PROCEEDINGS OF THE

SEMINAR ON

CREATING A SAFE WORKPLACE ENVIRONMENT: A DISCUSSION ON SEXUAL HARASSMENT

8 December 2023
Manila, Philippines

Partnerships in Environmental Management for the Seas of East Asia

Creating a Safe Workplace Environment: A Discussion on Sexual Harassment
Metro Manila, Philippines
8 December 2023

1.0   Introduction

1.1   A seminar on Creating a Safe Workplace Environment: A Discussion on Sexual Harassment was conducted on 8 December in Quezon City, Metro Manila, Philippines for the PEMSEA Resource Facility management and staff and the ATSEA Project team.

1.2   The objectives of the seminar were to:
* describe behaviors that constitute sexual harassment (SH) in the workplace;
* suggest practical guidelines in dealing with sexual harassment in the workplace and in promoting a safe work environment that caters to diverse staff;
* discuss the dynamics of power, privilege and social relations in the workplace in understanding and unpacking sexual harassment issues; and,
* express their commitment in promoting a safe and violence-free work environment.

1.3   The seminar was participated in by thirty-one staff from the PEMSEA Resource Facility and the ATSEA Project.

1.4   The following supporting documents are annexed to these proceedings:
* Annex 1: Program
* Annex 2: Link to the Presentation
* Annex 3: Link to the photos
* Annex 4: Brief background of speakers
* Annex 5: List of participants

2.   Program Proper

2.1   The seminar started at 9:00 with a brief greeting from the Executive Director, Ms. Aimee Gonzales, and an introduction of the resource speakers, Ms. Pacita Fortin and Dr. Tesa Casal de Vela. (See Annex 4 for a brief background on the speakers.)

2.2   The first session started with self-introductions and responses to the question "What is a safe workplace?". Responses to the question were categorized into two aspects: individual/personal and collective/organizational culture (relational/organizational).
* Defining a safe workplace for an individual is based on how one feels about the workspace. Responses included the following:
  * Stress-free/not feeling stressed or anxious (may be gender-related or may be gender-neutral).
  * A place where people do not bully me.
  * Being able to express oneself/put forward ideas and thoughts without fear of being judged or belittled
  * A workplace where I can go happily
  * Not anxious to open emails
  * A space where I can be who I am

- o Where I feel included
- o Where I can wear what I want to wear (as appropriate)
- o Where I feel safe and comfortable
- o Where a no response is respected and will not result to any negative repercussions
- Defining a safe workplace as being part of the organization was more relational/something in relation to others and not just how one feels. It describes the organizational culture that exists or that is desired or both. Responses included the following:
  - o A workplace that is peaceful, supportive, transparent, gender-sensitive, non-toxic/stress-free and sound environment, enjoyable, happy, friendly, comfortable where everyone can work freely;
  - o Where everyone in the workplace is happy;
  - o Where there is help/care from colleagues and coworkers in achieving personal and work goals; Harmonious working relationships;
  - o Where people show appreciation for each other;
  - o Where everyone feels respected regardless of gender orientation; ensures everyone is free from any kind of discrimination; everyone feels comfortable and respected; ensures support, inclusive environment and provide everyone with fair treatment;
  - o Place where there is courtesy and mutual respect on personal preference, outlook and appearance; respectful environment; People are respected regardless of their rank; where there is no fear of superiors;
  - o A place where people are free to express thoughts and ideas
  - o No '*Marites*' and '*Tolits*' (no rumor-mongering/gossiping that may hurt others)
  - o No biases, no prejudices, no judgment and no fear of any form of abuse;
  - o Place free from injury, illness, and harassment, suffering, hardship;
  - o Place of trust / independence; there is trust in the environment and trust that the office will take care of its employees;
  - o Ensures safety and well-being of all staff (physical and mental);
  - o Place that promotes well-being;
  - o Place where there is equal treatment;
  - o Space of/for growth;
  - o A place that provides regular training or education program to increase employees gender-sensitivity;
  - o The organization should have a reporting system and for employees' protection and guarantee the victims' safety from difficult situations.
- Both personal/individual and collective/organizational creates a wholistic definition of what a safe workplace is for everyone. It deals with making the individuals feel safe and have a sense of security but also as a collective. A safe space is an individual, subjective feeling but also is a collective culture.

