



THE KENYA OBSTETRICAL AND GYNAECOLOGICAL SOCIETY

Policy Name:	Equal Opportunity, Harassment, Discrimination, Bullying & Open-Door Policy
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1.0 Purpose

To bring to the attention of all Kenya Obstetrical and Gynecological Society (KOGS) members of staff, partners, and consultants the Society position on equal opportunity, harassment, discrimination, bullying and open-door policy.

For the purposes of this Policy, "members of staff" means all persons working for or with the Society in any capacity including Council members, officers, employees, workers, contractors, interns, agents and consultants and agency workers.

2.0 Equal Opportunity Policy

KOGS is an equal opportunity employer therefore; it is a fundamental policy of the Society not to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or disability, with respect to recruitment, hiring, training, promotion and other terms and conditions of employment.

It is the policy of the Society to base decisions on employment solely upon an individual's qualifications relating to the requirements of the position for which the individual is being considered; recruit, hire, and promote the best qualified persons for all jobs without regard to race, color, religion, sex, HIV/AIDS status, marital status, national origin, age, handicap, or disability.

Ensure that all HR practices and actions such as compensation, benefits, transfers, layoffs, Society-sponsored training, promotions, dismissals, and disciplinary actions are applied equally.



3.0 Freedom of Association

Every employee has the freedom of association as defined within the Kenyan Constitution and Laws.

4.0 Harassment Policy

It is the policy of the Society to prohibit any form of sexual harassment. Improper interference with the ability of employees to perform their expected job duties will not be tolerated and should be reported to the appropriate supervisory /management levels

Under the Kenyan law and regulations, unwelcome sexual advances, requests for sexual favors, use of visual material of a sexual nature, and other verbal or physical conduct of a sexual nature constitute unlawful sexual harassment when either: (1) submission to such conduct is or becomes a term or condition of an individual's employment or is used as a basis for employment decisions relating in any way to that individual; (2) such conduct substantially interferes with an individual's work performance; or (3) such conduct creates an intimidating, hostile, or offensive working environment.

Other forms of unlawful harassment are also prohibited by this policy. Such harassment may include harassment based upon a person's race, national origin, religion, age or disability. Such forms of harassment may be reported pursuant to this policy.

Any member of staff found to have engaged in such conduct, or who condones such action on the part of subordinates, will be subject to appropriate disciplinary action up to and including termination of employment. An employee may also be subject to individual legal liability and penalties as a harasser.

4.1 Discrimination

The Society will endeavor to promote respect and equal opportunity for all in a discrimination free environment.

Discrimination means treating a person less favorably than another person in comparable circumstances on grounds of:

- Gender, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, mental status, marital status, pregnancy, tribe, disability, race, or HIV status.



- Discrimination can be direct or indirect.
- Discrimination can be in respect of recruitment, training, promotion, terms and conditions of employment or other matters arising out of employment.

An example of direct discrimination would be if a recruitment advertisement specifically requested only men apply for a job when a female could undertake the job equally well.

An example of indirect discrimination would be if the Society recruited employees who were 6 feet tall or above. The fact that only a relatively small percentage of the female population would be able to satisfy this height requirement would deem the Society discriminatory against women indirectly unless there was a reasonable justification for the height requirement.

4.2 Bullying

The Society does not encourage bullying within its work environment.

Bullying is any behavior, occasional or persistent, by peers, management or any individual that intimidates or oppresses. It can take place in public or in private, within the workplace or during work-related social events.

This should not be confused with truly justified management techniques. For example, in some circumstances it is appropriate to supervise one individual more than others. The main considerations are whether the action can be justified, if it could be considered as reasonable and how it is perceived by the individual concerned.

Examples of bullying include:

- Shouting or swearing at an individual.
- Persistent, excessive, unfair, or unjustified criticism.
- Public humiliation and/or insults.
- Persistent undervaluing of a person's efforts.
- Constant ignoring of opinions.
- Withholding necessary work-related information without justification.
- Unjustified excessive monitoring and /or supervision.
- Setting someone up to fail, e.g., a target/objective that can simply not be achieved.



- Constant changing of targets for no justifiable reason.
- Unreasonably blocking requests for leave.
- Aggressive communications.
- Unfair work allocation.

4.3 Complaint Procedure

If you experience any job-related harassment, discrimination, bullying or have a related complaint, you should promptly report the matter to your supervisor, Chief Executive Officer, or the Chairman of the Council Committee on Human Resources. The Society will undertake an investigation ensuring confidentiality to the greatest possible extent.

The complaint procedure is covered in the Discipline and grievance procedure and all members of staff should read and understand the process.

The Society expressly prohibits any form of retaliatory action against any employee availing themselves of the benefits of this procedure. Retaliation is a violation of this policy and may result in discipline, up to and including dismissal. No member of staff will be discriminated against, or discharged, because of a good faith bringing or assisting in the investigation of sexual or other unlawful harassment.

4.4 Open Door Policy

Misunderstandings or conflicts can arise in any organization. If you have a question or a complaint or are bothered by a job-related situation, you should first speak with your immediate supervisor or manager. This is usually the best way to seek resolution of problems and is a matter of professional courtesy. If, however, the issue is not resolved, you are encouraged to bring your concern to the next level of management.

Should your concern not be satisfactorily addressed or be one that you would rather not discuss with your immediate supervisor or within your own department, you should contact the Chairman of the Council Committee on human resources. He/she will advise and counsel you on a wide range of issues, as well as clarify and answer questions regarding Human Resources policies, and are responsible for investigating all grievances brought to the Society's attention.