

European Network against Racism

(ENAR aisbl)

Work Regulations

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[1. General provisions 3](#_Toc18071532)

[2. Probationary period 4](#_Toc18071533)

[3. Nature of work and place of performance 4](#_Toc18071534)

[4. Working time 5](#_Toc18071535)

[5. Public holidays 8](#_Toc18071536)

[6. Vacation days 9](#_Toc18071537)

[7. Absences 13](#_Toc18071538)

[8. Remuneration 16](#_Toc18071539)

[9. Mutual rights and duties 16](#_Toc18071540)

[10. Safety rules and Security Plan 19](#_Toc18071541)

[11. Protection against Violence, sexual and moral harassment at work 21](#_Toc18071542)

[12. Equal Opportunities Policy 23](#_Toc18071543)

[13. Termination of the employment relationship 24](#_Toc18071544)

[14. Information about the organisation 26](#_Toc18071545)

[15. Annexes to the work regulations 29](#_Toc18071546)

[15.1. Collective Bargaining Agreement 29](#_Toc18071547)

[15.2. Working schedules 30](#_Toc18071548)

[15.3. Support persons within and outside the office 32](#_Toc18071549)

[15.4. Equal Opportunities Policy 33](#_Toc18071550)

[15.5. European holidays 36](#_Toc18071551)

[15.6. Policy against violence, moral and sexual harassment 37](#_Toc18071552)

[15.7. Training policy and training needs procedure 42](#_Toc18071553)

[15.8. Whistle Blower Policy 45](#_Toc18071554)

[15.9. Security plan at the office and when travelling 51](#_Toc18071555)

# 1. General provisions

## 

## Article 1 Scope of the application

These work regulations govern the employment conditions of all the employees (white collar workers) of **the European Network Against Racism** (abbreviated "ENAR"), *aisbl* (international non-profit association) in accordance with the law of 25 October 1919 of the Kingdom of Belgium as subsequently amended, with head office at 1000 BRUSSELS, 67 rue Ducale 5th floor, (hereafter "the employer" or “the organisation”).

The annexes to these work regulations constitute an integral part of such regulations.

The provisions of these work regulations replace the custom or the tradition if those are in contradiction with these provisions. The points that are not dealt with in these work regulations will be settled under the legal, statutory and conventional provisions.

## Article 2 Copy for the employee

Each personnel member receives a copy of these work regulations when they enter into service. From the date of conclusion of the employment contract, the employee is presumed to have perused these work regulations and to have accepted their contents. They must therefore behave accordingly.

When updated work regulations come into force, each personnel member already in service will receive a copy of these work regulations. From the date of coming into force of these work regulations, the employee is presumed to have perused these work regulations and to have accepted their contents. They must therefore behave accordingly.

The employee is required to sign to acknowledge receipt upon receipt of a copy of these work regulations. This signature will be preceded by the words "*read, understood and accepted*". This acknowledgement of receipt will be inserted into the employee’s file.

The work regulations are available in the STAFF file on the server and in the administration office and copy room.

**Article 3 Data concerning the employee’s identity**

From their entry into service, the employee must communicate to the employer all information about their identity, address or domicile, marital status and family composition. To that end, the employee must present their identity card and, if the case arises, work permits or visa (for employees who are not citizens of the European Union). The employee must also spontaneously and immediately communicate to the employer any modification of the data mentioned in the first paragraph. Colleagues and the employer do not share **personal** information or **personal** contact details of the employees without their prior permission.

**Article 4 Anti- discrimination principle**

The employer explicitly wishes to confirm the principles set out the three laws constituting the juridical base for the fight against discrimination and racism.

See also <http://www.emploi.belgique.be/defaultTab.aspx?id=444>

* The Act of 10 May 2007 tending the fight against certain forms of discrimination which replaces the Act of 25 February 2003; More in particular, it is prohibited to discriminate on the basis of sex, so-called race, colour of skin, ascendance, national or ethnic origin, gender, civil status, birth, fortune, age, religion or belief or philosophical conviction, current or future health condition, disability or physical characteristics.
* The Act of 10 May 2007 tending the fight against discriminations between men and women, which replaces the act of 7 May 1999 on equal treatment between men and women
* The Act of 30 July 1981 tending to repress certain actions inspired by racism and xenophobia.

# 2. Probationary period

## Article 5 Probationary period

Following the unified status of blue and white collar workers there is no longer a probationary period for white collar workers.

# 3. Nature of work and place of performance

## Article 6 Nature of work

Each employee must perform the work according to the description of their position. They may not refuse to perform on a temporary basis another similar function, corresponding to their physical and mental abilities as well to their qualification and training, if the employer asks themselves to do so in the bests interests of the organisation, for example in case of another employee’s absence, urgent work, technical accident, etc. The employee agrees to subsequently execute their previous function without invoking the existence of an acquired right.

## Article 7 Place of performance

The employees will work in Belgium, at the head office of the organisation, except if the individual employment contract provides otherwise.

The employees may work from home upon agreement with the Director. All employees must attend the team meetings and any meeting they are required to

If the employer moves to another location in Belgium for economic reasons or for reasons of internal organisation or creates a (new) operating office, the employees agree to work at this new address. The employees can also be obliged to travel abroad or to make business trips of variable duration abroad. The employees agree to such a modification of the place of performance, except if this modification entails significant difficulties for them.

The employer may hire employees who regularly perform part of their activities at home and who are therefore home employees, in accordance with the legal, statutory and conventional provisions. The organisation will put at their disposal the equipment, which is necessary to perform their tasks appropriately.

# 4. Working time

## Article 8 Working time

### 8.1. Work duration

#### 8.1.1. Full-time employees

* The weekly work duration, calculated on an annual basis, is 38 hours a week on average, in a five-day workweek (Monday until Friday).
* The daily work duration is 7h36 min hours for full time posts. Lunch time is not included.
* Every departure from the work schedules reproduced in **Annex 15.2** of these work regulations must be approved by the Director.

#### 8.1.2. Part-time employees

Part-time employees are employed on the basis of the working schedules provided for part-time employment. All different working schedules applicable within the organisation, fixed, cyclic and variable, are indicated in **Annex 15.2** of these work regulations.

A half-time job has a duration of 19 hours per week or 2 days a week of 7h30 and one day of 4h00. A signed and dated copy of each part-time employment contract (of an extract thereof) shall be kept in the Staff files.

In case of a variable working schedule, the employees must, at least five days in advance, be informed of the daily working schedule by the posting of a dated announcement by the employer in the room of the organisation where the working regulations can be consulted. This announcement determines individually the working schedule of each part-time employee.

### 8.2. Modification of the work schedule

The employer may at any time modify the provided work schedules according to the needs of the service and in the respect of the legal and statutory provisions.

### 8.3. Management function

The stipulations of Chapter III, section two (concerning work duration) of the Act of 16 March 1971 on Work does not apply to the employees exercising a management function or holding a position of trust in the sense of the Royal Decree of 10 February 1965.

## Article 9 Overtime hours

### 9.1. Management function

The employees exercising a management function must work overtime if necessary but are not entitled to special remuneration or compensatory time off for overtime worked during weekdays. As prescribed by Belgian law, ENAR allows compensatory time for overtime worked on Saturday and Sunday. Overtime is not remunerated. Overtime worked on Saturday is recuperated 1/1. Sunday work is recuperated double as prescribed by Belgian law.

### 9.2. Other employees

The other employees do not work overtime unless they do so at request of the management. Employees who work overtime are entitled to compensatory time off as prescribed under Belgian legislation. Overtime is not remunerated.

Any overtime during the week and on Saturday is recuperated 1/1.

Sunday work is recuperated double as prescribed by Belgian law.

### 9.3. Overtime hours at the end of the year

Overtime hours that are not taken on 31 December can be used between January 1 and March 30 of the following year. If not used, the employee cannot longer claim the remaining overtime hours. Overtime is never remunerated.

The Director may accept an exception if the employee is newly arrived in Belgium and therefore does not have 20 official holidays they gained on the previous year or if they do not wish to use the European system (see also 13.2). In that case, a limited number of overtime hours may be kept for the summer holidays. This must be agreed with the Director latest on 31 December.

## Article 10 Performance of the working time

The performance of the working time will be checked by the Director on the basis of time sheets. Each employee provides timesheets on a weekly basis. These must be checked and approved by the Director. Overtime can only be taken upon approval of the Director.

# 5. Public holidays

## Article 11 Public holidays

Under Article 1 of the Royal Decree of 18 April 1974 providing for the general enforcement of the Act of 4 January 1974 on public holidays, the public holidays are:

* New Year's Day (1 January);
* Easter Monday;
* Labour Day (1 May);
* Ascension;
* Pentecost;
* Belgian National Day (21 July);
* Assumption (15 August);
* All Saints' Day (1 November);
* Armistice (11 November);
* Christmas (25 December).

## Article 12 Replacement days

If a public holiday coincides with a Sunday or usual day of inactivity, a usual day of activity replaces it. The replacement day is fixed under the provisions of Section 2 of the Act of 4 January 1974 on public holidays. Before 15 December of each year, the employer will on request of the Social Bureau propose the dates of the replacing days for agreement to the staff.

Following the agreement, a notice mentioning the days replacing the public holidays and the rules applying to compensatory time off will be shared by email with the staff and be public available at the reception. ENAR fixes the replacement days in December.

If the replacement day was not fixed as above-mentioned, the public holiday is replaced by the first usual day of activity, which follows, within the organisation, this public holiday.

# 6. Vacation days

## Article 13 Legal vacation days

### 13.1. Dates of legal vacation leave

The Coordinated Acts of 28 June 1971 on the vacation days of salaried employees, the Royal Decree of 30 March 1967 determining the general enforcement of the Acts on the vacation days of the salaried employees and eventually the provisions applying at the industry level or within the organisation provide for the duration of the vacation as well as for the granting conditions of the vacation days.

The legal vacation days will be taken under these provisions or, if the case arises, by mutual agreement between the employer and the individual employee.

ENAR employees have 20 mandatory holidays/year plus 5 extra legal days provided by ENAR. The extra legal days were given following the change from 37 hours week into 38 hours week.

### 13.2. New Employees

The employees who change employer must produce a holiday certificate given by the previous employer (proof of the number of vacation days paid by the previous employer).

