



**SEXUAL HARASSMENT POLICY
OF
FEDERAL UNIVERSITY OF TECHNOLOGY, MINNA, NIGERIA**

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List of Acronyms and Abbreviations

HBV	Hepatitis B Virus
HCV	Hepatitis C Virus
HIV	Human Immunodeficiency Virus

PREFACE

The Anti- Sexual Harassment Policy for Federal University of Technology, Minna, Nigeria, is based on several international and regional normative standards to which Nigeria is signatory. These include: (i) The Beijing Platform of Action, paragraphs 1-8 recognize sexual harassment as a form of violence and discrimination against women and calls on multiple actors including governments, employers unions and civil society to ensure that governments enact and enforce laws on sexual harassment and that employers develop anti-sexual harassment policies and prevention strategies. In addition, the Beijing Platform of Action sets out three strategic objectives under critical area of concern, on ‘the human rights of women’, as follows: -Promote and protect the human rights of women, through the full implementation of all the human rights instruments, especially the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); -Ensure equality in non-discrimination under the law and in practice; and -Achieve legal literacy. (ii) The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), aptly described as the Women’s Bill of Rights because it placed women at the centre of human rights concerns, was adopted by the General Assembly of the United Nations and endorsed by 186 members in 1979. Nigeria signed CEDAW in 1985, ratified it in 1989 and adopted its Optional Protocol in 1999. Articles 7-16 of CEDAW direct State Parties to take appropriate measures to eliminate discrimination against women in all fields specifically inequality under the law, in governance and politics, the workplace, education, healthcare and in other areas of public and social life. Further, CEDAW Recommendation 19 Article 11 on equality in employment, states that, Equality in employment can be seriously impaired when women are subjected to gender-specific violence, such as sexual harassment in the work place; and its Committee’s General Recommendations No. 19 on violence against women, provides that State parties should include in their reports information on sexual harassment, and on measures to protect women from sexual harassment and other forms of violence of coercion in the workplace. (iii) Articles 12-13 of the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa, obligates State Parties to: -Eliminate all forms of discrimination against women and guarantee equal opportunities and access in the sphere of education and training; -Protect women from all forms of abuse (including sexual harassment); -Ensure transparency in recruitment, promotion and dismissal of women and to combat and punish sexual harassment in education and workplace. In the past few decades, while significant progress has been made in advancing gender equality through the aforementioned landmark UN agreements inter alia like the Beijing Declaration and Platforms of Action and CEDAW, women still face significant discrimination especially in accessing education and employment. Gender equality is not only a basic human right, but its achievement promises enormous socio-economic benefits for nations. Empowering women is closely associated with economic progress, productivity and growth of nations. Yet gender inequalities remain deeply entrenched in most societies including Nigeria - women lack access to productive resources, decent

work and health care. They are under-represented in economic decision making processes and suffer violence and discrimination including sexual harassment and abuse. By ratifying CEDAW and making official commitments at the 1995 Beijing World Conference on women, Nigeria has endorsed the international standards of women's rights which require protection from sexual harassment. Additionally, the document relied on information from the Sexual Harassment Policy sample from the International Labour Organization (ILO). Consequently, in order to conform with the several treaties and conventions endorsed by Nigeria, Federal University of Technology, Minna commits to the formulation, adoption and implementation of policies that would enhance its status as a World Class and Nigeria's leading University recognized for its excellence in capacity building and service delivery.

CHAPTER ONE

1.0 BACKGROUND, POLICY STATEMENT, VISION, MISSION, OBJECTIVES AND SCOPE

1.1 BACKGROUND

Sexual harassment is a common form of violence that can cause enduring psychological harm. Both women and men are targets of such behavior, but evidence has shown that sexual harassment is primarily aimed at women. One of the most important things that a University can do to create confidence in staff, students, parents and other stakeholders is to have a very clear policy on sexual harassment that defines what is acceptable; what is not; and what is out of bounds.

1.2 THE POLICY STATEMENT

Federal University of Technology, Minna provides enabling environment to guarantee academic freedom and fundamental human rights of staff, students, service providers, and all persons; regardless of gender, towards supporting service delivery free of sexual harassment in any form.

1.3 VISION OF THE POLICY

To uplift Federal University of Technology, Minna to the status of an ideal, safe, and secure institution, where the dignity of all stakeholders is ensured and guaranteed.

