



IMD ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY

1. ANTI-HARASSMENT AND ANTI-DISCRIMINATION COMMITTEE

The “Anti-Harassment and Anti-Discrimination Committee” (AHADC) consists of several members, one of whom is the Committee Chairperson. The Committee and the following policy are designed to reinforce IMD as a great place to work and to help maintain our culture of mutual respect and teamwork.

Committee-email: [Anti-Harassment and Anti-Discrimination Committee](#)

2. POLICY

- IMD is committed to a work environment in which all individuals are treated with respect and dignity. Each employee should have the ability to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, IMD expects that all relationships among employees in the workplace will be business-like and free of bias, prejudice, and harassment.
- It is the policy of IMD to ensure equal employment opportunity without discrimination, sexual or psychological harassment (mobbing). IMD prohibits and will not tolerate any such discrimination, harassment or retaliation, whether committed by management or non-supervisory personnel, employees of temporary agencies, vendors, contractors, participants or guests.
- Sexual or psychological harassment (mobbing) and retaliation in any form constitute infringement of privacy and will not be tolerated. Such behaviour may lead to disciplinary sanctions mentioned in chapter 6.4.
- The objective of this policy is to guarantee the well-being of IMD’s employees.

3. SCOPE

- This policy applies to all work and work-related environments, whether at IMD or at IMD-related settings, including social events and after-business hours.
- This policy applies to sexual and psychological harassment (mobbing) as well as all forms of discrimination.
- This policy prohibits all such harassment or retaliatory conduct whether done verbally or nonverbally, including, but not limited to e-mail or other IMD electronic systems.

4. DEFINITIONS

4.1. Sexual harassment:

All repeated and unwelcome behaviour with a sexual connotation, or founded on sexual preferences which undermines an employee’s dignity within the workplace, particularly threats, promise of rewards, or submission to any kind of constraint or pressure in order to obtain sexual favours. This includes sexist remarks and coarse or embarrassing comments.

This definition includes all behaviour with a sexual connotation, such as behaviour which contributes to a hostile working environment.

In accordance with this definition, IMD prohibits for example:

- unwelcome sexual advances, requests for sexual favours, and all other verbal or physical conduct of a sexual nature. It includes behaviour that is offensive or persistent and behaviour that has been explicitly or specifically discouraged by the target person;
- conduct that has the purpose or effect of creating an intimidating or offensive working environment;
- unwelcome or offensive, sexually explicit or sexually-oriented mocking, teasing, jokes, derogatory comments, or other abusive language, whether communicated orally, in writing or electronically;
- abusive, graphic, suggestive or degrading comments about an individual or their appearance;
- displaying sexually suggestive or pornographic objects, pictures or cartoons;
- repeated unwelcome sexual flirtations, advances or propositions;
- subtle pressure for sexual activity (including continuing to express personal interest after such interest has not been reciprocated or welcomed, especially when the initiator of such activity is in a position of power with respect to the recipient of the conduct);
- physical contact such as offensive, unwanted touching, patting, pinching or brushing against another person's body or any other physical contact not expressly described;
- intimidation, threats or creation of a hostile work environment in retaliation for rejected sexual demands, requests, physical contact or attention.

4.2. Psychological harassment (mobbing):

This occurs when one or several persons try to isolate, marginalize, or even exclude an employee from his or her working place by a sequence of words and/or hostile acts, frequently repeated over a period of time. Taken separately, each act often seems bearable but together these acts constitute a destabilisation of the employee, possibly placing his or her employment in jeopardy.

However, not all professional conflict, unpleasant working environments, or requests that employees conform to their working duties, necessarily constitute psychological harassment (mobbing).

In accordance with this definition, IMD prohibits for example:

- the use of offensive or abusive actions and comments, bullying actions and comments, belittling actions and comments, jokes and innuendos, which have the purpose of creating an intimidating, disparaging, or offensive working environment or classroom environment, including but not limited to comments about race, colour, sex, national origin, accent, age, mental or physical disability, mental ability, medical condition, marital status, sexual orientation, or religion;
- employees requesting others to complete tasks that are clearly outside the professional domain of work. Such requests are considered unreasonable when the use of hierarchical authority or the fear of retribution is used explicitly or implicitly to have them satisfied;
- conduct that has the purpose or effect of creating an intimidating or offensive working environment;
- spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of age, race, sex, disability, sexual orientation and religion or belief);
- ridiculing or demeaning someone – picking on them or setting them up to fail;
- exclusion or victimisation;

- overbearing supervision or other misuse of power or position;
- making threats or comments about job security without foundation;
- deliberately undermining a competent worker by overloading and constant criticism;
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

4.3. Discrimination:

Discrimination in general occurs when people in a similar situation are treated in a different way. Sexual harassment is a specific kind of discrimination. However, according to contractual liberty, giving an advantage to an employee is not considered as discrimination. Moreover, disparities within a same group may occur.