Employees moving to Belgium can’t present the required holiday certificate and have therefore no paid holidays during the first year. However, they can ask (not mandatory) for European holidays (maximum 20 days – can only be taken after 3 months of fulltime work – see annex 15.5). The salary for these days will initially be paid by ENAR (the new employer) but will be deducted from the legal holiday contribution given in June of the following year or from the last salary payment (including the salary for the holidays of the following year) when departing the organisation.

New employees without holidays gained on the previous year can exceptionnally use a limited number of overtime hours to obtain a full holiday period of max. 20 days. (see 9.3 and annex 15.5)

### 13.3. Postponement of vacation leave

The legal vacation days must be taken in the year in which they are allocated and may not be postponed from one year to another. If postponed, the employee automatically looses these days.

## Article 14 Collective vacation days

The annual collective vacation period within the organisation is between Christmas and New Year's day. Staff members need to cover these days with official holidays or overtime.

## Article 15 Unpaid vacation

The employee is entitled to unpaid vacation only in certain exceptional circumstances and with the prior agreement of the employer.

## Article 16 Short leave

Under Article 30 of the Employment Contracts Acts of 3 July 1978, the employee may be absent from work and be still entitled to their normal remuneration in case of certain family events, to carry out civic duties or civil tasks and to appear before courts.

The Royal Decree of 28 August 1963 and the following provisions determine the events entitling the employee to be absent from work in the sense of the preceding paragraph.

|  |  |  |
| --- | --- | --- |
| **Event** | **Duration** | **Term** |
| the employee’s marriage | 3 days | to choose between:  - the week of the event;  - the following week |
| marriage of:  - a child of the employee or of their spouse;  - an employee’s grandchild | 1 day | the day of the marriage or the day just before or after the day of the marriage if this day coincides with a public holiday |
| ordination or entry to a convent:  - a child of the employee or of their spouse;  - a brother (-in-law), a sister (-in-law). | 1 day | the day of the ceremony |
| the birth of an employee’s child, if this child's filiation is established towards their father | 10 days | to choose among the 30 days following the birth |
| decease:  - of the spouse, of the child of the employee or of their spouse, of the father (-in-law, step), of the mother (in-law, step) of the employee;  - of the brother (-in-law), of the sister (-in-law), of the grandfather or of the grandmother, of a grandchild, or a great grandfather or grandmother, of a great grandchild, of a brother (-in-law), or of a sister (-in-law) but only if they live at the employee’s house  If they did not live at the employee's house | 3 days  2 days  1 day | to choose between the decease and the funeral day (if living together)  to choose between the decease and the funeral day (if living together)  the funeral day |
| stay of the employee:  - as militiaman man in a recruitment or selection centre or in a military hospital;  - as conscientious objector at the Administrative Health service or in a designated hospital | The necessary time with a max. of 3 days |  |
| participation in a meeting of the family council convened by the justice of the peace | the necessary time with a max. of 1 day |  |
| jury duty, invitation as witness before the courts or personal appearance decided by the Labour Court | the necessary time with a max. of 5 days |  |
| exercising a function of assessor during the general, provincial and local elections:  - in a polling station;  - in a principal office | the necessary time  Id., with a max. of 5 days |  |
| exercising a function of assessor in a principal office during the general European elections | the necessary time with a max. of 5 days |  |
| adoption of a child | 3 days paid by the employer  + 7 days paid by the (National Health Service) | to choose during the 30 days following the registration of the child as part of the household in the population register or in the foreigners’ register of the place of residence. |

If the Royal Decree of 28 August 1963 is amended, the above provisions will be adapted accordingly. The above provisions apply without prejudice to more favourable provisions provided in the individual employment contract or collectively.

To be entitled to a remuneration, the employee must notify their intention to take leave to the director beforehand or otherwise, as quickly as possible and use the vacation day(s) with the aim for which such was/were granted. The Employer has the right to request an official proof of the reason of the leave and checks each time with the Social Bureau if the above provisions still apply.

The Director must authorise any ulterior departure.

# 7. Absences

## Article 17 Notification

The Director and the Administration Officers must be warned immediately of any absence, for whatever reason, at the latest on the same day before 9.30 hrs by phone or in any other way.

## Article 18 Absence for reasons of work disability due to illness or an accident

### 18.1. Procedure, which the employee must respect

To benefit by the legislation on work disability due to illness or an accident, the employee:

- must inform the Director and the Administration Officer immediately and at the latest on the same day before 9.30 hrs by phone or in any other way of their illness or accident (see article 15);

- must transmit a medical certificate justifying their absence to the Director and the Administration Officers within 2 working days of the first day of disability. The dated certificate must among other things state the beginning and the probable duration of the disability and mention whether the employee is mobile or not and can go to another place to be examined there;

- if the disability persists, the employee must immediately inform the organisation and produce a new medical certificate, at the latest on the day following the last day of absence covered by the previous medical certificate;

- a medical certificate is requested for **each absence due to illness or an accident, no matter the length of the absence**;

- each staff must cover absences without medical certificate with overtime or holidays,

- each absence due to work disability, which is not properly justified as explained above will be considered as unjustified.

### 18.2. Medical control

The employer may have the employee examined by a doctor whom he designates and pays. The employee may not refuse this examination.

In principle the examination takes place at the controlling doctor's office, except if the employee's family doctor considers that the employee - due to the health problem – is not mobile.

The employer may ask the controlling doctor to examine the employee at their domicile or at the place of residence, which they communicated to the employer.

If the employee is absent at the time of the control visit or cannot be contacted, the doctor will leave an invitation to the employee to come to their office on the date and hour mentioned in this invitation.

If the work disability persists, the same obligations apply.

### 18.3. Loss of entitlement to guaranteed salary

Without prejudice to the applicable legal provisions, the employee is not entitled any more to the guaranteed salary:

* if the medical certificate is not produced within the provided time limit, for the days of disability prior to the delivery or the sending of the certificate;
* if they eludes the medical control or makes it impossible, for all the days of disability.

### 18.4. Subrogation

If the employee due to their work disability is entitled to a compensation to be paid by a third party, the employer shares the employee's right to this compensation up to the amount paid by the employer during the period of work disability.

## Article 19 Permission to leave the workplace

### 19.1. Impossibility to start or continue working

If the employee cannot start or continue working after their arrival at the place of performance, the employee must ask the Director or in their absence the replacement for permission to leave the place of performance.

### 19.2. Personal matters

The employee will not be allowed to leave the place of performance to settle personal matters, which can be settled outside the working hours, unless prior approval by the Director.

### 19.3. Absence with prior permission

In case of absence without prior permission, the employee must immediately inform the employer and must justify their absence.

## Article 20 Unjustified absence

Any absence, which is not due to illness or an accident or justified by another valid reason entitles the employer to suspend the payment of the remuneration during the period of absence and to consider that such absence constitutes a serious cause allowing termination of the employment contract without notice or compensation.

## Article 21 Absences for compelling reasons

The interprofessional CBA n° 45 of 12 December 1989 allows the employee to be absent from work to solve an important or urgent family or social problem, such as:

• illness, accident or hospitalisation

* of a person living together with the employee under the same roof, such as:
* the spouse or the cohabitant;
* an ascendant, a descendant, an adopted child or a child for whom the employee is guardian or acting parent, an aunt or an uncle of the employee, the spouse or a cohabitant;
* of a parent or a relative once removed not living together with the employee under the same roof, such as the parents, the in-laws, the children or the stepchildren;

• serious material damage of the goods of the employee, such as devastation of the house of the employee caused by a fire or a natural disaster;

• a summon to personally appear in court when the employee is a party.

The employee is authorized to be absent from work during the time necessary to tackle the problem that they is confronted with, this is the time necessary for an urgent and indispensable intervention.

The duration of the absences may not exceed 10 working days per calendar year. For the part time employee, this maximum duration is reduced in proportion to the duration of their working time.

The leave for compelling reasons is unpaid, except where otherwise provided.

The employee absent for a compelling reason is obliged to inform the employer in advance.

# 8. Remuneration

## Article 22 Amount and payment of the remuneration

### 22.1. Amount of the remuneration

The individual employment contract provides for the amount of the remuneration.

The amount of the employee's remuneration is a piece of information of a confidential nature, which may not be disclosed to third parties, except to the authorities and/or persons who may legally request such information.

**22.2. Term and method of payment**

In principle, the net amount of remuneration is paid each month before the 28th of the calendar month (between 25th and 28th), by credit transfer to the employee's bank account. In any case, the payment will be made at the latest on the 7th working day following the working period (the month) to which the payment is related.

The employee must communicate the number of their bank account to the employer. At the time of payment, the employer will transmit a pay slip to the employee.

### 22.3. Equal remuneration for women and men

15 October 1975. – COLLECTIVE BARGAINING AGREEMENT no. 25 concluded within the National Labour Committee, on the equality of remuneration between male and female workers, as modified by the collective bargaining agreement n° 25bis of 19 December 2001 and n° 25 TER of 9 July 2008. See complete text annex 15.1.

### 22.4. Premiums and gifts

Outside the legal and conventional obligations, the employer may at any time and at its sole discretion voluntarily pay premiums or gifts to one or more employee(s). These payments are gifts and do not create any contractual obligation for the employer. The employer may amend or withdraw them at any time.

The granting by the employer of a premium or gift whose payment is not provided by law, by a collective bargaining agreement or by the individual employment contract does not create an established right for the employee to receive this payment in the future (except if provided otherwise when the premium or gift is granted). Moreover, the repeated payment of such a premium or gift does not establish any custom.

# 9. Mutual rights and duties

## Article 23 Communication of personal data

The employee must immediately communicate in writing any modification of their personal data (address, family situation, etc., see article 3) to the Director.

## Article 24 Surveillance

In performing their tasks, the Director, within their competence, inspects the work of the personnel under their authority, with permanent concern for equity and morality and in accordance with the spirit and philosophy of the employer. The Director oversees the respect by their subordinates of the employment conditions and ensures efficacy within their department.

The Director is among others in charge of the good management of the organisation and of the respect of the employment conditions.They must in particular:

- check the attendance;

- distribute the work and determine the applicable methods;

- check how work is performed;

- maintain order and discipline;

- check the respect of the safety and health standards and rules;

- check that equipment is used appropriately.

