

NHRC WORKPLACE SEXUAL HARASSMENT POLICY, 2025



NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

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INTRODUCTION

A workplace sexual harassment policy defines unwelcome sexual conduct that can create a hostile or offensive work environment. Sexual harassment generally is a pervasive problem and workplace sexual harassment can include a variety of behaviours, including; unwelcome sexual advances or touching, offensive remark about a person's sex or even request for sexual favours. Any person regardless of gender can be a harasser or a victim of sexual harassment in the workplace.

UN Women data indicates that a significant percentage of women globally experience sexual harassment and violence in the workplace, with some studies showing that between 40% and 50% of women in European Union countries experienced unwanted sexual advances or harassment. More broadly, over one in five individuals have experienced some form of workplace violence, including sexual harassment.

According to Global Impact, 8% of women have experienced some forms of harassment or violence in the workplace compared to 5% of men. Certain groups like young and migrant workers are at a higher risk. Women are more likely to experience sexual harassment and violence in the work place than men.

The International Labour Organization (ILO, 2021) estimated that 52% of working women in Nigeria have experienced gender-based violence, including harassment. Workplace harassment remains widespread in Nigeria, with low reporting and weak legal consequences. Stronger policies, awareness campaigns, and better enforcement are needed to protect workers.

The Commission as a protective institution sees it necessary to align itself with the United Nations strict policy against sexual harassment in the workplace, viewing it as a human rights violation and a betrayal of core values. This policy aims to prevent such behaviour, support those affected, and ensure all allegations are addressed swiftly and effectively with zero tolerance.

1. POLICY STATEMENT

In line with the overall employment policy of the Federal Government, the Constitution of the Federal Republic of Nigeria 1999 (as amended), and the Universal Declaration on Human Rights, and other relevant national, regional and international human rights instruments to which Nigeria is a party, the National Human Rights Commission (NHRC) is committed to protecting the dignity of all persons by providing a work environment free from sexual harassment and other forms of harassment. We believe that every employee has the right to work in an atmosphere that promotes equal opportunities and prohibits discriminatory practices. Sexual harassment is a violation of this principle and will not be tolerated under any circumstances.

2. PURPOSE

This policy aims to:

1. define sexual harassment in the workplace;
2. establish procedures for reporting incidents;
3. outline the investigation process;
4. detail potential disciplinary actions;
5. ensure protection and support for victims; and

6. promote a respectful work culture.

3.0 DEFINITION OF SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favours, and other verbal, non-verbal, or physical conduct of a sexual nature that;

- a) is made explicitly or implicitly a term or condition of an individual's employment
- b) is used as a basis for employment decisions affecting an individual
- c) has the purpose or effect of unreasonably interfering with an individual's work performance, and
- d) creates an intimidating, hostile, or offensive working environment.

Examples of Sexual Harassment includes but not limited to:

3.1 Verbal Harassment:

- a) sexual comments, jokes, or innuendos
- b) unwelcome propositions or invitations for dates or sexual activities
- c) inappropriate comments about a person's body or appearance
- d) threats or bribes for unwanted sexual activity
- e) spreading sexual rumours and
- f) any other form of verbal harassment that might not have been expressly mentioned.

3.2 Non-Verbal Harassment:

- a) displaying sexually suggestive objects, pictures, cartoons, or posters
- b) making sexual gestures or leering
- c) sending inappropriate sexual content via electronic communication
- d) unwelcome written communications of a sexual nature, and;
- e) lascivious looks.

3.3 Physical Harassment:

- a) unwanted touching, patting, pinching, or brushing against another person
- b) unwanted blocking of normal movement or impeding free movement
- c) sexual assault or attempted sexual assault, and
- d) any other physical conduct of a sexual nature.

3.4 Quid Pro Quo Harassment:

- a) promising rewards in exchange for sexual favours.
- b) threatening negative consequences if sexual demands are not met.

4.0 SCOPE OF THE POLICY

This policy applies to:

- a) all employees, regardless of position, status, or tenure (permanent, temporary, or contract)
- b) Council members and Executive Secretary
- c) consultants, vendors, contractors, and other service providers
- d) visitors to the premises
- e) any location where work-related activities occur, including;
 - i. all premises owned or leased by the Commission
 - ii. off-site locations during work assignments
 - iii. work-related conferences, training sessions, and events
 - iv. business trips and work-related social events
 - v. virtual work environments, including online meetings and communications
 - vi. any location where an employee is representing the Commission, and;

- vii. the policy covers conduct that occurs during and outside of normal working hours if such conduct affects the work environment.