2.3 **Workshop 1: Defining Sexual Harassment.** A discussion and sharing on defining what sexual harassment is followed. The buzz groups were asked to discuss what sexual harassment is and to list behaviors that constitute sexual harassment, the way it is understood by the group members. The behaviors that constitute sexual harassment, as discussed by the groups are:
- Specific acts:
  - o Verbal or physical sexual advances (unwanted); unwanted touching; touching without consent
  - o Unwanted gifts or visits;
  - o Stalking;
  - o Inappropriate staring, texting, words and actions;

- o Body-shaming; unwelcome remarks about physical appearance;
- o Sexual/green jokes;
- o Sexist comments: gender-based generalization/stereotyping (ex. You're weak every month because you're a girl);
- o Different treatment for men and women;
- o Stepping in someone's space and privacy; invasion of personal space
- o Gender insensitivity and discrimination;
- o Power-tripping; imposing power maliciously over others; taking advantage; taking advantage of opposite genders' weakness.
- How actions make one feel:
  - o When the other party is not comfortable with the action;
  - o Actions that make others embarrassed/ashamed;

2.4 **Presentation on Understanding Sexual Harassment and Prevention and response to Sexual Harassment.** Ms. Fortin proceeded with her inputs on what sexual harassment is and what we don't to see in work environments. Highlights of her presentations are:

- Differentiate harassment from gender-based sexual harassment. An example given was a boss badgering someone for an overdue report is not gender-based harassment. It would be gender-based harassment if the boss tells her that she is unable to deliver the report because she focuses on either vanities/making herself beautiful, because of her boyfriend/partner or because of her caregiving responsibilities. That would then be gender-based, sex-based harassment as it is now linked to gender roles and responsibilities. It is then that it becomes an issue. These are implicit sexual harassment, not direct. Something linked to what are expected of women or stereotypes of women.
- Definition of sexual harassment: a form of sex-based, gender-based discrimination and violence in the workplace; it is a violation of fundamental rights of workers. Making the other person think that he/she is not good enough, undermining their sense of worth as a person.
- Key elements and types of Sexual Harassment:
  - o (1) Quid pro quo (this for that): Any physical, verbal or non-verbal conduct of a sexual nature and other conduct based on sex, affecting the dignity of women and men, which is unwelcome, unreasonable and offensive to the recipient; and a person's rejection of, or submission to, such conduct is used explicitly or implicitly as a basis for a decision which affects that person's job; or
  - o (2) Hostile work environment: conduct that creates an intimidating, hostile or humiliating working environment for the recipient.
- Forms of Sexual Harassment (SH):
  - o Verbal/written: e.g. comments about clothing, personal behavior or a person's body, sexual or sex-based jokes, sexual innuendos, requesting sexual favors or repeatedly asking a person out, unwanted flirting, telling rumors about a person's personal or sexual life, threatening a person, sending emails or text messages of a sexual nature
  - o Physical: e.g. assault, impeding or blocking movement, inappropriate touching of a person or a person's clothing; kissing, hugging, patting, stroking
  - o Non-verbal: e.g. looking up and down a person's body, derogatory gestures or facial expressions of a sexual nature, stalking
  - o Visual: e.g. posters, drawings, pictures, screensavers, emails or texts of sexual nature. It was stressed that harassment does not have to be sexual in nature and can include offensive remarks about a person's sex, sexual orientation, gender identity or pregnancy.
- Perpetrators: may be colleagues, supervisors, subordinates, third parties; men and women, person of diverse SOGIESC.