They may note that an employee who is present is not able to perform their work and forbid them from starting or continuing to work.

If the Director is absent, a designated colleague will act in their name in all relations with the employees.

**Article 25 Loyalty towards the organisation**

The employer does not forbid the employee from working, paid or unpaid, outside the organisation provided this does not entail a conflict of interests for the employee or diminishes their working capacity when exercising their duties for the employer.

## Article 26 Inspection of the workplace

The employee may not refuse a control for a legitimate reason in their presence, either by the employer, one of its representatives or by the police, of the equipment, the work instruments, the furniture and their personal effects. The employee, in such a case, may ask for the assistance of one of their colleagues.

## Article 27 Professional secrecy and discretion

Either during the performance of the employment contract or at any time afterwards, the employee will not:

- disclose any trade secrets, any business secrets or any secrets of a private or confidential nature, which have come to their knowledge during the course of their duties.

- perform or cooperate in any unfair competitive activities.

The term "secrets" means among other things, the work methods peculiar to the employer, the lists of customers, lists of employees, organigrams. This enumeration is not restrictive.

## Article 28 Employer's property

The employee must use and keep with due care all the items which are the employer's property and which are entrusted to the employee for the performance of their employment contract.

If the employment contract is suspended, the employee must return these items to the employer. However, the employer may decide at its discretion to leave at the employee's disposal some items even if the employment contract is suspended. To be valid, this decision must be in writing. Such decisions do not create an established right for the employees (for example by creating a custom).

Upon termination of the employment contract for whatever reason, the employee must immediately return these items to the employer as provided in the individual employment contract. Each day of delay in the restitution of these items is damaging to the employer and entitles the employer to take any possible legal initiative to secure the return of these items. The employer is also entitled to claim any amount of compensation based on the actual damages sustained.

## Article 29 Personal objects/goods of the employee

The employees have to range their personal objects/goods with care, on the therefore appointed places if provided for. The employer is not responsible for theft or damage of personal goods of the employees.

# 10. Safety rules and Security Plan

## Article 30 General obligations

The employees must pay attention to ensuring their own safety and that of their colleagues. **Annex 15.9** includes our Security plan which is regularly updated.

All employees must respect the safety instructions and the rules, which the employer imposes for preventing the accidents at work and fire.

The employees must immediately report any danger as regards employee safety and if necessary, they will take themselves the first emergency measures to avoid or limit the danger. The Director must be informed of any injury during the performance of the employment contract.

## Article 31 Accidents at work or while travelling to or from work

In case of an accident at work or an accident while travelling to or from work, the following rules apply:

* The Director and the Administration officers must be contacted.
* In case of emergency, a doctor or an ambulance must be called immediately.
* The Director must be informed of the accident as soon as possible and must receive the necessary information concerning the victim's identity, the circumstances of the accident and, if possible, the identity of the person who is responsible for the accident, the names and addresses of possible witnesses.
* The employee who is victim of an accident at work or while travelling to or from work, can freely choose his doctor, pharmacist and hospital.

The forms required to file an accident claim and the medical certificates must be duly filled in and sent to the insurance agent within 10 days following the accident.

## Article 32 Medical investigation

A specialised service designated by the employer carries out the medical investigation (see article 42: coordinates of the medical service).

The employees must undergo all medical examinations organized on the basis of legal and statutory provisions.

In addition to the medical investigation organized on the basis of the legal and statutory provisions, the employer may request, under the applicable legal provisions and to protect the health of the personnel, that some or all employees undergo a medical examination carried out by a doctor designated and paid by the employer. The employee can undergo the requested medical examination with a doctor of their choice. In that case, the costs of these examinations are at the expense of the employee.

## Article 33 First-aid box

The employee who is wounded, has to report this and has to search care irrespective of how insignificant the wound may appear.

The persons responsible for first-aid in case of an accident at work are designated and listed in **Annex 15.3** to these work regulations.

A first-aid box is available in the kitchen.

**Article 34 External Service for Prevention and Protection at Work**

The organisation appeals to an External Service for Prevention and Protection at Work for the exercise of the prevention services. The co-ordinates of this External Service are mentioned in **Annex 15.3** of these work regulations.

## Article 35 Smoke prohibition & Policy on alcohol and drugs prevention

No alcohol and drugs will be used at the ENAR premises. Smoking in the premises is also prohibited. These prohibitions extend to all ENAR related external activities (seminars, conferences, meetings). ENAR does not serve any alcohol during meetings or at lunch time.

At dinners or for special occasions (anniversaries etc.) outside of the premises of ENAR, limited alcohol may be served.

# 11. Protection against Violence, sexual and moral harassment at work

In accordance with article 32bis-terdecies of the act of 4 August 1996 concerning the health of employees at work and update on 18 April 2017 (1)).

## Article 36

### 36.1. Principle

The organisation will constantly make every effort to assure the health of the employees. This health implies e.g. the possibility for every employee to work in a pleasant, positive and stimulating environment.

Every employee is thus asked to commit themselves to treat their colleagues, their superiors, their subordinates and any external person with mutual respect. Moreover, every employee will not use physical or verbal violence, nor harass someone morally or sexually. The employees are asked as well not to tolerate or encourage such behaviour in any way.

### 36.2 Definitions

#### 36.2.1. Protection against sexual harassment at work

Any form of sexual harassment at work is strictly forbidden.

Sexual harassment means any form of unwanted verbal, non-verbal or physical behaviour with a sexual connotation, the goal or consequence of which is a compromise of the dignity of a person, or the creation of a threatening, hostile, insulting or injurious environment.

Sexual harassment at work can reveal itself in different ways, both verbally and physically like casting covetous or persisting eyes, making ambiguous remarks or jokes, showing porno graphical pictures, touching of body parts, inflicting injuries,… Sexual harassment could also occur under threat of reprisal measures (dismissal) or proposals like promotion and raise offers.

#### 36.2.2. Protection against moral harassment

Any form of moral harassment at work is strictly forbidden.

Moral harassment aims or causes (according to the circumstances if the harasser acts intentionally or not):

- the affection of a person’s dignity (their character, dignity or

physical or psychological integrity);

- the endangering of this person’s employment;

- the creation of a threatening, hostile, assaulting or hurting environment.

Last update on 28 April 2017 (see here for the full text (in French): <http://www.emploi.belgique.be/moduleDefault.aspx?id=46071>)

Moral harassment can only be considered as such, if occurs repeatedly. It reveals itself especially through behaviour, words, threats, acts, gestures or writings that (not exhaustive list):

* isolate the victim(s) (pretend the person(s) are absent, keep them apart from their colleagues, of meetings, systematically take away their work equipment);
* obstruct the victim(s) to express themselves (constantly interrupt them);
* compromise the victim(s) by only trust them pointless tasks or tasks inappropriate to their function, or tasks that are impossible to achieve in a given time frame or without necessary means, or even no tasks at all);
* attack person(s) (speak belittlingly about them or laugh at them);
* damage the health of the victim(s) (damage their work equipment, order them dangerous tasks,…)

#### 36.2.3. Prohibition of violence at work

Any form of violence at work is strictly forbidden.

Violence at work means every factual situation where a worker is psychologically or physically harassed, threatened or attacked during the performance of their job, or on the way to and back from their job.

Violence at work reveals itself particularly through certain physical aggressions (injuring but also threats, etc.) or verbally (assaults, attacks, complaints etc.).

### 36.3. Prevention measures, internal and external procedure

### See Annex 15.6

# 12. Equal Opportunities Policy

## Article 37 Equal Opportunities Policy

ENAR is an equal opportunities employer. In that matter, the organisation has worked out an equal opportunities policy, enclosed as **Annex 15.4** to these work regulations.

# 13. Termination of the employment relationship

The notice periods that must be respected are provided in the Employment Contracts Act of 3 July 1978 and/or in the legal sources, which take precedence over the work regulations. For the sake of clarity, some provisions only of the Act of 3 July 1978 are mentioned in these work regulations.

## Article 38 Employment for an indefinite period

There is no longer a probationary period. The notice period depends on the number of years the employee worked at ENAR and if the notice is given by the employer or the employee. At ENAR, the employees must always work until the last day of their notice period. ENAR does not pay any additional notice fees.

## Article 39 Employment contract with a probationary period

## There is no longer a probationary period according to Belgian law.

## Article 40 Immediate termination of the employment contract for serious cause (under the conditions provided by Belgian law).

Either party may terminate the employment contract for serious cause.

A serious cause is any serious misconduct which renders immediately and definitively impossible all further professional relations between the employer and the employee. The actions mentioned hereafter are examples of serious misconduct resulting in the immediate termination of the employment contract:

(1)- theft and acts of violence;

(2)- failure to respect the essential safety rules, hereby endangering other

persons;

(3)- serious shortcomings (e.g. not meeting agreed deadlines without justification);

(4)- taking files, documents or material without permission;

(5)- insubordination;

(6)- being repeatedly late for work;

(7)- being under the influence of alcohol or drugs during working hours and any incapacity of work due to being under influence of alcohol or drugs;

(8)- damaging the good reputation of the employer by behaving incorrectly;

(9)- any violation by the employee of their general duties as defined by their employment contract, in these work regulations and in the guidelines;

(10)- any breach of the confidentiality obligation;

(11)- any forgery of documents and any fraud;

(12)- any misuse of an organisation credit card;

(13)- any misdeed making the employer lose all trust and confidence in the employee and which would be detrimental to the reputation of the employer;

(14)- any unjustified absence of three consecutive days;

(15)- any public statement which could damage the reputation of the employer or of an organisation belonging to the same group;

(16)- any forgery of the expenses, accounts or any breach of the rules applying within the employer to travel, organisation car and expense reimbursement;

(17)- acts of violence and physical assaults;

(18)- competing activities in their name or in the name of a third party;

(19)- misuse of IT or telecom equipment;

(20)- any damage on the employer’s property inflicted on purpose;

(21)- any gross breach of professional ethics or good conduct

This list is not exhaustive.