5.0 ESTABLISHMENT OF NHRC WORKPLACE SEXUAL HARASSMENT INVESTIGATION COMMITTEE (WSHIC)

To ensure a transparent, fair, and accountable process for addressing complaints of sexual harassment in the workplace, a **Workplace Sexual Harassment Investigation Committee (WSHIC)** shall be formally established.

5.1. Composition of the Committee

The WSHIC shall be composed as follows:

a) **Chairperson:**

The Chairperson shall be a Director with no record of sexual harassment may be appointed to serve in this capacity. The Chairperson shall be formally appointed by the Executive Secretary.

b) **Committee Members:**

The Committee shall consist of six other members, comprising of all genders represented from different departments within the Commission.

c) The Committee shall have representatives from Management, middle and junior cadre.

d) Members of the Committee shall be carefully selected based on the nature and specifics of the complaint under investigation. This ensures that individuals with the most relevant expertise on the subject-matter are involved in each case, in order to promote fairness and effectiveness.

e) Members shall be nominated by the Director of Human Resource Management (HRM) subject to the approval of **the** Executive Secretary.

5.2. Mandate of the Committee

The primary responsibilities of the WSHIC shall include:

- a) investigating all reported incidents of workplace sexual harassment.
- b) ensuring due process is followed in line with organizational policies and applicable regulations,
- c) recommending disciplinary measures or corrective actions where necessary, and
- d) providing advisory on preventive strategies and awareness programs within the Commission.

5.3. Appointment and Tenure

a) The Chairperson of the Committee shall serve a term of three (3) years, unless earlier terminated by the Executive Secretary.

b) The Executive Secretary may appoint or reconstitute the Members of the Committee subject to the recommendation of the Human Resources Department.

c) The Director of Human Resource Management shall notify the Executive Secretary three (3) months prior to the expiration of the tenure of the Chairperson

d) The tenure of the Committee members shall be defined in the official appointment letter or internal policy guidelines.

6.0 REPORTING PROCEDURES

6.1 Reporting Channels

The Commission shall provide two reporting channels for incidents of sexual harassment:

Informal Options

6.1.1. An informal process can provide individuals with the opportunity to resolve any complaints or grievances in an open, honest, non-threatening and non-contentious manner. The informal options available to complainants include:

- a. approaching the alleged offender;
- b. involving a third party;

6.1.2 Approaching the Alleged Offender

An individual may not understand that he/she is being offensive and, if brought to the notice of the alleged offender, may stop or alter his/her behaviour. Complainants who feel that they are being subjected to sexual harassment are encouraged, where possible, to inform the alleged offender that his/her conduct is unwelcome and request that such conduct ceases.

It is strongly recommended that complainant/alleged victim should keep notes (records) of their informal discussions with the alleged offender. If the complainant fears retaliation, they may consider contacting a third party.

6.1.3 Third Party intervention

Upon request of either the complainant/alleged victim or the alleged offender, a third party may agree to assist him/her. It is mandatory that the third party ensures that confidentiality is respected in all discussions and interactions on the case. The third party should be fully knowledgeable about the present framework. It is mandatory that the third-party act in the best interest of the alleged victim/alleged offender, yet, refrain from defaming the character of the individuals involved. The third party should be aware that sometimes the best form of assistance is a referral to a more appropriate authority which may include the Director, Direct supervisor or Head of Unit.

6.1.4 Moving from an Informal Process to a Formal Process

Individuals may choose to deal with any complaint or grievance through either an informal or formal process. If the complainant is not satisfied with the results of the informal process, he/she may submit a written complaint to begin the formal process.

6.2 THE FORMAL PROCESS

Filing a Complaint

6.2.1 Who can submit a complaint?

Any individual who falls under the following category of persons may file a formal complaint:

1. all employees, regardless of position, status, or tenure (permanent, temporary, or contract),
2. council members and the executive secretary,
3. consultants, vendors, contractors, and other service providers,
4. visitors to the premises.