In Accordance with this definition, IMD prohibits for example:

- treating an employee differently because of his race, colour, sex, national origin, accent, age, mental or physical disability, mental ability, medical condition, marital status, sexual orientation, or religion.

5. COMPLAINT PROCEDURE

Initially, and if he or she is in a position to do so, the employee who considers himself or herself psychologically (mobbing) or sexually harassed or discriminated against, must clearly inform the person concerned that he or her do not accept this behaviour.

Should the harassment or discrimination continue, then the employee should report the incident to a member of the Committee and, if appropriate, to his/her line-manager. All initial conversations will be kept in the strictest confidence and complaints will be dealt with promptly.

IMD makes provision for informal and formal complaint procedures which are as follows:

5.1. Informal complaint

- An employee can make an informal complaint to a member of the Committee. The informal procedure can lead to mediation.
- In many instances, informal discussion, counselling and mediation can be useful in resolving perceived instances of harassment. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out and agree on how to deal with it.
- The informal procedure will be performed in the strictest confidence and should normally be completed within less than one month.
- A written and confidential report will mention the informal procedure and the resolution thereof.
- Use of the informal procedure is not a prerequisite to initiating a formal complaint.
- The informal complaint resolution does not involve disciplinary proceedings against the alleged harasser.

5.2. Formal complaint

- An employee can make a formal complaint to a member of the Committee. The formal procedure leads to a formal investigation of the case.
- Upon receiving a formal complaint, the Committee will delegate members to gather information that may be necessary to take appropriate action. The investigation will give the accused an opportunity to examine and respond to the allegations.

- The results of the investigation will be discussed with the person initiating the complaint to the extent appropriate.
- A written and confidential report will be established.
- Upon completing its review of the case, the Committee will present its written report to the President and / or Human Resources Department (HRD). Should evidence of harassment exist, it is the responsibility of the President and / or HRD to take the necessary disciplinary measures, including possible dismissal.
- The formal procedure will be performed in the strictest confidence allowed by the needs of the investigation, and should be completed within less than two months.
- Threats, other forms of intimidation and retaliation in any form against an employee who exercises his or her right to make a complaint or who testifies or participates in an investigation in good faith under this policy, is strictly prohibited and sanctions in conformity with chapter 5.4 will be applied.

5.3. Competent authority

In addition to IMD's procedures, the employee has the right to submit his case to the Justice system and/or the competent authorities.

5.4. Sanctions

All behaviour considered to be discrimination, sexual or psychological harassment (mobbing), is worthy of sanctions such as warnings, reprimands, transfer, or dismissal (ordinary or extraordinary), in proportion to the admonished behaviour.

5.5. False accusation

If, after investigating the complaint of harassment or discrimination, it is determined that the complaint was not in good faith or that false information was provided, disciplinary action may be taken against the person filing the complaint, including possible dismissal.

6. THE ANTI-HARASSMENT AND ANTI-DISCRIMINATION COMMITTEE

The "Anti-Harassment and Anti-Discrimination Committee" consists of several members, one of whom is the Committee Chairperson. The Committee members and the Committee Chairperson are appointed by the President of IMD, after all consultation that he or she deems necessary. The President of IMD will ensure that each gender is fairly represented in the Committee and that there is fair representation across organisational constituencies within IMD.

The tenure of the Committee members, their respective rotation, and the appointment of new Committee members will be determined by the President of IMD, in consultation with the Committee Chairperson. Aside from normal rotation, reasons for changes to the composition of the Committee will be publicized. The Committee will have the authority and resources to seek counsel from outside sources, such as legal, psychological, and other advice.

7. PUBLICATION

The Anti-Harassment and Anti-Discrimination Policy and the names of the people serving on the Anti-Harassment and Anti-Discrimination Committee will be published widely within IMD.

8. LEGAL PROVISIONS

Federal Labour Law (LTr) and its Ordonnances (OLTr) specify that the employees' personal physical and psychological integrity, is protected. Federal Law on contracts (CO) also contains

provisions with regard to the employees' personal integrity, even if it is not expressly specified.

Federal Law on equality between women and men (LEg) contains an express provision with respect to sexual harassment, which is prohibited.

9. FINAL DISPOSITION

This IMD ANTI-HARASSMENT AND ANTI-DISCRIMINATION POLICY cancels and replaces all previous IMD Anti-harassment policies. It comes into force on May 10, 2010.

The Leadership Team has exclusive competence to modify the present policy.

Lausanne, May 10, 2010

A handwritten signature in black ink, appearing to be 'G. Bm', is written on the page.

IMD
The Leadership team