# 14. Information about the organisation

## Article 41 Basic information concerning the organisation

***Name and address of the employer:***

the European Network Against Racism (abbreviated "ENAR")

*aisbl* (Association international sans but lucrative/international non-profit organisation) in accordance with the law of 25 October 1919 of the Kingdom of Belgium as subsequently amended

head office at 1000 BRUSSELS, 67 rue Ducale, 5th floor

***Telephone number:*** 00 32 2 229 35 70

***Joint committee:*** nr. 337

The CBA’s of the Joint Committee nr. 337 will apply for ENAR and its employees, except for the salary scales which are pursuant to Joint Committee nr. 329

## Article 42 Authorities/Institutions

**National Office for Social Security (RSZ)**

Chaussée de Waterloo 76

1000 Brussels

Registration number: 011-1254625-15 (ONSS)

**Inspectorate of Social Regulations (Ministry of Employment)**

Rue de la Loi 155

1040 Brussels

Telephone number: 02/333 48 00

**Social Inspectorate (Ministry of Social Affairs)**

Rue Stevens 7

1000 Brussels

Telephone number: 02/545 07 05

**Technical Inspectorate**

Rue Belliard 51

1040 Brussels

Telephone number: 02/233 45 46

**Medical Inspectorate**

Rue Belliard 51

1040 Brussels

Telephone number: 02/233 41 11

**Family allowances fund**

Liantis Kinderbijslagfonds

**Work accidents insurance**

AXA

No. police 720.122.875-066/163

ABC, assureur-conseil

**Medical service**

Rue Stroobants, n. 6

1140 Bruxelles

Tel: 02 241 45 78 – Gsm: 0475 27 2160

OR

SOS Médecins 02 513 02 02

**Payroll agency**

Liantis - Bureau Social asbl

Vanden Eeckhoudstraat 13, 1

1500 Halle

Tel: 02 360 31 83

Registration number: 580 2533 01

# 15. Annexes to the work regulations

# 15.1. Collective Bargaining Agreement

**15 October 1975. – COLLECTIVE BARGAINING AGREEMENT no. 25** concluded within the National Labour Committee, on the equality of remuneration between male and female workers, as modified by the collective bargaining agreement n° 25bis of 19 December 2001 and n° 25 TER of 9 July 2008.

Updated agreement in French:

<http://www.cnt-nar.be/CCT-COORD/cct-025.pdf>

Updated agreement in Dutch:

<http://www.cnt-nar.be/CAO-COORD/cao-025.pdf>

# 15.2. Working schedules

**Working hours of full-time employees**

Weekly duration of 38 hours

Fixed schedule:

|  |  |  |  |
| --- | --- | --- | --- |
|  | Morning | Afternoon | Total |
| Monday  Tuesday  Wednesday  Tuesday  Friday  Total | from 9 :00 to 13.:00  from 9 :00 to 13 :00  from 9 :00 to 13 :00  from 9 :00 to 13 :00  from 9 :00 to 13 :00 | from 13 :30 to 17 :06  from 13 :30 to 17 :06  from 13 :30 to 17 :06  from 13 :30 to 17 :06  from 13 :30 to 17 :06 | = 7h36  = 7h36  = 7h36  = 7h36  = 7h36  = 38h00 |

Gliding schedule:

It is possible for the employees to start working between 7.30 and 9.30 and to stop working between 15.45 and 18:30 with a mandatory work week from Monday until Friday between 9.00 and 13.00 and 13.30 and 17.06 (see above). The employee who makes use of this system of gliding working time must make sure that they performs a weekly working time of 38 hours. Time sheets are put in place to register on a daily basis of the number of working hours already performed. They are checked on a monthly basis by the Director.

**Working hours of part-time employees**

Weekly duration of 19 hours

Fixed schedules:

|  |  |  |  |
| --- | --- | --- | --- |
|  | Morning | Afternoon | Total |
| Monday  Tuesday  Wednesday  Tuesday  Friday  Total | from 9 :00 to 13 :00  from 9 :00 to 13 :00  from 9 :00 to 13:00 | from 13 :30 to 17 :00  from 13 :30 to 17 :00 | = 7h 30  = 7h 30  = 4h  = 19h |

Or

|  |  |  |  |
| --- | --- | --- | --- |
|  | Morning | Afternoon | Total |
| Monday  Tuesday  Wednesday  Tuesday  Friday  Total | from 9 :00 to 13 :00  from 9 :00 to 13 :00  from 9 :00 to 13 :00  from 9 :00 to 12 :30 | from 13 :30 to 17 :00 | = 7h 30  = 4h 00  = 4h 00  = 3h 30  = 19h |

Gliding schedules

It is possible for the employees to start working between 7.30 and 9.30 and to stop working between 15.45 and 18.30 with a mandatory presence from Monday until Wednesday (or Tuesday if applicable) between 9.30 and 13.00 and, if applicable, between 13.30 and 16.30. The employee who makes use of this system of gliding working time must make sure that they performs a weekly working time of 19h. Time sheets are put in place to register on a daily basis of the number of working hours already performed. They are checked on a monthly basis by the Director.

# 15.3. Support persons within and outside the office

1. First-aid employees

|  |
| --- |
| NAMES |
| Anne-Sophie Marchant  Myriam De Feyter  Administration Officers |

2. Place where the first-aid box is located

Cupboard in kitchen with first-aid logo.

3. Person of trust to be consulted in case of violence, sexual or moral harassment, bullying, stalking or other forms of behaviours and practices generating a threatening environment.

|  |
| --- |
| NAMES |
| Staff members can contact:  Myriam De Feyter  To be reconfirmed in September - October 2019 |

**4. External prevention service to be consulted in case of violence, sexual or moral harassment, bullying, stalking or other forms of behaviours and practices generating a threatening environment**

|  |
| --- |
| PROVIKMO  Rue Royale 75, 3  1000 Bruxelles  Tel: 02 250 00 57 |

# 15.4. Equal Opportunities Policy

1. **Policy**
   1. ENAR is an equal opportunities employer. It aims to ensure that all full-time and part-time employees, potential employees and other individuals:
2. will receive equal treatment (including access to employment, training and opportunities for promotion) regardless of colour, nationality, national or ethnic origin, race, gender, marital and family status, pregnancy, trade union membership, gender reassignment, religion or belief, age, sexual orientation, health and disability; and
3. will not be disadvantaged by a condition or requirement which cannot be shown to be justifiable.
   1. This policy does not form part of the contract of employment.

1.3 We recognise that discrimination takes many forms and may occur for reasons other than those mentioned above. We also recognise that forms of discrimination may exist which are not yet recognised.

1.4 We are opposed to all forms of unwanted and unfair discrimination. All full-time and part-time employees, volunteers and job applicants will be treated fairly and selection for employment, promotion, retention, training or any other benefit will be on the basis of experience and abilities.

1. **Scope**
   1. All recruitment publicity aims to encourage applications from all individual who have appropriate qualifications and/or experience.
   2. Selection criteria and procedures will be continually reviewed to ensure that applicants are assessed purely on the basis of their relevant merits and abilities.
   3. It is against ENAR’s policy to offer discriminatory terms and conditions of employment. All individuals employed in the same capacity will receive equal pay, benefits and other terms and conditions.
   4. All promotion is strictly on the basis of ability to do the job. No decision to promote will be made on a discriminatory basis.
   5. Wherever possible and appropriate, specific training and encouragement will be given to ensure equality of opportunities within the organization.
   6. Where employees have difficulties in meeting requirements in relation to working practices, ENAR will, wherever possible and where reasonable alternative options exist, try to devise an alternative. For example, any requirement that employees travel extensively, relocate or carry out overtime and shift-work will wherever possible be kept to a minimum and always applied in a non-discriminatory manner.
   7. ENAR will create opportunities for part-time employees receive fair treatment. ENAR will consider all requests for the creation of part-time positions.
   8. Demands of religion (e.g. prayer time and religious holidays), culture (e.g. traditional dress) and special dietary needs will be accommodated wherever possible.
   9. ENAR will, wherever possible, strive to assist employees with domestic responsibilities (e.g. young children or dependent elderly relatives).
   10. Disciplinary action will be taken against any employee who is found, after a full investigation, to be in breach of this policy. Serious breaches will be treated as gross misconduct.
2. **Implementation**
   1. A copy of this policy document will be given to all employees and other workers at the ENAR premises and made permanently available as part of the labour regulations.
   2. All employees and other workers have a duty to be aware of this policy and ensure that their behaviour is non-discriminatory.
   3. The Director and SFSC has specific responsibility for the effective implementation of this policy. Each manager and supervisor also has responsibility and we expect all of our employees, volunteers and the SFSC members to abide by this policy and help create the equality environment which is its objective.
   4. ENAR aims at achieving and sustaining full and effective equality, in particular by reducing inequalities affecting groups disadvantaged on the grounds specified in 1.1 and which may include specific measures for individuals from such groups being adopted in accordance to the law.
3. **Procedure**
   1. If any employee, worker or job applicant has any doubts or queries about this policy then they should consult the Director.
   2. If any employee or worker encounters a situation where they feel that they have suffered inequality or lack of opportunity or discrimination, then they should (if possible) explain to the relevant person(s) that their behaviour could amount to unequal treatment end/or discrimination and should not be afraid to ask them to stop. However, it is recognized that this is not always possible, in which case employees and other workers are encouraged to implement the procedure set out below. Job applicants who are not ENAR employees and feel that they have suffered discrimination should contact the SFSC.
   3. Employees or other workers may, if they wish, discuss any concerns with the Director on a confidential and informal basis.
   4. If the informal approach is ineffective, or the individual does not feel it appropriate, the individual is encouraged to submit a written complaint to the Director stating that he or she feels has been treated in breach of the policy. This should be done as soon as possible after the relevant event(s).
   5. The Director:
4. will investigate the matter promptly and fully;
5. will investigate the matter in complete confidence so far as this does not prejudice the fairness to both parties of the investigation;
6. will take evidence from any relevant witnesses and carefully consider the appropriate weight to be given to the evidence; and
7. may, after the investigation has been completed, recommend that a disciplinary procedure is implemented.
   1. Where ENAR considers it necessary, the organisation’s disciplinary procedure will be followed against any employee who is believed to have violated this policy. In particular, ENAR will:
8. tell the alleged discriminator what allegations she or he is facing prior to the disciplinary hearing;
9. give the alleged discriminator copies of any evidence which ENAR will rely upon at the disciplinary hearing;
10. tell the alleged discriminator that dismissal is a possibility if the allegations are so serious that dismissal could result;
11. inform the alleged discriminator in good time and in writing of the date of the proposed disciplinary hearing;
12. appoint an appropriate independent person at Board lever (who did not conduct the investigation) to chair the hearing;
13. notify the alleged discriminator of his or her right to be accompanied at the hearing by a fellow employee or a trade union representative;
14. at the end of the hearing, consider whether further investigation is required before any disciplinary action is taken;
15. inform the alleged discriminator in writing of the result of the hearing and, where the complaint is proved, take any appropriate disciplinary action against the discriminator; and
16. inform the alleged discriminator in writing of his or her right to appeal to the SFSC of ENAR within seven days against the decision of the disciplinary hearing and any action taken against himself or herself.
    1. Any disciplinary action taken will be proportionate to the gravity of the discrimination, which has taken place.
    2. ENAR will take all reasonable steps to ensure that any individual who makes a complaint relating to unequal treatment, and which is made in good faith, is not subjected to any retaliation or detriment as a consequence of the complaint being made.
    3. The entire procedure will be carried out in the strictest confidence and where the complaint has been made in good faith will not prejudice the employee’s future employment in any way.