6.2.2 To whom should the complaint be submitted?

- a) The complaint should be in writing and addressed to the Executive Secretary and marked for attention of the Chairperson of NHRC Workplace Sexual Harassment Investigation Committee (WSHIC) and submitted to the

Executive Secretary's office. The Executive Secretary shall refer the complaint to the Chairperson of the Committee.

- b) Where the Executive Secretary is the subject of the complaint, the letter of complaint shall be addressed to the Chairperson of the Commission, who shall call the attention of the Executive Secretary and refer same to the Council Committee for investigation.
- c) Where the Chairperson or a Member of the Governing Council is subject of the complaint, the letter of complaint will be addressed to the Executive Secretary as the case may be, who shall call the attention of the Council or refer same to the Committee of Council that will be set up for that purpose.

6..2.3 The Fact-Finding Process

i). Upon receipt of the formal complaint, a determination by NHRC Workplace Sexual Harassment Investigation Committee (WSHIC) or a committee set up in 6.2.2 C above must be made as to whether the complaint is admissible and should be investigated.

ii) The complaint would be investigated if it appears to have been made in good faith, within the set time limits and within the scheme's definition of sexual harassment as set out in this policy framework.

iii). If the complaint is admissible, it should be promptly investigated by the NHRC Workplace Sexual Harassment Investigation Committee (WSHIC) or as in 2 above.

6.3 Information to Include in a Report:

1. name of the complainant (anonymous reporting is also accepted provided the name of the victim is clearly stated)
2. name of the alleged violator
3. description of the incident(s), including dates, times, locations
4. names of witnesses, if any
5. any supporting document or evidence
6. previous actions taken, if any
7. effects of the harassment on the complainant.
8. past informal records of sexual harassment offenders.

6.4 Confidentiality

All reports will be handled with the highest level of confidentiality possible. Information will only be shared with those directly involved in the investigation and resolution process on a need-to-know basis. The identity of the complainant/victim will be protected to the extent possible. See annex 1 Oath of Secrecy.

6.5 Non-Retaliation

The Commission strictly prohibits retaliation against any individual who reports sexual harassment, participates in an investigation, or opposes harassing practices. Retaliation includes, but not limited to; demotion, unfavourable work assignments, isolation, or any adverse employment action. An investigation will be initiated against any staff that is credibly alleged to have retaliated against another staff or other person who submitted a complaint to the Committee. And if, found guilty, disciplinary action shall be taken against such person.

7.0 INVESTIGATION PROCEDURES

7.1 Investigation Timeline

All reports will be investigated promptly according to the following timeline:

Initial Response	Preliminary Assessment	Full Investigation	Final Determination	Implementation of Corrective Actions
Within 24 hours of receiving a complaint	Within 3 working days	Completed within 30 calendar days (except for complex cases, which shall be communicated to parties involved)	Within 10 working days of completing the investigation	Within 5 working days of final determination

7.2 Investigation Process

The investigation process will include:

1. **Quorum:** Five (5) out of six (6) members including the Chairperson shall form a quorum.
2. **Acknowledgment:** The complainant will receive a formal acknowledgment of the report within 1 day.
3. **Preliminary Assessment:** The NHRC Workplace Sexual Harassment Investigation Committee (WSHIC) will review the complaint to determine if immediate action is necessary and plan the investigation approach.
4. **Notice:** the alleged violator shall be put on notice upon determination of admissibility of the complaint
5. **Interim Measures:** Temporary measures may be implemented during the investigation, such as:
 - a) separation of the parties involved if in same office/department or as the situation demand
 - b) temporary reassignment
 - c) administrative leave (typically with pay)
 - d) adjustments to reporting structures or work schedules.
6. **Evidence Collection:** The investigation will include:
 - a) interviewing the complainant
 - b) interviewing the alleged violator
 - c) interviewing witnesses
 - d) collecting relevant documents and evidence
 - e) examining electronic communications or surveillance footage, if available.
7. **Documentation:** Detailed records will be maintained throughout the investigation, including;
 - a) interview transcripts or summaries
 - b) evidence collected

- c) analysis of findings
- d) recommendations

8. **Decision-Making:** Based on the preponderance of evidence (balance of probability), the Investigation Committee will determine whether sexual harassment occurred and recommend appropriate actions.

