

Guidelines for the Prevention of Discrimination and Harassment of Youth Global Network

The following guidelines lay down the commitment and implementation of Youth Global Network (hereinafter referred to as "YGN") in accordance with the four discrimination Ordinances (Sex Discrimination Ordinance 1996, Disability Discrimination Ordinance 1996, Family Status Discrimination Ordinance 1997, Race Discrimination Ordinance 2009) in Hong Kong. The purpose is to enable all employees, freelancers, outsourced employees, volunteers (hereinafter referred to as "working staff") of YGN and all the participants and service users of activities organised by YGN work to use our services in a protected environment.

YGN is a service community. We believe that everyone is created by our Heavenly Father and everyone is equal and unique. We value the expression of faith in the way we live and deeply believe that our life has impact on others. As an organisation serving young people, we must provide a safe place free from any discrimination or harassment. As an employer, YGN strives to establish a mutually respectful and safe working environment with the working staff to prevent and eliminate any discrimination or harassment.

YGN requires each working staff to strictly abide by the relevant policies and guidelines in their duties and services, and will not discriminate against any individual based on race, gender, marital status, pregnancy, disability and family status. The scope of application includes employee appointment and dismissal, training, remuneration and welfare, as well as various activities and services provided by YGN. If a working staff member, activity participant or service user is aware of any discrimination or harassment at work or activity, he or she should have the responsibility to protect and file a complaint.

Principles for dealing with discrimination or harassment

1. YGN does not accept any form of discrimination and harassment and will deal with it promptly in accordance with relevant ordinance and internal guidelines. The rights of the relevant working staff or service users (including the complainant and the respondent, hereinafter referred to as the parties) will be treated with respect and fairness, and no retaliation will be allowed.
2. In order to protect the privacy of the parties and to allow the incident to be investigated effectively, all data records are kept strictly confidential.
3. YGN will promptly investigate and handle the investigation discreetly, and consider providing appropriate support and counselling to the parties as needed.
4. The handling will ensure that the parties are treated fairly. The results of the handling

may include enforcement of internal disciplinary action or legal liability.

Mechanism for complaints handling

1. If someone believes that he/she has been discriminated against and/or harassed, he/she should speak up at the time and tell the other party that his or her conduct is unwelcome and must be stopped. If necessary, he/she can seek assistance from his/her unit head or file a complaint to the organization in accordance with the relevant guidelines.
2. If the complainant decides to file a complaint with YGN, he/she should complain as soon as possible and make a verbal or written complaint to the responsible staff of Human Resources Department. The responsible staff of Human Resources Department will contact the complainant as soon as possible (within three working days after receiving the complaint) to understand the case, record the complaint, and explain the different handling approaches (mediation or investigation mechanism), provide support and relevant information. After the complainant confirms in writing to trigger the complaint mechanism, the responsible staff of the Human Resources Department will file a complaint with the convener of the Complaint Handling Team in strict confidence. The complainant may also reserve the right to inquire or complain to the Equal Opportunities Commission (hereinafter referred to as "EOC"), and/or to consult with a lawyer and file a lawsuit with the relevant statutory authority.
3. If the respondent's rank is below the director's level, the convener of the Complaint Handling Team is the Director of Operations or a person appointed by the President of YGN; if the respondent's rank is a director or above, the convener of the Complaint Handling Team is the vice chairman of the YGN Board of Directors or a person appointed by the chairman of the YGN Board of Directors. Once the convener receives the complaint, he/she will follow up immediately and set up a Complaint Handling Team of no fewer than three people. Suitable employees, pastors, or outside professionals can be enlisted as the members of the team as needed, but the members must not have any conflicts of interest with the parties involved in the complaint. The Complaint Handling Team should also consist of roughly the same number of members of different genders.
4. The Complaint Handling Team will interview the complainant first to learn more about the situation and try to mediate and/or investigate within three months. In the interview process, with the consent of the Complaint Handling Team, the complainant can be accompanied by his/her supporting companion. The complainant must make a verbal or written request in advance and provide reasons of the need to be accompanied, the name of the accompanying person and relevant information to the Complaint Handling

Team for consideration. The Complaint Handling Team can make a final decision on this request.

5. After the mediation is completed, the responsible staff of Human Resources Department will fill out the record form for archival records. If the conflict cannot be resolved through mediation, the Complaint Handling Team will conduct a detailed investigation of the incident.
6. The Complaint Handling Team will complete the investigation within three months and will notify the parties in writing of the investigation outcome. If one of the parties does not accept the investigation outcome, he/she may submit a response or comment to the convener of the Complaint Handling Team within ten working days. If the Complaint Handling Team receives a response or comment, the team will review the investigation report and notify their review result to the parties in writing within ten working days.
7. If one of the parties does not accept the final decision of the Complaint Handling Team, he/she may appeal to YGN Board of Directors within 10 working days via the Chairman of the YGN Board of Directors, providing detailed justification in writing. The YGN Board of Directors will generally decide whether to accept the appeal within ten working days for the following considerations:
 - i. appearance of new evidence not considered by the Complaint Handling Team; and/or
 - ii. there are non-compliance issues in the handling of sexual harassment complaints.
8. If YGN Board of Directors does not accept the appeal, the board's decision is the final decision of YGN. If the Board of Directors decides to accept the appeal, it will appoint an Appeal Panel (not fewer than three persons, without any conflict of interest with the parties in the incident and consisting of roughly equal number of members of different genders) to complete the review within three months. Upon receipt of the report from the Appeal Panel, the YGN Board of Directors will report the results of the review to the parties in writing within ten working days.
9. YGN will act accordingly and/or discipline the persons concerned in accordance with the final recommendations of the Complaint Handling Team or the Appeal Panel. In case of a malicious complaint or provision of false information, the complainant may also be liable for filing a false complaint. If the incident may involve a criminal offence, YGN will consult the complainant's wishes and consider reporting to the police.

10. YGN will review the existing system and its implementation as needed to prevent similar incidents.

Time bar for lodging a complaint

In the event of any discrimination and harassment, the person concerned should take action as soon as possible to rectify the situation and allow the Complaint Handling Team to effectively conduct mediation or investigation. The complainant is required to file a complaint within three months after the incident. If there is a reasonable cause for the complaint to be delayed, YGN will handle it as appropriate.

Complaint contact

Responsible Staff: Ms. Dawn Liew, Senior Human Resources Officer

Complaint hotline: 61152065

Contact hours: Monday to Friday, 9 am to 6 pm (except public holidays)

Email: dh@ygn.org.hk

Prevention of discrimination and harassment measures

1. Provide relevant information to new recruits to raise their awareness.
2. The relevant policies and guidelines are set out in the staff handbook and uploaded to YGN Intranet and website so that all persons can have access to the policy at any time when necessary and know that YGN has formulated a policy to prevent discrimination and harassment, and well aware where to access a copy of the policy and the channels for complaints.
3. Regularly arrange relevant seminars and training.
4. Review the contents of this policy and guidelines on a regular basis.

Related Guidelines

- Prevention of Sexual Harassment Policy and Guidelines of Youth Global Network

Related Resources

- Working for You - Code of Practice on Employment
<http://www.eoc.org.hk/eoc/graphicsfolder/showcontent.aspx?content=cops>

Effective date: March 29, 2019

Discrimination and Harassment Complaint Handling Mechanism