# 15.5. European holidays

**European holidays**

As of 1 April 2012, one can choose to take European holidays. This concerns people who move to Belgium. In the Belgian system, the holidays are calculated on the work done the year before. As newcomers did not work in Belgium the year before, they had no right to holidays.

Today, employees have the right to 1 week of holidays after 3 months of work. After 6 months, they have to right to 2 weeks. With a maximum of 20 days during the first year. These holidays are paid by the employer but will be deducted from the double holiday contribution given to the employee the following year. If the employee leaves the organisation before, it will be deducted from the last salary to be paid to the employee.

# 15.6. Policy against violence, moral and sexual harassment

## *ATTENTION: The process is currently under review by the Management, staff and Board with the support of external lawyers.*

**1.Internal and external procedure against violence, moral and sexual harassment at work**

**Step 1: The conversation**

The first step a person who feels being a victim can take, is see the perpetrator and ask this person to stop the wrongful acts. Secondly, the victim can call upon the Director and ask the Director to intervene and to talk with the alleged perpetrator. The goal is to stop the facts if they occurred and protect the victim.

The victim may prefer to call upon the person of trust within the organisation (see also Annex 15.3). The role of the person of trust is to listen and to give information on possible next steps. Only on demand by the victim, the person of trust will listen to what the alleged perpetrator has to say. If there is no willingness to talk, apologise and stop any further act of bullying, harassment or violence from the side of the alleged perpetrator, the person of trust will support the victim by starting up an external process by asking PROVIKMO (see annex 15.3) to intervene and inform the perpetrator of the external reconciliation request.

All this can also be done by the Director.

If the Director is involved as alleged perpetrator, the person of trust will inform the Board Staffing and Finances Sub-Committee (SFSC) of the Director’s involvement. If the alleged perpetrator is a Board Member or a Member of ENAR, the person of trust and the Director will also inform the SFSC.

In both cases, PROVIKMO will always be involved. It will automatically become an external procedure.

**Step 2: The reconciliation**

The employee might wish to seek reconciliation asking PROVIKMO to intervene. Implementing the reconciliation, PROVIKMO:

* allows parties to express themselves to clear out the situation and to out their feelings;
* assists the protagonists in their search for a solution;
* informs the management of the measures to take.

**Step 3: Judiciary proceedings**

In case the employee does not wish to seek reconciliation, or when the facts of violence, and of moral and sexual harassment have not ended after the above mentioned measures are taken, or when management does not take the necessary measures or when the punished employee contests the decision, PROVIKMO’s prevention counsellor, competent for psycho-social aspects, will address, in consultation with the victim, the Inspector of the medical inspectorate, charged with the supervision over the compliance with the legislation concerning protection against violence, moral and sexual harassment.

The Inspector for his part will try again to achieve reconciliation or try to find a solution that guarantees the victim a work environment without violence, moral and sexual harassment. They will propose the employer new measures. If this fails again, the Inspector will draft an official record and will transfer the case to the Labour Department of the Public Prosecutor’s Office. The Public Prosecutor’s Office after an ultimate reconciliation attempt will sue the employer and/or the perpetrator before the Criminal Court.

Simultaneously with this procedure (step 1-4), the employee, victim of the violence, the moral and sexual harassment at work, can start a number of other external procedures:

* complaint at the Medical Inspectorate:

An employee also can address directly the Inspectors of the Medical Inspectorate. As soon as they receive the complaint, orally, or in written, they will send an enquiry list to the victim. Eventually, they will decide on their intervention strategy, basing their decision on the victim’s answers.

* in court:

An employee can start as well immediately proceedings before the competent jurisdiction, both civil as criminal.

The criminal proceeding before the Criminal Court aims at criminal sanctions for the perpetrator.

If the victim reported the case to the police, or instituted legal proceedings at the Labour Department of the Public Prosecutor’s Office, judiciary proceedings have started as well. Then it will be impossible to call upon the Medical Inspectorate.

Civil proceedings are generally held before the Labour Court. The victim can ask the Court to condemn the perpetrator to cease their behaviour and to pay their victim compensation plus interests.

### Protection against dismissal

Permitting the victim and the potential witnesses to formulate their complaints without fear for professional reprisal, the employee benefits a dismissal protection as soon as they have lodged an explained and formal complaint. This protection enters into force as of the moment where the employee or a witness lodges a complaint. This protection has the following features:

1. The employer can neither terminate the employment or change unilaterally certain terms, except for reasons other than the complaint against violence, moral and sexual harassment at work within 12 months following the institution of legal proceedings, or after a testimony or if the judiciary procedure has started, and this until 3 months after the judgement.
2. When the employer would terminate nevertheless the employment or change unilaterally the terms, than the reasons that led to the employer’s decision must be independent from the complaint or the judiciary procedure.
3. If the reasons are not independent from the complaint or the claim, the employee can ask their reintegration or claim a lump sum compensation, equal to six months of remuneration.

Moreover, to stimulate complaints being taken into account, the burden of proof does not lie with the victim. Nevertheless in court, the victim will have to provide factual elements that make the presence of violence, moral or sexual harassment at work presumable. Afterwards, the perpetrator of the violence or the harasser will have to prove that these factual elements have not happened.

### 1.2. Sanctions on violence, moral and sexual harassment at work

As soon as the internal investigation has ended and the defendant has been found guilty, the organisation will take the appropriate measures to stop the wrongful behaviour. The perpetrator of the facts can be punished with following sanctions:

* a written or oral warning;
* a blame (a dated warning written down in a register), if the perpetrator already has got a blame, automatically the sanction will get more severe;
* transfer of the perpetrator (the victim and the witness can only be transferred at their own request and as ultimate solution);
* refusing a promotion;
* a fine (the total amount of the fines may not pass 1/5 of the monthly remuneration), the amount of the fine will be deposited in the moneybox and used for the (partial) payment of the yearly ENAR trip;
* suspension of the employment with or without the loss of certain advantages;
* dismissal with or without a notice period. The perpetrator will be notified by means of registered mail at the latest within 3 days after the breach has been found.

The sanctions, the name of the employee, date and reasons will be written down in a register. Internal appeal is possible against the imposed sanction, dismissal excepted, and must be instituted in accordance with the disciplinary procedure (described in article 35, paragraph 4). In case the alleged perpetrator wishes to appeal their dismissal, they need to fill in a complaint to the Labour Court.

### 1.3. Sanctions in case of abuse of the procedure

To avoid abuse, any formal complaint must be duly motivated. Thus the external prevention counsellor filters firstly the complaints. Anyhow, if there is abuse (ex. if the only goal is to obtain the protection against dismissal), the employer will impose sanctions, from warning to dismissal for due cause (see point 34.6).

### 1.4. Special procedure in case of violence, moral and sexual harassment at work concerning a person external to the organisation

#### 1.4.1. Violence, moral and sexual harassment at work, committed by an external person

When an employee of the organisation is victim of violence, moral or sexual harassment at work committed by a supplier, client or any other person external to the activity of the organisation, a procedure similar to the above mentioned, will apply.

The victim can turn to the Director or to an external prevention counsellor, specialized in psycho-social aspects. Any incidence will be written down in a special register and the Director needs to be informed immediately. A special form thereto will be available. In case of physical violence, the employee must turn to the labour physician or to their own doctor. An injury caused by violence committed by a person external to the organisation within the scope of the employee’s employment will be considered as an accident at work. The prevention counsellor will inform the victim and potential witnesses and organizes the first shelter. With the victim’s consent the prevention counsellor informs management who help them to solve the problem.

#### 1.4.2. Violence, moral and sexual harassment committed by a worker against an external person

When an external person exercises activities or provides services at the organisation, and is subject of violence, or moral or sexual harassment at work, this person can turn as well to their prevention counsellor. Notice should be given to the Director. By determining the appropriate sanction, the relation between the facts’ perpetrator and the victim must be taken into account.

### 1.5. Register recording the facts, external to the organisation

The employer provides a register for facts of violence at work in which they systematically writes down the declarations of the employees who consider themselves as victim of violence, moral and/or sexual harassment at work committed by externals to the organisation.

The organisation has the obligation to communicate these declarations to the competent prevention counsellor. Only the employer, the organisation and the supervising official have access to this register.

1. **General grievance and disciplinary procedure**

## Article 2 Internal grievance and disciplinary procedure

Set out below are the network’s Grievance and Disciplinary procedures, as implemented according to Belgian labour law.

### 2.1. Grievance procedure

This Procedure has been developed to settle all disputes and grievances on an internal basis, in order to prevent unnecessary judiciary steps. Of course this Procedure does not harm the right of the employee to undertake actions in court.

The purpose is to settle any grievance fairly, simply and quickly:

1. A grievance should first be discussed with the person involved.
2. If this does not resolve the matters it should be referred to the Director/person of trust.
3. If the matter remains unresolved with the person of trust it may be referred to the Director who will give a decision in writing.
4. An appeal against the Director’s decision, may be referred to the SFSC. The aggrieved party or their representative will be entitled to address the Staffing Group. The decision of the Staffing SFSC will be given in writing.
5. There should be no unreasonable delay in the implementation of this procedure.