- Victims: may be men, women, persons of diverse SOGIESC. It is often based on the abuse of power and reported cases are usually committed against women and perpetrated by men. Victims do not have to be of the opposite sex. The victim does not have to be the person directly involved but could be anyone affected by the offensive conduct. Victims from specific groups may face sexual harassment in particular ways due to factors that can exacerbate the risk of violence and harassment.
- Where GBSH happens: all sites, locations, spaces where work is undertaken by an employee within or outside the premises of the usual place of business
- Why does SH happen? Often less about sexual interest and more about reinforcing existing power relations. Traditional gender roles and stereotypes of how men and women should act play a significant part in sexual harassment.
- Why do people sexually harass others: to express dominance or power; as a method for organizational or social control over someone else; an attempt to keep a victim in their place; attempt to seek peer approval.
- Consequences: results in an unsafe and hostile work environment; a persistent and normalized nature of SH can lead to personal suffering, damage to reputation, loss of dignity and self-esteem on the part of the victims, and may face victim-blaming from family, friends and peers. It can lead to serious health consequences and substantial economic costs and affects the functioning of work environments.
- Impacts: Undermines equality at work; weakening the base on which relationships are built, impairing productivity; may result in large monetary costs in terms of medical care and counselling, lost productivity, case settlement and judicial monetary awards. It may also lead to significant reputation costs for employers and significant health, economic and career costs for victims. It may exacerbate existing gender gaps in the world of work (including pay gap and gap in participation of women in the labor force). It also contributes to the unequal status of women in the world of work and in societies around the world.

2.5   A quick group exercise where scenarios and statements were shown to the group in plenary. The group was to determine if the scenarios and statements constituted sexual harassment or not. (See Annex 2: Link to the presentation which includes the scenarios and statements.)

2.6   **Workshop 2: Dealing with Sexual Harassment.** In buzz groups, the participants were asked to share and discuss how to prevent and respond to SH in the workplace. The following ways in dealing with SH as presented by the groups are:
- Organizational responsibilities:
  - Develop and establish Gender Equality, Disability, and Social Inclusion (GEDSI) policy and guidelines/manual on sexual harassment to protect not only the staff but the whole organization and make everyone aware of it;
  - Create anonymous reporting channels/system/mechanism for people to report sexual harassment/lodge complaints, to speak out;
  - Create a committee or focal point that will take care of cases;
  - Provision of support for those who have experienced trauma because of harassment; access to counseling services;
  - Provision of regular gender education and training; awareness-building seminars;
  - Imposition of sanctions through the HR or management; management should be responsible in addressing situations
  - Establish gender-sensitive facilities;
  - Transparent processes;
- Individual responsibilities:
  - For everyone in the organization, regardless of rank, to call out known cases of harassment to prevent escalation;

o Learn self-defense

2.7   **Presentation on Preventing and Responding to Sexual Harassment in the Workplace.** Ms. Fortin provided inputs on ways to prevent and respond to SH in the workplace. Highlights of her presentations are:
- What to do if you are being harassed:
  - o Let the harasser know that his/her conduct is unwanted
  - o Buddy system or stay in groups to decrease opportunities of the harasser
  - o Document occurrences: keep messages, letters, or proof of harassment
  - o Confide in someone you trust
  - o Tell a trusted authority
- Legal mandates and other guidelines
  - - Safe Spaces Act of the Philippines (RA7877 and RA 11313) (https://www.google.com/search?q=safe+spaces+act+philippines&oq=safe+spaces+&gs_lcrp=EgZjaHJvbWUqBwgBEAAYgAQyCggAEAAYsQMYgAQyBwgBEAAYgAQyBggCEEUYOTIHCAMQABiABDIHCAQQABiABDIHCAUQABiABDIHCAYQABiABDIHCAcQABiABDIHCAgQABiABDIHCAkQABiABNIBCDQ4NTdqMGo3qAIAsAIA&sourceid=chrome&ie=UTF-8#ip=1)
  - - Other national laws in own countries
  - - United Nations Tolerance Policy Against Sexual Exploitation and Sexual Abuse (SEA) (chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.un.org/preventing-sexual-exploitation-and-abuse/sites/www.un.org.preventing-sexual-exploitation-and-abuse/files/un_protocol_on_sea_allegations_involving_implementing_partners_en.pdf)
  - - World Health Organization (WHO) Policy on Preventing and Addressing Sexual Misconduct (https://www.who.int/publications/m/item/WHO-DGO-PRS-2023.4#:~:text=Overview,misconduct%20and%20inaction%20against%20it.)
  - - UNICEF PSEA Assessment and Toolkit (https://www.corecommitments.unicef.org/kp/tool-10.1-psea-practical-guide-and-toolkit.pdf
- Organizational mechanisms to prevent and respond to SH in the workplace:
  - - Creation of a grievance committee mechanism /CODI (Committee on Decorum and Investigation)
  - - Ombuds Office: outside of formal chain of the organization; persons of trust or group that may be approached without going through the formal/legal complaint processes
  - - Development of a Code of conduct
  - - Changing the organizational culture
  - - Training and other strategies, including Managers' Training, Bystander Intervention Training, Anti-harassment seminar, Gender Sensitivity Training
- Duties of employers and co-workers and the liabilities of employers