9. **Communication of Findings:**

- a) Written summaries of the findings and recommendations of the Committee shall be submitted to the Chairperson or Executive Secretary, who will then instruct the Executive Secretary, Director, HRM as the case may be to communicate the findings and disciplinary actions to the parties.
- b) Where the Chairperson, Executive Secretary or Council Members are the subject of the complaint, the findings and recommendations of the Committee shall be submitted to the Chairperson or the Executive Secretary of the Commission.

8.0 DISCIPLINARY ACTIONS

If an investigation confirms that sexual harassment has occurred, appropriate disciplinary action will be taken, proportional to the severity and frequency of the conduct. Disciplinary actions may include:

8.1 Minor Violations

- 1. verbal warning
- 2. written warning
- 3. mandatory counselling
- 4. performance improvement plan (reflect in APER form)
- 5. any other disciplinary action within the discretion of the committee

8.2 Moderate Violations

- 1. formal reprimand
- 2. suspension without pay
- 3. suspension with half pay
- 4. transfer or reassignment
- 5. removal from leadership roles or responsibilities
- 6. exclusion from certain work events or opportunities
- 7. any other disciplinary action within the discretion of the Committee

8.3 Severe Violations

- 1. demotion
- 2. extended suspension
- 3. termination of appointment
- 4. reporting to relevant professional bodies
- 5. referral to law enforcement authorities in cases involving criminal conduct
- 6. any other disciplinary action within the discretion of the committee

8.4 Additional Considerations

- 1. repeat offenders will face progressively more severe disciplinary actions
- 2. previous disciplinary history will be considered
- 3. the disciplinary action will be documented in the employee's personnel file
- 4. false accusations made with malicious intent will also be subject to disciplinary action at the discretion of the committee.

9.0 RIGHT OF APPEAL

- a) Parties who are not satisfied with the decision of the Committee shall have the right of appeal to the Governing Council of the Commission.
- b) Parties shall exercise their right to appeal within two months upon receipt of the decision of the Committee.
- c) In the event that there is no Governing Council constituted for the Commission during the period of the communication of the decision of the Committee, parties shall still go ahead to submit their appeal pending the constitution of the Governing Council or Management can deal with it.
- d) Where there is an appeal, the decision of the Committee shall not be enforced pending the outcome of the appeal.

10. VICTIM SUPPORT SERVICES AND PROTECTION MEASURES

10.1 Support Services

The Commission will provide comprehensive support to victims of sexual harassment:

1. **Mental Health Services:** Coverage for professional therapy and counselling through the Counselling Unit of the Commission
2. **Medical Services:** Referrals to medical professionals and coverage for related medical treatment.
3. **Legal Assistance:** Access to legal counsel through the organization's legal resources.
4. **Peer Support Group:** persuasive participation in a facilitated support group for survivors.
5. **Relief measures:** Flexible scheduling, remote work options, or temporary reassignment when requested.

10.2 Protective Measures

To ensure the safety and well-being of victims, the following protection measures may be implemented:

1. **No-Contact Orders:** Formal directives prohibiting the alleged violator from contacting the complainant.
2. **Safety Planning:** Development of personalized safety plans for individuals who express safety concerns.
3. **Restricted Access:** Limiting the alleged violator's access to certain areas of the workplace.
4. **Monitoring:** Increased supervision or surveillance in areas where harassment has occurred.
5. **Transfer Options:** Priority consideration for transfer requests from the victim.
6. **Leave Provisions:** Additional leave may be granted to victims seeking treatment or legal remedies.

11. PREVENTION AND EDUCATION

11.1 Training Requirements

1. All employees shall complete mandatory sexual harassment prevention training:
2. Training contents will include:
 - a) definitions and examples of prohibited conducts
 - b) reporting procedures

- c) bystander intervention techniques
- d) supervisory responsibilities

11.2 Awareness Initiatives

- 1. regular communication about the policy through multiple channels
- 2. posters and information display in common areas
- 3. annual awareness campaigns
- 4. regular surveys on sexual harassment.

12. **POLICY REVIEW AND UPDATES**

This policy will be reviewed every five years or upon recommendation of the Committee to the Executive Secretary. Review will be made as needed to ensure compliance with current laws and best practices. Staff will be notified of any policy changes.

13. **CONTACT INFORMATION**

For questions about this policy, please contact:

- 1. Human Resources Department
- 2. sexualharassment@nhrc.gov.ng
- 3. Mobile Number