# 15.7. Training policy and training needs procedure

**TRAINING POLICY**

ENAR defines training as a development of personal, professional and technical skills to improve staff performance and organizational aims and objectives. Training is considered to be a continual learning process, which can be achieved by different mechanisms. These may include induction, supervision, appraisal, team meetings and the sharing of skills, knowledge and good practice.

ENAR has identified two main areas of training:

▪ **Relevant content training** is defined as training such as any training to improve the knowledge on certain specific issues which are not related to management per se. It encompasses courses on the functioning of the European Union institutions, human rights education, lobbying and advocacy, working with the media etc….

▪ **Technical training** is defined as training such as IT (ex. Excel, Powerpoint, website maintenance, etc), languages and financial management. An improvement of such technical skill helps staff members to carry out their duties successfully.

▪ **Management training** is defined as training to improve the management skills of the director and any of the staff members belonging to the mid-level management. It concentrates on training related to organizational or financial management tools and human resources.

Trainings are only accessible following the first appraisal unless deemed necessary by the Director[[1]](#footnote-1).

**TRAINING NEEDS PROCEDURE**

1. **Introduction**

It appears that the training policies being put into place must comply with the expectations required for each staff grade. It will necessitate a further detailed needs assessment. This will provide the precise framework applying to the development of each member of staff. The training process refers to the specific mechanisms by which ENAR will:

* identify as assess staff training needs
* develop staff training programmes
* record training undertaken by staff
* evaluate training undertaken by staff

As mentioned above, the Human Ressources Plan will be reviewed and updated by November 2019.

1. **Identification and Assessment of Training needs**

For training to be useful, it is important that individual staff members and their supervisors identify which skills they need to acquire in order to do their job effectively. This will be achieved through supervision and the appraisal by the Director. This can also happen in response to organizational or legislative developments.

The Director have the responsibility to identify the training needs of their staff and to develop, in conjunction with the staff member, an individual training and development plan.

The Director in conjunction with the SFSC will plan the training needs of the Director.

The Impact and Process Officer, under the supervision of the Director, will be responsible for drafting and coordinating the staff training programme and for ensuring that it is implemented. The Director is responsible for ensuring the required financial resources and for the allocation of the training in the budget.

1. **Authorization**

Training cannot be arranged without the consent of the Director.

1. **Attendance**

If staff members are unable to attend training courses they must report their non-attendance before 9:30 am.

If staff fail to attend training courses without informing ENAR, their non-attendance will be treated in accordance with the procedure for non-attendance of work.

ENAR reserves the right to request records of attendance at training courses.

1. **Evaluation of training**

As part of ENAR’s continuing commitment to training and development, staff members are asked to provide in writing feedback on the value and effectiveness of the training they undertook. This is passed on to the Director who will briefly report about the trainings in the final activity report. The staff member reports also briefly on the training during the weekly team meeting.

1. **Implementation**

The Director has the overall responsibility for the implementation of this policy and will report on the staff training to the bureau and board. The implementation of this policy is directly related to the implementation of the Staff Management Tool.

All staff members will be issued a copy of this policy, being part of the Operation Manual which is updated on an annual basis.All staff members have the responsibility to support the development of this policy

# 15.8. Whistle Blower Policy

*Draft recovered from the laywers and to be presented to the Staff and Board in the fall of 2019*

**Introduction**

The European Network against Racism (“ENAR”) is the only pan-European anti-racism network that combines advocacy for racial equality and facilitates cooperation among civil society anti-racism actors in Europe.

ENAR’s aim is to end structural racism in the European Union and to build structures, institutions and attitudes based on race equality and equal distribution of power, privileges and rights. Therefore, compliance with laws and regulations are the foundation of ENAR. They lay the foundation for the good reputation of ENAR and the well-being of its Employees.

ENAR instils trust in all of its employees. They are expected to be guided by ethical values in their actions, particularly to behave in an honest way, to deal fairly with each other, to comply with the laws and the rules applicable to ENAR and to fulfil the obligations under their employment contracts. ENAR expects its Employees to act as role models.

Violations of present working regulations or the Code of Conduct (see Operating Manual) will not be tolerated. Such violations will be sanctioned and, if needed, brought to the attention of the relevant authorities. Sanctions stemming from violation of the law and regulations follow the principle of proportionality and these sanctions will take into account the severity of the violation as well as the previous accomplishments of the employee, responsibilities within ENAR, and the specific circumstances of the individual case.

This requires vigilance by all Employees and their willingness to report potential violations if reasonable suspicion exists. Whistleblowers must be protected against discrimination and retaliation. Employees will be treated fairly in the Investigation of violations. Until proven otherwise, they will be presumed innocent.

This whistleblowing policy will apply to all Employees of ENAR. Each employee can submit a Hint.

1. **Terms and definitions as defined in this policy**

The complaint manager is independent towards the organisation and is bound by professional secrecy (including towards his hierarchical superiors).

Employees are the Employees of ENAR (full-time, part-time, temporary, etc.).

Persons Implicated are those Employees suspected of Regulatory Violations.

**Hints** refer to detailed information concerning Regulatory Violations, including those coming in via whistleblower channels such as telephone, e-mail, post and by way of an in-person interview.

**Investigation** is the internal clarification of potential Regulatory Violations.

**Regulatory Violations** are all statutory and internal violations of regulations (especially violations of the Code of Conduct or employment contractual obligations) by Employees committed in connection with, or based upon, their employment by ENAR. For the Investigation and punishment of violations, a distinction is made in accordance with the Regulatory Violations.

**A Regulatory Violation** includes offences that significantly violate the ethical values of ENAR, or non-compliant behaviour that can result in a high level of reputational loss for ENAR. Every case requires a specific individual analysis.

Strong indicators of a Regulatory Violation in particular include:

* Expected sanctions for ENAR;
* Significant and long-term impairment of the reputation of ENAR;
* Criminal offences;
* Financial losses for ENAR;
* Organised conspiracy to commit a violation involving several people;
* Breach of duty in cooperation with public officials and authorities;
* Violations of human rights.

The following cases, independent of the individual case, are always processed as reports of Regulatory Violations:

* Violations of regulations prohibiting the discrimination of whistleblowers;
* Violations of the Code of Conduct.

**Substantiated Hints** exist when the respective facts, if necessary upon further inquiry, contain sufficient evidence of a Regulatory Violation.

**Whistleblower** is each Employee of ENAR who submitted a Hint in accordance with the whistleblowing policy.

1. **Reporting violations, procedural principles and safeguards**

Employees may report indications of Regulatory Violations within one month of the event of knowledge of indicators of Regulatory Violations to the Complaint Manager by telephone ([⚫]), e-mail ([⚫]), post ([⚫]) and by way of an in-person interview.

Hints must contain at least the following information:

* The facts pointing to the Regulatory Violations;
* The nature of the Regulatory Violation;
* The name and the position of the person about whom the Regulatory Violation is being reported;
* The period or time to which the Regulatory Violation relates; and
* Any evidence of the Regulatory Violation and any other element that is deemed relevant.

The following procedural principles and safeguards apply to all Investigations:

1. **Procedural fairness**: The principle of procedural fairness applies to all Investigations. Only information acquired legally may be used for investigative purposes, including subsequent authorizations. The Persons Implicated in the suspected wrongdoing must be treated fairly and with respect.
2. **The presumption of innocence**: Investigations must be conducted in a neutral and objective manner in accordance with the presumption of innocence. In addition to incriminating evidence, potentially exonerating evidence must also be examined.
3. **Whistleblower protection**: Whistleblowers will be protected. Whistleblowers are always obliged to disclose their identity to the Complaint Manager. Statements made by the Whistleblower and the identity of the Whistleblower are handled confidentially and will not be disclosed to the Employees. Discrimination or hostilities towards Whistleblowers, as well as retaliation against Whistleblowers, will not be tolerated and will be investigated and possibly sanctioned. In principle, the Whistleblower is always informed as to whether a Regulatory Violation has been identified. Anyone who falsely accuses another person of a Regulatory Violation is committing a Regulatory Violation, which will in turn be investigated and, if necessary, sanctioned.
4. **Reasonableness**: Investigations are limited to the subject of the Investigation. Investigations will only be conducted on the basis of reasonable suspicion. Investigative measures must observe the principle of reasonableness, *i.e.* they must be suitable, necessary and appropriate to satisfy the purpose of the Investigation.
5. **Conducting investigations**: During Investigations, policies and work instructions of the investigating units or the appropriate office apply. Regulatory Violations handled directly by the investigating units or the appropriate office, must be reported to the investigation office, if there is suspicion before or during the Investigation that a Regulatory Violation could have occurred.
6. **Right to be heard, informing the Persons Implicated**: Persons Implicated will be informed that they are under investigation as soon as possible, and as far possible, without jeopardizing the purpose of the Investigation. Persons Implicated shall be given the opportunity, at the latest before the end of the Investigation, to make a statement on the allegations. This statement will be taken into account. If it becomes clear at an early stage in the Investigation that a Regulatory Violation has not occurred, the obligation to inform the Person Implicated and that person's right to make a statement may be disregarded, as far as this is allowed under data protection rules. The Complaint Manager ensures that the Persons Implicated in having committed a Regulatory Violation are properly informed of the facts.
7. **Right to counsel**: Persons Implicated have the right to be advised by a legal counsel at any time during the Investigation, and to be accompanied in interviews. This does not affect the right of ENAR to set a timeline for the Investigation. In principle, the Person Implicated bears the costs of their legal counsel.
8. **Confidentiality and secrecy**: The Complaint Manager responsible for handling the Hints and the Investigations must, in principle, treat the information obtained as confidential and may not disclose it to other parties. This applies in particular to personal data. They may only inform other persons on a strictly need-to-know basis, or if it is expressly provided for in this Whistleblowing policy.
9. **Principle of legality**: There is no discretionary authority as to whether Hints are processed and Investigations carried out and whether sanctions are imposed in the event of finding a Regulatory Violation.
10. **Timely Investigation**: Hints will be processed without undue delay. In principle, all incoming Hints should be processed and categorised at the latest within a maximum of 20 working days.
11. **Rehabilitation**: If the result of the Investigation concludes that no Regulatory Violation has occurred, the Person Implicated may be supported – if so desired – by the Complaint Manager to clarify this in an appropriate manner in the person’s working environment, to avoid any reputational damage.
12. **Obligations to cooperate**: Employees are obliged to fully support Investigations. This includes in particular making documents and data available in their entirety and providing comprehensive and truthful information. The impairing or hindering of Investigations, in particular influencing witnesses and suppressing or manipulating documents, is not permitted and will also be investigated as a Regulatory Violation and sanctioned, if applicable.
13. **Investigation process**

## Receipt and recordings

The Complaint Manager receives, records and documents Hints regarding Regulatory Violations from all available channels. The Complaint Manager accepts Hints in English, Dutch and French.

