrence of abuse of opportunity, position, power and sexual exploitation.

Sexual exploitation, intimidation or harassment or any form of conduct, behaviour or practice whether verbal, non-verbal or action that could result in physical, sexual or psychosocial harm or suffering to individuals, in particular women, girls and minors. Sexual exploitation and abuse can occur in many different environments- in a daily work context of an office, in travel and meetings away from the office, or in humanitarian crises where the dependency of affected populations on humanitarian agencies for their basic needs creates a particular ethical responsibility and duty of care of by ACEPO members, senior managers, employees associates and beneficiaries. ACEPO will ensure that effective mechanisms are in place to prevent and respond to sexual intimidation, harassment exploitation and abuse.

ACEPO shall ensure that in all of its work contexts its members, senior managers, employees, associates and beneficiaries will never abuse one's position, withhold assistance, nor give preferential treatment in order to solicit sexual favors, gifts, payments or personal gains of any kind. The members, senior managers, employees, associates and beneficiaries should be conscious of not taking advantage of the opportunities, position and power they hold due to their mandate, functions, roles, responsibilities and duties in ACEPO.

ACEPO members, senior managers, employees, associates and beneficiaries will:

1. Never tolerate any forms of conduct, behaviour practices (*over, covert, informal, implied or otherwise*) that promote or condone intimidation, harassment engagements in sexual exploitation or abuse in any affected target group (women, men, girls and boys), or to any person, i.e. colleague or business associates and this will be construed to constitute an act of gross misconduct and will therefore grounds for termination of employment/contract or function for which they are mandated to act for ACEPO.
2. Never tolerate any of its members, senior managers employees associates and beneficiaries or persons that by suggestion, conduct, behaviour or practice (*over, covert, informal, implied or otherwise*) exploits the vulnerability of any colleague or crisis affected and target group, especially women, girls, and minors, or allow any of its members, senior managers employees associates and beneficiaries person/s to be put into compromising situations.
3. Never condone, standby and allow any of its members, senior managers, employees, associates and beneficiaries or person(s) known to engage in any undue sexual activity (*consensual or not*) with colleague or crisis affected and target group, especially women girls, and minors, regardless of legal age; or permit any act in ways that may place a child at the risk of intimidation, harassment, abuse, regardless of the age of majority or age of consent locally. Mistaken belief in the age of a child will not be admissible as defense.
4. Never allow its members, senior managers, employees, associates and beneficiaries to exchange money, employment, goods or services for sex including sexual favors.
5. Never tolerate any forms of intimidation humiliating, degrading practices or exploitative behavior by any of its members, senior managers, employees, associates and beneficiaries among themselves or others.

## 4.0 ORGANIZATIONAL CODE OF CONDUCT

### Ethic 1: Deterring, preventing, exposing with no tolerance

#### 4.1 Zero tolerance

ACEPO members, senior managers, employees, associates and beneficiaries with any mandate, functions, roles responsibilities and duties or business; to conduct as outlined in terms of engagement or terms of reference with ACEPO are subject to this Organizational Code of Ethics. This includes Board members, senior staff with agreements of employment, expatriate staff, consultants, temporary or casual works, trainees, volunteers, interns and secondments. In addition, this organizational code of ethics covers any persons directly or indirectly involved with community beneficiaries business associates vendors, suppliers on any work of ACEPO.

ACEPO upholds the position that the below factors are negative and undermine the well-being of the organization in its character, integrity. In this regard, they should be fought throughout time and space in the organization by all its members, senior managers, employees, associates and beneficiaries.

The principle and practice of not tolerating any instance of sexual exploitation and abuse, harassment, abuse of power, fraud and corruption in all of our activities and responsibilities, at the organizational or program level in our humanitarian , development s and advocacy work and applying rules and penalties for breaches or violation.

ACEPO will therefore proactively dissuade all to desist from any forms of conduct, behaviour and practice that imply or seem to uphold any of the following aspects:

### Ethic 2: Sensitively Positive use of Opportunity, Position and Power

#### 4.2 Abuse of Opportunity, Position and Power

Viewed positively, opportunities, position and power are provided and given to facilitate the holder to act, in ways that respect and empower rather than dominate and oppress others. Those with opportunity and in position of authority or trust are expected to carry this mandate out in a sensitive, responsible and just ways that do not take due advantage of others, especially those who are at ranks below them, or more dependent or vulnerable. This includes colleagues and persons among beneficiaries and others related to the organization. In all its operating contexts, there is definite unequal power related to gender and age women, girls and children are particularly vulnerable. Abuse of power is manifested in how those with less social power are treated physically, psychologically, emotionally and/or sexually. Sexual activity, even when consensual, between those of unequal power in this sense is an abuse of power.

**Ethic 3:** Openness, transparent forms of conduct, behaviour practices and probity

### 4.3 Accountability

Taking responsibility and being transparent in the forms of conduct behaviour, practices, relations and treatment of affected populations and primary focus groups, staff, governance and external stakeholders, for actions undertaken, decisions made and policies complied. A breach of the code of conduct calls for sanctions established with the policies and procedures of ACEPO.