1.4 MISSION OF THE POLICY

The policy shall strive to:

- 1.4.1 Enlighten staff and students on their right to seek redress in cases of sexual harassment and the consequences of such acts.
- 1.4.2 Put in place machinery for investigating allegations and incidents of sexual harassment and sexual assault.
- 1.4.3 Ensure that victims of sexual harassment do not suffer any setbacks/victimization/stigmatization/discrimination and are integrated back into University life as soon as possible.

1.5 OBJECTIVES OF THE POLICY

1.5.1 Broad objective:

The broad objective of the policy is to eliminate all forms of sexual harassment and sexual assault in the University.

1.5.2 Specific objectives:

The specific objectives of the policy are to:

- 1.5.2.1 Create for staff, students and service providers a safe and secure work and learning environment, free of sexual harassment.
- 1.5.2.2 Guarantee respect for both sexes, and provide a transparent operating system in the university that is devoid of demands for sexual gratification.
- 1.5.2.3 Eliminate all manners of gender-based violence.
- 1.5.2.4 Ensure that no member of the university community or its customers suffers any form of service failure due to gender bias.
- 1.5.2.5 Forbid discrimination on the basis of sex in all the University's service windows.
- 1.5.2.6 Ensure firm commitment to transparency on the issues of sexual harassment and sexual violence
- 1.5.2.7 Enforce the dress code as enshrined in the University's code of conduct.
- 1.5.2.8 Train students/staff to be alert to the possibility of sexual misconduct, to identify warning signs and to learn strategies for getting out of those kinds of situations before they reach a crisis level.
- 1.5.2.9 Provide redress mechanism for victims.

1.6 SCOPE OF THE POLICY

The Sexual Harassment Policy shall apply to:

- 1.6.1 All teaching and non-teaching staff of the University (males/females)
- 1.6.2 All students (males/females)
- 1.6.3 All contractors of the University and other service providers
- 1.6.4 All visitors to the University
- 1.6.5 All members of council
- 1.6.6 Other groups of persons in the University, including but not limited to children, swards, and other dependants of staff resident on both campuses.

CHAPTER TWO

2.0 DEFINITIONS, FORMS, AND COMMITMENT

2.1 DEFINITION OF SEXUAL HARRASMENT AND SEXUAL ASSAULT

The following behaviours shall be considered by Federal University of Technology, Minna as sexual harassment and sexual assault:

- 2.1.1 Unwanted sexually motivated conducts, crude jokes, comments, unwanted touching and expressions capable of prejudicing or undermining a person's freedom, rights and privileges. Such acts shall include but not limited to outright demands for sex, indecent comments and unnecessary bodily contact which could lead to psychological or physical unsolicited sexual relationships.
- 2.1.2 Unwanted phone calls or use of any other electronic medium with the intent to lure a person into a sexual relationship.
- 2.1.3 Sexual harassment may be from a superior to a subordinate or vice versa or among peers.
- 2.1.4 Sexual harassment can be direct or indirect (including procuring or attempting to offer a person to another for sexual activity); and may involve persons of the same or opposite sex.
- 2.1.5 Sexual violence/sexual assault is any sexual act, attempt to obtain a sexual act, or other acts directed against a person's sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, defined as physically forcing or otherwise coerced penetration of the vulva or anus with a penis, other body part, or object.
- 2.1.6 Sexual harassment or assault may take place over a period of time, may be a single incident and may or may not involve elements of overt coercion.

2.2 FORMS OF SEXUAL HARRASMENT AND SEXUAL ASSAULT

Based on the definitions provided above, sexual harassment/assault in Federal University of Technology, Minna shall include but not limited to:

2.2.1 Verbal Conduct

- 2.2.1.1 Unfriendly remarks with sexual connotations.
- 2.2.1.2 Turning academic sessions/classes/workplace into sexual interaction.
- 2.2.1.3 Demanding for sexual favours in exchange for employment, promotion, admission, grades, or any other benefits in the course of performing official duties.
- 2.2.1.4 Victimization by denial of entitlement for refusal to succumb to sexual advances.
- 2.2.1.5 Sexually motivated jests, comments and defamation of a person(s).
- 2.2.1.6 Making sexually motivated comments about a person's dressing, body or shape.
- 2.2.1.7 Compelling persons to narrate sexual fantasies, preferences or history.
- 2.2.1.8 Unsolicited, sexually explicit or suggestive electronic and mobile messages.
- 2.2.1.9 Direct or indirect procurement or attempt to offer a person to another for sexual activity.
- 2.2.1.10 Making, sending or displaying sexually suggestive materials without educational relevance.