2.8   The floor was then opened for questions. The items tackled include the following:
- On behaviors that are considered SH and what people can/should do.
  - ▪ If you are witness to behaviors such as a colleague watching porn or a colleague going to a strip club while on field be called out? Is it something that needs to be tolerated or discussed? What are the boundaries?
    - • It is subjective. It goes back to the issue of someone being offended, if someone is offended by an act. But does it go against the principles of the organization? Then that could be an issue. But it should also be viewed in the lens of what is appropriate behavior in the workplace, and this is very gendered too.

- On responsibilities of employers in addressing SH.
  - Is it required for employers to address issues if the employee experiences harassment outside the workplace? For example, by the project's various partners and organizations and communities.
    - Yes, because they are partners. It should be a policy that partners should have the same commitment to zero tolerance policy for these types of harassment. The person who has been or is being harassed, can approach your CODI or ombuds person and report it, especially since the offenders are operating within the work environment.
    - Even when it happens on one's way to work, which is not the employers' liability, but counseling and emotional support should be made available as part of safe space, part of being concerned for its employees.
  - SH is subjective, difficult to judge as it is personal perception. The SH inspection board must have a certain number of members of the committee: should have gender equality, should have outsider/3rd party with knowledge on SH to provide objective ruling on cases.
  - Is it important to develop ground rules to create a safe environment, especially since it is subjective? Examples: addressing everyone sir/ma'am to remind people that they are in a workplace and need to conduct themselves in a professional manner, no green jokes, no sitting beside a person of the opposite sex when riding together so as not to be misconstrued.
    - Yes, but at the same time, let it not get in the way of bonding, making friends. People should know where to draw the line. While it is very subjective, there are general ideas of the dos and don'ts, generally acceptable and unacceptable behavior which may be placed in the organizational manual. But the aim is to develop a culture, rather than just compliance. People can comply with the rules but do they really believe it, is it really part of who they are? Or is it just compliance?
- On Reporting SH.
  - In investigations, is it always on the recipient to report? A person may be accused without knowing about it.
    - What men do may not be seen as welcome or as a compliment, so be mindful to be sensitive. Check on our behavior. SH is a very subjective interpretation.
  - Are there provisions in the law for it not it be abused. There may be cases of false reporting, for whatever reason.
    - All laws can be abused. Especially SH. If a person wants to get back at his/her boss or get back at somebody, people may make up a story, may invent something. The importance of context and investigation protects the respondent from the idea it is made up. There has to be a rigorous investigation.
  - There has to be a way to disseminate results of the investigation especially when the integrity has already been questioned.
    - It is important not to demonize the respondent at the same time protecting the complainant. Confidentiality is important. When the person is found guilty of SH, it is only then when the information is made public, because they will be dismissed or suspended. But during investigation, the dignity and security of both parties have to be protected.
- On including specific acts in SH policy.
  - If SH may be subjective, can specific acts be added in the SH policy?
    - Yes. Specific acts may be added into the policy but not possible to include all. There can be a description and general guidelines, appropriate and

inappropriate behavior. It is a sensitivity issue. Filipinos are very touchy and affectionate so people need to be mindful of what they do. The policy should also be developed in consultation with the staff.

- Not everything should be subjective. There are specific acts that we shouldn't do, whether offensive or not. Those actions should be indicated in the policy.
- And when a person is not empowered enough to complain, it is important that mechanisms in the organization are in place for people to report cases. While building a culture may take a while, the organization can start with a framework and guiding principles and then build on the culture within.

