



**MINISTRY OF PUBLIC SERVICE, ADMINISTRATIVE AND INSTITUTIONAL REFORMS
MAURITIUS**

Date: 03 June 2024

Circular Letter No. 37 of 2024
E/152/55/03/09/07

From: Secretary for Public Service

To: Supervising Officers in charge of Ministries/Departments

Sexual Harassment Workplace Policy

Government has, on 17 May 2024, agreed to the introduction of a Sexual Harassment Workplace Policy across the Public Service, a copy of which is at **Annex**. This Policy will take effect on 01 July 2024 and its implementation is mandatory for all Ministries/Departments.

2. The Policy aims to foster a work environment free from sexual harassment and any inappropriate conduct of a sexual nature. It seeks to ensure full compliance with existing legislation while promoting a culture where public officers respect one another's dignity, privacy, and right to equity.

3. Supervising Officers of Ministries and Departments will be responsible for the implementation and enforcement of the Policy in their respective organisations.

4. Some of the key components of the Sexual Harassment Workplace Policy are outlined below:

i. Legal Provisions

The Policy has been drafted in line with, inter-alia, the following main existing legislations:

- (a) Section 114 of the Worker's Rights Act 2019;
- (b) Section 254 of the Criminal Code; and
- (c) Section 26 of the Equal Opportunities Act 2008.

ii. Policy Statement

Each Ministry/Department should formulate and prominently display for the information of everyone in the organisation, a Policy Statement on Sexual Harassment at its Workplace, affirming its commitment to maintaining a safe and healthy work environment free from any form of sexual harassment. This Policy Statement will serve as a clear declaration of the organisation's dedication to upholding the welfare, safety and dignity of every employee within the organisation.

iii. Departmental Complaints Committee on Sexual Harassment

A Departmental Complaints Committee on Sexual Harassment should be set up at the level of the Ministry/Department upon a formal complaint of sexual harassment by an aggrieved officer. The Departmental Complaints Committee should comprise a Chairperson and at least two members from different sections of the Ministry/Department, other than the section(s) where the aggrieved officer and the alleged harasser are posted. The services of a Psychologist may be enlisted, if required.

The main functions of the Departmental Complaints Committee on Sexual Harassment are to:

- (a) treat all complaints, impartially and in strict confidentiality;
- (b) give opportunity to both the aggrieved officer and alleged harasser/perpetrator to explain themselves;
- (c) hear any other relevant party separately;
- (d) determine whether or not any case of sexual harassment took place; and
- (e) make appropriate recommendations to the Supervising Officer or the Secretary to Cabinet and Head of the Civil Service, as the case may be, within a set timeframe.

iv. Lodging and handling of complaints - Informal and Formal Procedures

The procedures for filing and handling of complaints have been outlined in paragraph 6 of the Policy. The main features are as follows:

- (a) the Supervising Officer should designate an appropriate officer for receiving complaints of sexual harassment;
- (b) an aggrieved officer can approach the designated officer to record his/her complaint;
- (c) the designated officer should record the aggrieved officer's name, address, grade, posting, and contact details as well as facts of the alleged incident and details regarding the alleged harasser/perpetrator;

(d) the designated officer will inform the victim of his/her rights to:

- (i) report the matter to the Commissioner of Police;
- (ii) report the matter to the Equal Opportunities Commission;
- (iii) report the matter to the Ministry of Labour, Human Resource Development and Training; or
- (iv) pursue the matter at the level of the Ministry/Department; and

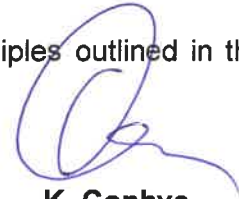
(e) the designated officer will also inform the victim of the informal and formal procedures.

v. Procedure for cases where sexual harassment has been committed

Paragraph 10 of the Policy provides that when a case of sexual harassment has been established by the Departmental Complaints Committee on Sexual Harassment, disciplinary actions can be instituted against the harasser/perpetrator in accordance with the Public Service Commission Regulations, the Disciplined Forces Service Commission Regulations or the Local Government Service Commission Regulations, as the case may be.

5. You are requested to ensure that the contents of this Circular letter be brought to the attention of all Parastatal Bodies/Local Authorities falling under the aegis of your Ministry. They should be instructed to adapt the Policy within their legal framework while considering their specificities.

6. We rely on your collaboration for the upholding of the principles outlined in the Sexual Harassment Workplace Policy.



K. Conhye
Secretary for Public Service

Copy to: Secretary to Cabinet and Head of the Civil Service