- 2.2.1.11 An unwarranted visit by a person to another with a sexual gesture to attract undue privilege(s)
- 2.2.1.12 Indecent dressing with a covert or overt sexual expression.

2.2.2 Visual and Audio Conduct

- 2.2.3 Recording and sending unwholesome/nude pictures of self or others through videos, CDs, camera phones etc for the purpose of blackmail or any other purpose.
- 2.2.4 Forcing or inducing a person to watch pornographic or X-rated movies
- 2.2.5 Seductive postures and indecent dressing and exposure by males or females that offend public morality. Any form of dressing that exposes vital parts of the human body constitutes indecent dressing. The University shall encourage a 'dress sense' culture among males and females.
- 2.2.6 Indecent and inappropriate public display of sexual intimacy

2.2.3 Physical Conduct

- 2.2.4 Sexual assault and battering
- 2.2.5 Repeated, and deliberate brushing of a person's body against another.
- 2.2.6 Caressing or kissing in the public.

2.3 STATEMENT OF COMMITMENT

Federal University of Technology, Minna is committed to eliminating all forms of Sexual Harassment in the University. In furtherance of its mission, the University shall:

- i. Create an enabling learning and working environment devoid of sexual harassment and other social vices;
- ii. Enlighten and educate staff and students on the ills and implications of Sexual Harassment/assault and other related anti - social behaviours.
- iii. Project high level of ethical and moral values for the University;
- iv. Maintain zero tolerance for sexual harassment;
- v. Ensure decent relationships among staff, students and members of the University community;
- vi. Encourage victims to speak out to avoid suffering in silence.

2.4 AREAS OF JURISDICTION

The policy shall apply to activities that are:

- 2.4.1 Conducted on the University's campuses or facilities
- 2.4.1 Conducted outside the campuses involving staff and students of the University
- 2.4.2 Conducted as part of deployment on University business or as a representative of the University (such as field research, field trips, excursions, and exchanges).
- 2.4.3 Affiliated with the University, such as student groups and affiliated institutions.

CHAPTER 3

3.0 POLICY IMPLEMENTATION AND ADMINISTRATION

3.1 RESPONSIBILITIES

- 3.1.1 There is hereby established the Anti-Sexual Harassment Policy Implementation Committee hereinafter referred to as the Committee.
- 3.1.2 The Committee shall have the following as members:
 - i. Vice-Chancellor's nominee as Chairman/Chairperson
 - ii. The Dean of Students Affairs Division.
 - iii. One Representative from Legal Unit.
 - iv. The Chief Security Officer.
 - v. Two Representatives from Senate one of whom must be a female.
 - vi. The Focal Officer of SERVICOM.
 - vii. Two students one of whom must be a female.
 - viii. A Registry staff who shall serve as the Secretary of the Committee.
- 3.1.3 When performing its duty to investigate an allegation, a representative of the Staff alleged to have committed the offence of Sexual Harassment shall be co-opted to serve as ad-hoc member of the Committee. Ad-hoc membership shall terminate with the conclusion of the case/investigation to which the member was invited.
- 3.1.4 The Committee's Terms of Reference shall be to:
 - i. Ensure adequate publicity of the sexual harassment policy in the University.
 - ii. Enlighten the University Community on their right to seek redress in cases of Sexual harassment and the consequences of such act.
 - iii. Investigate allegations and incidents of Sexual harassment and sexual assault in the University.
 - iv. Recommend sanction(s) to be meted on the culprits(s) in line with this policy and/or the Conditions of Service of the University.
 - v. Develop other programmes and actions towards mainstreaming awareness, and prevention of sexual harassment.
 - vi. Adopt any other methods(s) for the effective implementation of this Policy in the University.

3.2 DIRECT COMMUNICATION.

- 3.2.1 An individual may address concern about sexual harassment directly in person or in writing to the harasser by describing the behavior which amounts to Sexual Harassment and asking that it be stopped.
- 3.2.2 A retaliation, reprisal or victimization against such an individual who initiates such a communication in good faith, or who gives evidence or who participates during investigations or who provides information shall constitute a gross misconduct punishable under this Policy and the University Conditions of Service.