## Plausibility check

In preparation for categorisation, the Complaint Manager reviews the Hints for substantiated information and determines whether there are sufficient facts to denote a Regulatory Violation.

Wherever possible and necessary, the Complaint Manager will ask the Whistleblower to provide additional information for the categorisation.

## Categorisation

After checking for plausibility, the Complaint Manager allocates Hints to one of the following categories:

* Unsubstantiated/unfounded (also includes obviously incorrect and insubstantial Hints);
* Suspicion of Regulatory Violations.

## Initiation of the Investigation

In cases of suspicion of Regulatory Violations, the Complaint Manager initiates the Investigation.

A report of the Complaint Manager describes the results of the plausibility check, including an examination of data protection requirements and the subject of the Investigation, including the Persons Implicated.

If a case has been categorized as unsubstantiated/unfounded, the case shall be closed.

## Investigation of Regulatory Violations

Upon completion of the Investigation, the Complaint Manager shall prepare an investigation report. The Complaint Manager decides on the investigation report and in the event of confirmed Regulatory Violations recommends appropriate personnel measures. The Complaint Manager shall see to it that appropriate personnel measures (including salary reductions and claiming damages) are adopted and shall submit the investigation report, together with its recommendation of appropriate personnel measures to the Chair of ENAR. The Director shall, within the limits of his or her possibilities, implement the recommended measures.

1. **Criminal and administrative investigations**

The Chair of ENAR decides on pressing charges or filing a criminal complaint against Persons Implicated and third parties as well as a disclosure of breaches of law to the competent authorities.

Unless there is a legal obligation to report, the following shall be taken into account when deciding these issues:

* The interest of ENAR; and
* The conduct of the Persons Implicated and third parties, especially their cooperation in the Investigation and their willingness to redress and provide compensation for damages.

1. **Records of Hints**

The Complaint Manager keeps a register of all received Hints, which is only accessible to him/her. The register shall state the follow-up given to the Hint, the reasons underlying the decision whether or not to investigate the Hint and, if applicable, the action taken to remedy the Hint.

1. **Applicable law and data protection**

This policy shall be governed by Belgian law. When processing Hints and carrying out Investigations, all applicable Belgian laws, including relevant data protection laws shall be complied with.

The submission, processing and investigation of Reports in the context of this whistleblowing policy involves the processing of personal data of the persons involved. ENAR is responsible for the processing of the personal data exchanged in the context of the procedure set out in this whistleblowing policy.

Personal data exchanged in the context of this whistleblowing policy is used for investigating the Hints, with a view to taking any measures or sanctions after a Hint and with a view to defending the interests of ENAR or third parties in court.

The legal basis for the processing of personal data within the context of this whistleblowing policy consists of [to be discussed]. [ENAR may transfer personal data to - to be discussed with ENAR].

If a Hint proves unfounded, ENAR will remove personal data within a reasonable period of time. If a Hint proves to be well-founded or if a Hint is manifestly unfounded, ENAR will retain personal data as long as necessary with a view to taking measures or sanctions or with a view to its defence in court.

Persons whose data are processed in the context of a Hint or Regulatory Investigations have the right to access their personal data. They may have their personal data rectified or ask for their personal data to be erased or the processing thereof to be restricted. They may also object to the processing of their personal data. Aforementioned rights of these persons can only be limited on compelling legitimate grounds.

It shall be reviewed on a regular basis and be aligned with respect to the changed circumstances. The alignment may be especially necessary in case of changes to the relevant legal provisions.

# 15.9. Security plan at the office and when travelling

**Last update: August 2019 (\*)**

*(\*) The security plan is checked each year over the summer and updated when changes occur. The ENAR Security Plan is included in the Work regulations.*