- On info dissemination of the SH policy.
  - Everyone should be made aware of the PRF policy/code of conduct on SH and that there is a reporting process, committee. If not, management may take an action to conduct an orientation briefing for staff on it. The additional information gleaned from today may also help refine the policy.
  - The policy may also be attached to employees' contracts.
  - Even if the code of conduct/policy is shared to the whole organization, some documents are not easy to understand or people are too busy to look through the whole document. To make it easier, some offices disseminate the information using pop-ups, for giving notices, for flyers.

- On male-to-male relations.
  - Men can also be harassed by other male co-workers. Knowing boundaries between brotherly relations and harassment is important. The key word is 'unwanted'. If the person likes it, then it is okay. If it is unwanted, unwelcome, then it is harassment.

2.9   Due to a lack of time, a workshop on Unpacking Power, Privilege and Relations in the Workplace was deferred. The session was supposed to explore the intersectionality of other factors that may cause harassment such as age and position among other factors.

4.   Closing Program

5.1   To close the program, participants were asked for their hope for the future by completing the sentence: *"For PEMSEA to create and nurture safe spaces for all, within its organization and among its partners and stakeholders, it needs to _____."* The responses could be categorized as (1) what organizational culture is desired; (2) action points for the organization.

- Desired organizational culture includes:
  o For staff to: have self-awareness on SH; trust each other to be able to implement all policies and procedures of the organization; for staff to be friendly to each other.
  o For the organization to: evolve and adapt; genuinely look at the welfare of all employees not just select individuals, understand different cultures; be kinder and more sensitive seeing its staff as assets that need to be nurtured; respect its members and everyone related to the organization.

- Action points for the organization:
  o Have another session to discuss the SH policy and get inputs from everyone;
  o Have a clear manual for all; clear guidelines; policy and guidelines that reflect not only opinions of managers but also of all employees;
  o Review contract templates and due diligence regarding GEDSI, for partners and suppliers;
  o Disseminate / make everyone understand the policies related to SH; ensure that everyone has the same idea and understanding toward SH;

- o Revisit guidelines regularly to align with new policies and developments nationally and internationally-recognized GEDSI or other policies the organization needs to abide by
- o Effectively implement its code of conduct and office policy; seriously act on all of its policies so for staff not feel skeptical about policies;
- o Take concrete actions in consultation with staff and partners and beneficiaries;
- o Incorporate our learning from today in the PEMSEA roadmap and Implementation Plan, though it is already gender-sensitive, it should also be SH-sensitive;
- o Stay updated about the common understanding on GEDSI or related issues and build common understanding among employees.

5.2   The seminar finished at 12:00 in the afternoon.

ANNEXES

Annex 1: Program

Annex 2: Link to the Presentation

Annex 3: Link to the photos

Annex 4: Brief background of speakers

Annex 5: List of participants

ANNEX 1: PROGRAM

Creating a Safe Workplace Environment: A Discussion on Sexual Harassment

Organizer: PEMSEA
Date: 08 December 2023
Venue: Metro Manila

Objectives:

At the end of session, participants are able to
1. discuss behaviors that constitute sexual harassment in the workplace
2. suggest practical guidelines in dealing with sexual harassment in the workplace and in promoting a safe work environment that caters to diverse staff
3. express their commitment in promoting a safe and violence-free work environment

Intended Audience and Profile:
PEMSEA Resource Facility: 30 staff comprised of Filipinos (majority), Koreans (4), Indonesians (3), German (1), Australian (1) PNG National ranging between the ages of 30 and 60plus

Provisional Discussion Outline:

Duration	Topic	Activities
30 minutes	Why are we here? Introducing the concept of safe space, power and privilege in organizational contexts	Levelling off expectations tone and context setting
1 hour	Understanding Sexual Harassment: Forms, Types and Examples and Criteria in Identifying SH Behavior	Interactive activity Use of video clips Lecture-discussion
1 hour and 15 minutes	Effective Strategies and Guidelines in addressing Sexual Harassment e.g. Legal Mandates, Mandatory SH Trainings, Grievance Complaints Mechanisms, Ombuds Office, Bystander Interventions, etc.	Interactive activity/buzz sessions Lecture-discussion
15 minutes	Open Forum/ Simple Closing Rite	

NOTE: The afternoon session may be used to present the draft SH policy documents and solicit inputs from the staff for its enhancement incorporating lessons and insights drawn from the SH session.