3.3 REPORTING AND INFORMAL INTERVENTION

- 3.3.1 The Committee shall ensure that:
 - i. Sexual harassment reporting is highly encouraged.
 - ii. Members of the University are aware of their rights to report allegations of Sexual Harassment.
 - iii. Procedure for reporting is widely communicated to members of the University Community and;
 - iv. Such reports and complaints are treated in a timely, fair, impartial, sensitive and confidential manner.
- 3.3.2 Reports or complaints of allegations of Sexual Harassment can be made to any of the following:
 - i. Members of the University Anti-Sexual Harassment Policy Committee.
 - ii. Academic/Level Advisers.
 - iii. Heads of Academic Departments.
 - iv. Deans of Schools.
 - v. Hall Administrators/Supervisors/Porters/Portresses.
 - vi. Student Leaders.
 - vii. Doctors in the University Health Services.
 - viii. SERVICOM Officers.
 - ix. The Coordinator of the Students Support Service Unit.
 - x. University Security Service Department.
 - xi. University Guidance Counsellors.
 - xii. Dean of Students Affairs Division.
 - xiii. Religious Leaders in the University.
 - xiv. Registrar.

xv. Deputy Vice-Chancellors.

xvi. Vice-Chancellor.

3.3.3 Report shall be preferably in writing.

3.3.4 Any Officer to whom a report or complaint of Sexual Harassment has been made must promptly forward such report or complaint to the Committee.

3.3.5 A person against whom an allegation of Sexual Harassment is made may seek counsel from any of the officers listed in 3.3.2 provided that the same person is not providing counselling for both the complainant and the alleged harasser.

3.3.6 Informal Intervention may first be used by the Committee where appropriate to resolve misunderstanding.

3.3.7 Under the Informal Intervention, the Committee shall set up a mediation panel of not more than three persons from among its members who shall meet each of the persons involved and attempt to clarify and resolve issues and develop mutually agreeable framework for their future interactions.

3.3.8 The Mediation may result in agreement on future conducts, change in supervisory responsibility or classes and/or reliefs such as an apology and commitment not to engage in acts amounting to Sexual harassment. This may be followed by a monitoring and evaluation programme to ensure that the offence does not re-occur. A confidential report on proceedings and outcome of Informal Interventions shall be forwarded to the Vice-Chancellor.

3.4 REPORTING AND FORMAL INTERVENTION

3.4.1 Where the procedures in 3.2 and 3.3 fails or are not appropriate, the Complainant submits a Confidential Statement or Report in writing to any persons listed in 3.3.2 who shall forward such Reports or Complaints to the Committee.

3.4.2 The Complainant Statement or Report must describe the specific offensive act or acts, the time, location and circumstances under which they took place and any other information relevant including mentioning the harasser, any witness to the acts and any person to whom the incident has been mentioned and it must be signed and dated by the Complainant.

3.4.3 The alleged harasser shall be given a copy of the complaint to give him/her appropriate time to respond in writing.

3.4.4 The Committee shall embark on fact-finding/investigation and make appropriate recommendations to the Vice-Chancellor. The Vice-Chancellor shall consider the

recommendations and his decisions shall be communicated to the alleged Harasser and Complainant.

3.4.5 The Committee may recommend any one or more of the following sanctions:

- i. Verbal or Written Warning.
- ii. Counselling or Therapy.
- iii. Campus Access Restriction.
- iv. No Contact Directive.
- v. Loss of Privileges.
- vi. Loss of Oversight, Teaching, Mentoring or Supervisory responsibilities.
- vii. Probation, Demotion, Loss of Pay Increment.
- viii. Revocation of License to trade (in the case of vendors on Campus).
- ix. Suspension.
- x. Rustication.
- xi. Nullification or Revocation of Degree.
- xii. Termination of Contracts for Contractors.
- xiii. Termination of Employment.
- xiv. Referral by the University to Law Enforcement Agents for Prosecution.
- xv. Any other Sanctions provided in the Conditions of Service or other University Laws, Policies and/or Statutes.

3.4.6 A party not satisfied with the decision of the Vice-Chancellor based on the recommendations of the Committee shall have the right to appeal to the University Governing Council where such dissatisfied person is a staff of the University and in this case, the decision of the Council shall be final.

3.4.7 The investigation process shall comply with the principles of fair hearing, respect the privacy of parties and the Confidentiality of names, identity or details relating to cases of Sexual harassment except where disclosure is necessary as part of the corrective or punitive process.

3.4.8 Intentional or willful reporting of false allegation of Sexual Harassment is a punishable gross misconduct. In addition to being punished, the false accuser shall publicly clear the name of the person falsely accused.