**STATUS AND COMMENTS**

|  |  |
| --- | --- |
| 1. **EMERGENCY**   Display emergency numbers in a visible manner. Responsibility of security officers.   * 1. Police   2. Medical emergency   3. Fire department   4. Anti-poison centre   In Belgium, for all emergencies, call 112. | See entrance door, kitchen, copy room board, aquarium board, admin office board, meeting room.  All staff members received the reviewed list on their desk in June 2019. New staff members get it together with the general phone list, the Operating Manual and the Work regulations. |
| 1. **SECURITY (terror attack)**   It is the responsibility of all staff members to register individually on Be-alert (the Ministry of interior crisis management platform): https://www.be-alert.be/ | One can only register on his or her personal address. The info received concerns the security in your street or neighborhood.  The Director registered the ENAR address and communicates relevant information to team via the Team Whatsapp group. |
| 1. **EMERGENCY**   In case a problem arises in the office, please contact Anne-Sophie Marchant who is appointed as security officer. If she is not in the office, please contact Myriam De Feyter or the Director.  The security officer must be trained on how to behave during emergency situations and have a good relation with the building office and their security officer. The Security Officer is not to be held responsible for the overall security of the office and staff. | Security officer:   1. Anne-Sophie Marchant 2. Myriam De Feyter (in absence of ASM) 3. Director (in absence of ASM)   Mobile phone numbers of the security officer, the replacement, the Director and the building office are communicated to every new person of the staff, officers and interns. The list is regularly updated. |
| 1. **EMERGENCY**   Display recommendations and escape routes. Responsibility of security officers.   * Never use the elevator in case of fire or bombing * Use the stairs down * Use the escape route being the platform that gives access to the roof of the neighboring building situated next to Juliana’s desk   Access to our building roof, during work hours through offices on 5 PLUS |  |
| 1. **EMERGENCY**   Ensure the fire alarm is functioning and the fire escape is accessible. Responsibility of security officers and building security service. | **Fire alarm** tested every 1st Thursday of the month. |
| 1. **FIRST-AID**   The staff members are encouraged to follow a first aid training course. The staff is allowed to follow the training during worktime.  **AT PRESENT, THE FOLLOWING STAFF MEMBERS FOLLOWED A FIRST-AID COURSE:**   * Georgina Siklossy * Anne-Sophie Marchant |  |
| 1. **FIRST-AID**   As required by Belgian law, a first aid kit is available in the kitchen.  It must be annually checked and outdated content must be renewed. List of content available in the box. It is the responsibility of the security officers. | Last check of content and update: 1 August 2019 |
| 1. **FIRST-AID**   Staff members can leave a copy of their ID card and blood group card in their ENAR file [also for travel]. |  |
| 1. **SECURITY OFFICE AND STAFF**   Also read the rules and processes related to harassment, hate speech, unacceptable behavior during ENAR meetings, use of drugs and alcohol in the office etc… in ENAR’s Work regulations. The latest work regulations are available in the copy room and admin office and in the Governance folder. | **TO DO**  Some annexes of the work regulations require a review by the staff and Board. It is scheduled in September-October-November 2019. |
| 1. **SECURITY OFFICE AND STAFF**   Install a safe door equipped of a peep hole (ask building owner). | **TO DO**  27/08/2019 - Admin checked with the building owner if ENAR is allowed to put a peep hole in the entrance door. Waiting for their agreement to look |
| 1. **SECURITY OFFICE AND STAFF**   Check who is visiting before opening the outside door (ask who they are and who they are meeting with) and wait for the visitor or intern to come up to open the office door. Do not leave the office door open and unattended. Responsibility by admin-reception staff and in absence by all staff. |  |
| 1. **SECURITY OFFICE AND STAFF**   Do not give access badge or key to a person that is not a staff member (board member, visitor, intern, service provider, etc.). Responsibility of all staff members.  When loosing an access badge or key, it is the responsibility of the staff member to inform the management immediately. The cost of the key is charged to the staff member. Responsibility of all staff members. |  |
| 1. **SECURITY OFFICE AND STAFF**   Last person leaving the office must double lock the entrance door. Responsibility of all staff members. | Notice on the entrance door. |
| 1. **SECURITY OFFICE AND STAFF**   Lock confidential documents, money and cards in locked up cabinets/drawers. Only Management and the security officer-admin have a key.  Responsibility of Management and security officer. |  |
| 1. **SECURITY OFFICE AND STAFF**   The address of ENAR is not displayed on document (printed, digital or otherwise). It is the responsibility of all staff members not to post ENAR’s address online or in publications. People can phone or email to get the address. It is the responsibility of the comms department to make sure and to regularly check that ENAR’s address is not ready available online or in publications. | **TO DO**  Check on 2019 |
| 1. **SECURITY OFFICE AND STAFF**   It is the responsibility of all staff members not to communicate meeting venues and mission itineraries online. One only shares this information with the participants. It is the responsibility of the comms department to check that this information does not appear on our website or on facebook or in tweets etc. When requests are received, the receptionist takes the phone number of the caller and forward it to the colleague in charge of logistics at the venue. |  |
| 1. **SECURITY OFFICE AND STAFF**   It is the responsibility of all staff members not to share personal phone numbers, personal addresses, whereabouts of colleagues and board members without asking for their prior consent.  ENAR answers that due to security reasons the colleague or board member will be asked to return the call. For this, the caller should give their contact number. ENAR may give the professional ENAR email address of the colleague or board member.  We do not give information about possible reasons for absence: health, holidays, travel for work, etc. |  |
| 1. **SECURITY OFFICE AND STAFF**   It is the responsibility of all staff members to ensure that they have security officers and emergency numbers saved in their phone for easier communication in case of emergency. | Last update of staff and emergency phone lists: 20 August 2019 |
| 1. **SECURITY DIGITAL**   All information related to personal, finances and plans should be kept separately in the server, only accessible to management and other relevant staff members. |  |
| 1. **SECURITY DIGITAL**   ENAR’s data backups is done remotely on OneDrive, and not onsite. |  |
| 1. **SECURITY DIGITAL**   It is the responsibility of all staff to never open emails that seem dodgy, even if they come from a colleague or a person you know, in particular if there is a request for money transfer. Do not give your password by email, or other sensitive data. Attachments titled ‘invoice’ or other general terms or orders by Michael Privot in Dutch are usually unreliable. |  |
| 1. **SECURITY DIGITAL**   It is the responsibility of the staff members to change their password (automatically) every three months. Choose secure password according to the IT instructions and do not write your password near your computer. The password list shall not be shared on the server. If you need to access a colleague’s mailbox during a leave, ask the Administration Officer to contact our IT service providers. |  |
| 1. **SECURITY DIGITAL**   It is the responsibility of the staff members to put on their PC or laptop an automatic lock up after 3 minutes of not being used. Think of locking your computer when you are not in front of your computer, even for a very short time. |  |
| 1. **SECURITY DIGITAL**   Only the Communication staff members shall have access to our social media passwords, which must be regularly changed. Send your FB and Twitter posts to the Communication Officers by email if you want to post something. Should interns have access to the passwords, these should be changed after their departure. |  |
| 1. **SECURITY DIGITAL**   It is the responsibility of the staff members to not add ENAR’s address to their email signature as well on their social media pages. | Last check: 27 March 2019 |
| 1. **SECURITY DIGITAL**   IT providers can create on demand a security rule to have a one minute delay between time email is sent and time email actually leaves outbox to cater for last minute changes. It is the responsibility of the staff members to request the delayed mailing system. |  |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Be aware of  the country’s social situation [political unrest,  places to avoid], including related to security of  ethnic and religious minorities and migrants. | **NOTE**  The Administration Officer in charge of logistics can support staff members in determining the actual conditions. |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Make sure you are aware of the local emergency numbers and a 24h number of the host organization. Have a copy on your mobile phone, computer and paper. | **TO DO on 2019**  The Administration Officer in charge of logistics regularly updates the list of useful numbers per country. It can be found on the server under 08. Staff/11. Staff forms and lists. |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Store in your phone mobile number of security officer, the replacement and the Director. | **NOTE**  Mobile phone numbers of the security officer, the replacement and the Director are communicated to every new person of the staff, officers and interns. |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Share the  mission itinerary with the Security Officer or  management before going on a mission.  You shall indicate the location of your meeting,  if applicable the local contact point responsible  for the activities you are attending (mobile  phone, mail), your hotel or place of stay  (telephone, mail), your flight timing and  number. Do not change your itinerary without  informing the Security Officer by any  communication means. | **NOTE**  A form template is available on the server under 08. Staff/11. Staff forms and lists. Followed up by Myriam De Feyter. |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Do not post  or share information about your whereabouts  online, which could endanger you or your  counterparts |  |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Send daily before 9.30 to the security officers texts or email on your well-being [with cc to your direct line manager where applicable], in particular if you travel to a region where potential risk has been identified. Do not hesitate to text the security officer also in the evening. |  |
| 1. **SECURITY TRAVEL**   Security officer should inform any travelling staff or Board member of any security threats, developments or relevant issues in the country they are visiting, Belgium or the ENAR office, in particular if this could have an impact on their security and/or travel schedule. |  |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Handle cultural sensitivities and remember you are representing ENAR. |  |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Always keep your ID, bank cards, tickets, blood group card, etc with you and do not leave valuables unattended. Staff members can leave a copy of their ID card and blood group card in their ENAR file. |  |
| 1. **SECURITY TRAVEL**   Responsibility of all staff members. Do not connect to unsecure Wifi networks when travelling abroad. Ask for a secure Wifi access from your hosts, if not accessible, do connect to the internet for work related purposes using your mobile phone as a modem. Keep your expenses for reimbursement. |  |
| 1. **SECURITY TRAVEL – EXTERNAL MEETINGS**   Responsibility of all staff members. Ask the organisers of the event you are invited to attend about the security procedures (use our security checklist) they have in place to ensure the safety of the participants (in case of fire, attacks – see below). If they do not have a standard practice, ask them if they have the capacities to implement our policy. If they refuse or are not in the capacity to implement it, explore with the Director the possibility to decline your participation. Save the communications you have on these matters. | **NOTE**  The security checklist comprising the key elements below can be found on the server under 08. Staff/11. Staff forms and lists. |
| 1. **EVACUATION in case of fire**  * Think ahead about what the route will look like (smoke may obscure vision). * Cover yourself with a non-synthetic blanket, coat or other cloth – preferably wet. * Before opening doors, feel the door for heat using the back of your hand, as there may be fire on the other side that will flare up when the door is opened. * Stay low while moving as quickly as possible as it may be necessary to crawl along the floor to avoid smoke and heat. * Avoid routes that are exposed to falling objects. * If not on the ground floor, do not take the lifts or elevators – use the stairs. * Jumping from more than two stores can be fatal and should only be a last resort. * After evacuating the ENAR office, the meeting point is in front of the garage – Rue Ducale. * If you are unable to exit a tall building make your way to the roof. See emergency exit signs. * If you are unable to move to the roof, prepare to remain in the building by doing the following: * Go to a room with an exterior window, mark it clearly to summon assistance and stay in that room * Close the main entry door and any interior door to the room. * Place blankets or clothes at the base of the doors to keep smoke out and, if possible, use a wet cloth to make a better seal. * Saturate any available non-synthetic blankets, coats or other clothes for possible use later. * Stay low near an open window and continue signaling for help. * If fire spreads into the room, get under two or more layers of blankets or clothes with the outer layers wet, if possible. * If you or someone near you is on fire, remember – stop, drop and roll. * Do not panic and do not allow others to run about if they are on fire. Fall quickly to the ground or floor.   If someone else is on fire, try to get them to do so. Tackle them only if you will not catch fire yourself.  Roll flat over and over (back and forth if in a room) until the fire is extinguished. The rolling will smother and scatter the fire in most cases. If someone else is on fire, have them roll. You can use water, sand or a blanket to help smother the fire while they are rolling. Do not attempt to beat the fire out with bare hands; continue rolling instead.  Once the fire is extinguished, summon help and begin administering first aid. |  |
| 1. **ATTACK**  * Responsibility of all staff members. Once you receivea text message from Be-Alert and/or from other colleagues, do not come to the office if you are still at home or in a safe area. Stay where you are, far from crowds or public transport. * If you are near a targeted site, drop instantly to the ground and lie flat and when possible leave the area quickly after an explosion and do not gather in a large crowd as another attack may take place. If you are in a building when an explosion occurs, drop to the floor and move away from windows. Immediately evacuate the building. Once out of the building, call 112. Administer first aid to the injured. * If you are near a gunfire attack, try to run away or hide and protect yourself (lie on the floor, possible behind or close to walls, table). Do not stay close to windows or doors. * Responsibility of all staff members. When possible, report that you are safe to the security officer or colleague. * In case an ENAR event was organized that day, inform participants of the attack and advise them to stay inside. Cancel or postpone the event and inform participants accordingly. Post this information on your social media/website. Report of speakers or participants safety to the security officer and when possible organise their return trip outside of Brussels.   - Responsibility of all staff members. Make sure  that the security officer knows who to contact in  case something happens to you.   * In case you are caught up in a building fire or are   caught up or victim of a terrorist incident abroad  (see above). Always make yourself known as  safe on social media. |  |

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| 1. **IF YOU ARE THE VICTIM OF A RACIST / SEXIST ATTACK**  * If you are the victim of a racist, sexist or anyone physical or psychological abuse, try to get away from immediate threat and call for help if possible. When abroad, make sure you have some numbers in your list of contacts. * Contact asap the ENAR Security Officer (or replacement/Director) who will help you to call medical services, to report the incident to the police, to contact a victim support organisation and the national equality body in the country where the abuse happened. * If you report it to the police, ask for the name and number of the officer you speak to and make a note of the time that you reported the incident. * Don't touch or clear anything away after the attack, as that may destroy vital evidence which could help in bringing the perpetrator to justice. * Try and write down as many details of the incident as soon as possible, such as the date and time and descriptions of anyone involved. If a vehicle was involved and you have the make, model, colour or registration number, make a note of this as well. Try to remember the perpetrator’s face, clothes, and escape route. * If there is anyone around who saw what happened ask them if they would give their details, name, address, phone number, etc., and if possible get them to write a statement of what they saw and sign and date the statement. * Report online abuse or hate speech to the Communication staff so that they can report illegal content to Social media companies. The Comms staff prepare annually a report with all individual cases the staff received and what ENAR as an organisation received. This is shared with the equality body and police.  1. **WHAT YOU CAN DO IF YOU ARE A WITNESS OF A RACIST OR SEXIST ATTACK**  * Be prepared - Think about a situation in which a person is threatened or attacked. Imagine how you would feel and what you would do. * Keep calm - Concentrate on what you imagined in step 1. Don’t let fear or anger distract you. * Act immediately - React quickly and don’t wait until other people help. The longer you hesitate, the more difficult it becomes to intervene. * Bring help - Use your mobile phone to call the police (make sure you have the necessary numbers in your list of contacts). On the bus: Inform the driver. On the street: Shout loudly. If you are uncertain about the choice of adequate words: shouting “FIRE!” definitely calls for immediate attention. * Attract attention - Approach passengers and observers directly and individually: “You there, in the blue jacket, please inform the driver!” Speak loudly! Your voice will make you confident and encourage others to intervene as well. * Support the victim - Keep eye contact with the victim to assure that you are there to help. * Irritate the perpetrator - Scream loudly. This also works in case your voice fails. * Never use violence - Don’t use weapons. Don’t get too close to the perpetrator so that he/she turns against you. Don’t touch the perpetrator. This can increase his or her aggression and escalate the situation. * Don’t provoke the perpetrator - Do not directly address him or her, as people could think you know each other. Don’t stare at the perpetrator; this could make him or her more aggressive. * Call the police - Do not just stare but carefully observe the scene and try to remember the perpetrator’s face, clothes, and escape route. Report the case to the police and serve as witness. |  |

1. By the end of November 2019, the Human Ressources Plan will be reviewed and updated by the Impact and Process Officer, under supervision of the Director. [↑](#footnote-ref-1)