ANNEX 2: LINK TO THE PRESENTATION

The presentation may be accessed through this link: https://drive.google.com/file/d/1AlfDElH3LK-moWurjbhws5PcxjkRKFoy/view?usp=drive_link

ANNEX 3: LINK TO THE PHOTOS

The photos from the seminar may be accessed through this link:
https://drive.google.com/drive/folders/1icVBiHRsvSx3pPuWdMKI3D2LofbHSNm1

ANNEX 4: BRIEF BACKGROUND OF SPEAKERS

Pacita "Bing" Dechavez Fortin
- Is a licensed social worker in the Philippines for more than 20 years, working with women and children who are at risk and are subject to gender-based violence.
- She engages with local communities, national government agencies and UN organizations, serving as a resource person on gender equality, diversity and inclusion, gender-based violence case management, mental health and psychosocial support services and on strengthening the social service workforce.
- Bing is an Assistant Professor in Miriam College, Department of Social Work and the Department of International Studies for the past 15 years, who developed the Master in Social Work program in Miriam College and its Post Graduate Diploma on Child Protection, in partnership with UNICEF and the Department of Social Welfare and Development.
- She is a Faculty Associate for Training at the Miriam College's Women and Gender Institute, taking a lead in designing learner-centered programs that allow learners to engage in safe, reflective and creative spaces to generate practice-based, local/indigenous knowledge to fuel innovations towards developing gender-transformative policies, programs and practices.

Tesa Casal de Vela, PhD
- Spent much of her professional life as a feminist scholar and activist, facilitating feminist conversations and designing learning spaces that are safe, mindful of purpose and welcoming of diverse viewpoints from the rich experiences of learners.
- She engages in local and international collaborative research projects in the areas of sexual and reproductive health and rights, understanding the specificities of non-conforming sexualities as a feminist agenda, and creating an enabling policy environment for SOGIESC equality.
- Her energy is directed toward making strategic contributions in challenging feminist analysis, meaning making and supporting the voices of the most marginalized in the Global South / Majority World for a more caring and just world.
- Tesa is an Associate Professor at the Department of International Studies in Miriam College for more than 20 years and the former executive director of the Miriam College's Women and Gender Institute. Currently, she serves as chair of the Board of Io (formerly ISIS International), an international feminist organization based in Manila.

ANNEX 5: LIST OF PARTICIPANTS

Participants	Designation
GONZALES, Aimee	Executive Director
AGUILING, Kate	Consultant for Monitoring and Evaluation, ATSEA
AGUINALDO, Maria Maida	Training and Capacity Development Manager
BACAY, Jose Gerald	Administrative Assistant
BELL, Thomas	Technical Officer
BERMAS, Nancy	Regional Project Manager, IRBM Project
BRESEMANN, Nadine	Consultant
CARDINAL, Renato	Consultant
CASTILLO John	Visual Communications Officer
CAYABAN, Diwata	Programme Assistant
CORPUZ, Rodante	IT Specialist
CRUZADA, Abigail Fiona	Secretariat Coordinator
DACAYMAT, Arsenio Jr.	IT System Administrator
DELAPENA, Mary Ann	Finance Specialist
DEJUCOS, Remilizza Joy	Communication and Knowledge Management Specialist
DEWI, Yulia	Communications Assistant
GUTIERREZ, Anthony	Driver
KIM, Hunguen	Senior Manager, MP Project
KIM, Shinji	Head, Planning and Partnerships Development
GUSUNG, Jesse Lee	Technical Officer, MP Project
MARIANO, Marlene	Finance and Accounting Clerk
MERINA, ELSIE	Programme Assistant
NARCISE, Ingrid	Policy and Result-based Management Specialist
NEPOMUCENO, Ma. Concepcion	Office Assistant
PUTERI, Stella	Communications and Knowledge Management Specialist
RACHMADANTI, Chynthia	Project Assistant, ATSEA
SHIN, Won Tae	Regional Programme Manager, MP Project
SISON, Regina	Finance Assistant
SUSANTO, Handoko Adi	Regional Project Manager, ATSEA
TANIA, Casandra	Regional Biodiversity Specialist, ATSEA
Yhuanje, Kenneth	National Project Coordinator, PNG, ATSEA