**Ethic 4:** Upholding with respect human dignity, the integrity and personal rights for all

### 4.4 Harassment, Bullying and Intimidating

Harassment means any unwelcome comment or behavior that is offensive, demeaning humiliating derogatory or any other inappropriate behavior that fails to respect the dignity of an individual. Harassment can be committed by or against any beneficiary, partner, employee or other individual visiting ACEPO.

Bullying is the use personal power and force or coercion to abuse or subdue others. The behavior can be habitual and involve an imbalance of social or physical power. It can include verbal and non-verbal harassment or threat, physical assault psychological and mental torture or coercion and may be directed repeatedly towards particular victims, perhaps on grounds of ethnicity, race, religion, gender, sexuality or ability. This is an intentional form of conduct, behavior and practices that would cause a person of ordinary sensibilities fear of harm, injury or embarrassment. It is not necessary to prove that the conduct, behavior or practice was violent as to cause terror or that the victim was actually frightened.

### 4.5 Discrimination

Discrimination means exclusion of treatment of, or action against an individual based on social status, race, ethnicity, color, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability.

### 4.6 Gender and power

Gender is used to describe cultural/societal differences between males and females in terms of roles and responsibilities, expectations, power, privileges, rights and opportunities ascribed by society. What society ascribes to gender is rooted in culture, tradition, social interactions and religion. An individual or society's gender perspective can change. This notwithstanding, what society ascribes to gender creates unequal power relationships between male and female and provides the basis for sexual exploitation and abuse. Gender is a concept that is learned from society right from the household level. Due to their unequal status, women and girls are particularly at risk of sexual exploitation and

abuse. However, it is important to recognize that boys are also vulnerable to sexual exploitation.

## **Ethic 5: Self-respect, professional conduct, behaviour, practice and Personal Integrity**

### **4.7 Conflict of interest**

When the personal or professional concerns of ACEPO members, senior managers, employees, associates and beneficiaries affect their ability to put the welfare of others and the interests of ACEPO before personal or professional benefit, conflict of interest exists. Such conflict of interest can pose potential or actual risk and harm to ACEPO.

### **4.8 Corruption, Bribery, Fraud and Money Laundering**

As a particular form of the abuse of power, these vices are covered in the relevant policy. These affect ethical conduct, behaviour and practices and form and intentional distortion, deceit, trickery and perversion of truth or breach of trust, confidence, relating to an organization's relations and practices in transacting on financial material or human resources, assets, services and transactions generally for the purpose of personal gain or benefit.

These vices create the possibility for the abuse of one's position for private gain. They induce the misuse of opportunity, resources (*virtual, material, financial, services psychological, physical etc*) and in the organization for personal gain. The offering, giving, soliciting or acceptance of an inducement or reward which may improperly influence the decisions, actions of any person will be considered inappropriate under this principle.

**Ethic 6:** Upholding Human Rights and Protection of minors and the vulnerable

### **4.9 Promotion of Basic Human Rights and Protection**

A minor is person under age of 18 years (a child according to the definition in the convention for the rights of the child, CRC). ACEPO will ensure that individual basic human rights for all and in particular for minors, women, girls, and the vulnerable including their welfare and physical security are recognized, safeguarded and protected in accordance with international standards. ACEPO will also embrace the fundamental rights; and human rights in the context of the relevant charters and well seek to ensure these are appropriated in its work.

#### 4.10 Sexual Harassment, Exploitation and Abuse

Sexual coercion and exploitation (all sexual acts) by a person in a position of power providing any type of assistance in exchange for sexual acts, in these situations, the potential victim believes he/she has no other choice but to comply. This is not consent and it is exploitation.

Exploitation is using one's position of authority, influence, control over resources, to pressure force or manipulate someone to do something against his/her will or unwillingly. By threatening them with negative repercussions such as withholding benefits from employment, project assistance not approving an employee's work, support request etc. This includes threats to make false claims about another person whether colleague, supervisor, staff beneficiary officer or other in public. Sexual exploitation is abuse of opportunity, power and position against those who suffer vulnerability, differential power or trust for sexual purposes. This includes profiting monetarily, socially or politically from sexual exploitation of another.

Sexual harassment means unwelcome sexual advance, comment, expressed or implied sexual demand, touch, joke ,gesture or any other communication or conduct for sexual nature, whether verbal or written or visual, by any person to another individual within the scope of work. Sexual harassment may be directed at members of the same or opposite sex and includes harassment based on sexual orientation. Sexual harassment can occur between any one or more individuals, employee or beneficiary, regardless of their work relationship. Sexual abuse is actual or threatened physical intrusion of sexual nature, including inappropriate touching, by force or under unequal or coercive conditions.

**Checked by:**

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**Executive Director**