



malta insurance institute  
ANTI DISCRIMINATION & ANTI  
HARASSMENT POLICY

#### ABSTRACT

The objective of this Policy is to foster physical, social and virtual environment that is discrimination and harassment-free.

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# Anti-discrimination and anti-harassment policy

## 1. Overview and Objectives

It is the policy of the Malta Insurance Institute (MII) to provide a working environment, free of discrimination or harassment based on sex, race, colour, religion, national origin, age, disability, pregnancy, genetic information, sexual orientation and or any other legally protected status. Any manner or form of such discrimination or harassment is expressly prohibited. The purpose of this policy is to state clearly the MII's commitment against any form of discrimination harassment among its members or related parties. This policy applies to all members, associated or affiliated entities, applicants, students, guests, and other persons in any way connected with MII whether at its premises or any physical location where it may be conducting its business and or is present or virtually whether through correspondence, through social media platforms or any other platform and or medium of communication or contact at any other location.

## 2. Definitions

**Discrimination or harassment:** Could be verbal, graphic or physical conduct that shows hostility toward an individual or class of individuals because of their sex, race, color, religion, national origin, age, disability, pregnancy, genetic information, sexual orientation and or other legally protected status, and that

- a. has the purpose or effect of unreasonably interfering with an individual's status or performance with MII
- b. has the purpose or effect of creating an intimidation, hostility, or offense; or
- c. otherwise adversely affects a person's opportunities.

Harassment may include, without limitation, verbal or written harassment (epithets, derogatory statements, and slurs), physical harassment (assault, physical interference with normal work), visual harassment (posters, cartoons, drawings) and innuendo.

**Sexual Harassment:** defines a form of sexual misconduct undermining the integrity of the relationship, internally, between members and, externally, between members and any connected parties. MII endeavours to guarantee an environment that is free from unsolicited and unwelcome sexual overtures. Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behaviour which is not welcome, which is personally offensive, which debilitates morale, and which therefore interferes with MII's ability to function efficiently and in a legally and socially acceptable manner.

**Sexual misconduct** is defined as unwelcome sexual advances, requests for sexual favour or other verbal or physical conduct of a sexual nature when:

1. Such comments, advances or other conduct or the individual's response to them affects the individual's membership, relations or conduct of business with MII, or
2. The conduct unreasonably interferes with the person's standing within MII or creates an intimidating, hostile, or offensive work environment.

Sexual harassment or misconduct includes, but is not limited to:

Verbal harassment, such as: sexual innuendo; comments or jokes of a sexual nature; threats or slurs; remarks about an individual's physical anatomy or orientation; demands or requests for sexual favours; or sexually explicit communications, including in-person, telephone, written, or electronic mail.

**Prohibited Practices** include the following:

1. Physical harassment, such as sexual advances, touching (or the threat to touch) in a sexual manner, physical interference with normal work or movement, or otherwise invading the personal privacy of another person.
2. Unwelcome social advances, such as repeated requests for social dates or any other non-institute/business related activity where the invitee has already indicated that she/he is not willing to accept such invitations.
3. Distribution or display of written or graphically sexual material, such as sexually oriented magazines or posters or email messages, nude pictures or explicit writings.

### 3. Reporting Requirements

Any MII member or connected party who feels harassed by an MII Member is requested to take the following course of action:

1. Tell the individual(s) to stop the conduct. State your objection to the action and the specific behaviour to which you object. If this discussion does not resolve the problem or if you feel uncomfortable confronting the individual, proceed to step (2).
2. Write to [compliance@mii.mt](mailto:compliance@mii.mt) informing of the situation. The Compliance function will escalate the matter to the Council's attention for the necessary deliberation and course of action.

Immediate reporting of all suspected instances of discrimination or harassment, including sexual harassment or any other unlawful harassment. Any member or associated party who believes he/she has been or is being discriminated against or harassed should immediately report such harassment. This reporting requirement applies to harassment which may occur anywhere whether at its premises or any physical location where it may be conducting its business and or is present or virtually whether through correspondence, through social media platforms or any other platform and or medium of communication or contact at any other location. Any delay in reporting incidents of harassment may be deemed unreasonable and may inhibit the MII's ability to prevent and promptly remedy such incidents.

### 4. Reporting Requirements

#### Investigation Procedure

1. All complaints received will be escalated to the Council for investigation (if a Council Member is the subject of the investigation, he/she would be excluded from the deliberation process). During the course of the investigation, the MII will take all reasonable precautions to protect the privacy of the complainant, any

witnesses and the individual whose actions are being questioned. However, complete confidentiality cannot be guaranteed.

2. A prompt and thorough investigation will be conducted by the Council engaging legal counsel if necessary.
3. The complainant and the harasser(s) and will be informed by the Council of the final disposition of the complaint and of the appropriate action mandated.
4. Upon completion of an investigation the Council instruct appropriate remedial action, where necessary including disciplinary action if required.

### **Disciplinary Actions**

1. Any member who violates this policy will be subject to disciplinary action, up to and including termination from MII membership.
2. In the event of a non MII member found violating the policy all social and or business ties would be severed with such person and the person would be indefinitely interdicted from engaging with MII.

### **Anti-Retaliation**

Any MII member

1. privy to a good faith complaint and who does not act upon it under the procedures of this policy, or
2. who retaliates or threatens to retaliate against an individual who makes a good faith report of discrimination or harassment, or
3. who does cooperate with an investigation of harassment,

will be subject to disciplinary action, up to and including termination from MII membership.

### **Version Control**

Version	Date Issued	Reason	Date of Council Approval
1.0	11.03.2021	Good Governance	07.04.2021
2.0			
3.0			
4.0			
5.0			