

Sexual Harassment Policy

Policy Statement

The Miss Asian Global/Miss Asian America Pageant Organization is committed to providing a safe environment for all its staff, delegates, and volunteers free from discrimination on any ground and from harassment including sexual harassment. The Miss Asian Global/Miss Asian America Pageant Organization will operate a zero tolerance policy for any form of sexual harassment, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimized for making such a complaint. Any person has the legal right at any time to raise the issue of sexual harassment without fear of retaliation.

Definition of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behavior which constitute sexual harassment include, but are not limited to:

Physical Conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of threats or rewards to solicit sexual favors

Verbal Conduct

- Comments on one's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the person
- Condescending or paternalistic remarks
- Sending sexually explicit messages by phone or by email

Non-Verbal Conduct

- Display of sexually explicit or suggestive material

- Sexually-suggestive gestures
- Whistling
- Leering

Sexual harassment can include any conduct of a sexual nature which is unwanted and unwelcome by the recipient.

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The Miss Asian Global/Miss Asian America Pageant Organization recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

The Miss Asian Global/Miss Asian America Pageant Organization recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships. Anyone who sexually harasses another will be reprimanded in accordance with this internal policy.

All sexual harassment is prohibited whether it takes place within the Miss Asian Global/Miss Asian America Pageant Organization, at Miss Asian Global/Miss Asian America Pageant Organization sponsored events, and/or at Miss Asian Global/Miss Asian America Pageant related events.

Complaints Procedures

Anyone who is subject to and/ or an observer of sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. The Miss Asian Global/Miss Asian America Pageant Organization recognizes that sexual harassment may occur in unequal relationships and that it may not be possible for the victim and/or the observer to inform the alleged harasser.

If a victim and/or observer cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment.

When a designated person receives a complaint of sexual harassment, he/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim and/or observer as to what outcome he/she wants
- ensure that the victim and/or observer understands the Miss Asian Global/Miss Asian America Pageant Organization's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim and/or observer

- ensure that the victim and/or observer knows that they can lodge the complaint outside of the Miss Asian Global/Miss Asian America Pageant Organization

Throughout the complaints procedure, a victim and/or observer is entitled to be helped by a counselor within the Miss Asian Global/Miss Asian America Pageant Organization. The Miss Asian Global/Miss Asian America Pageant Organization will nominate a number of counselors and provide them with special training to enable them to assist victims and/or observers of sexual harassment. The Miss Asian Global/Miss Asian America Pageant Organization recognizes that because sexual harassment often occurs in unequal relationships, victims and/or observers often feel that they cannot come forward. The Miss Asian Global/Miss Asian America Pageant Organization understands the need to support victims and/or observers in making complaints.

Informal Complaints Mechanism

If the victim and/or observer wish to deal with the matter informally, the designated person will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behavior has stopped
- ensure that the above is done speedily and within 30 days of the complaint being made

Formal Complaints Mechanism

If the victim and/or observer want to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim and/or observer, the formal complaint mechanism should be used to resolve the matter. The designated person who initially received the complaint will refer the matter to Rose Chung, Founder of the Miss Asian Global/Miss Asian America Pageant Organization, to instigate a formal investigation. Rose Chung may deal with the matter herself or refer the matter to an internal or external investigator.

The person carrying out the investigation will:

- interview the victim and/or observer and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim
- follow up to ensure that the recommendations are implemented, that the behavior has stopped and that the victim and/or observer is satisfied with the outcome

- if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken
- ensure that the all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and in any event within 30 days of the complaint being made

Outside Complaints Mechanisms

A person who has been subject to and/or observer of sexual harassment can also make a complaint outside of the Miss Asian Global/Miss Asian America Pageant Organization.

Disciplinary Measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following disciplinary measures:

- verbal or written warning
- suspension
- dismissal

The nature of the disciplinary measures will depend on the gravity and extent of the harassment. Suitable deterrent disciplinary measures will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

Implementation of this Policy

The Miss Asian Global/Miss Asian America Pageant Organization will ensure that this policy is widely disseminated to all relevant persons. It will be included in the staff, delegate, and volunteer training. All new staff, delegate, and volunteer must be trained on the content of this policy as part of their induction into the Miss Asian Global/Miss Asian America Pageant Organization. Every year, the Miss Asian Global/Miss Asian America Pageant Organization will require all staff, delegates, and volunteers to attend a refresher training course on the content of this policy.

Monitoring and Evaluation

The Miss Asian Global/Miss Asian America Pageant Organization recognizes the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Those responsible for dealing with sexual harassment cases will report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the Miss Asian Global/Miss Asian America Pageant Organization will evaluate the effectiveness of this policy and make any changes needed.